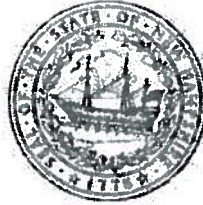


CHAIRMAN
Martin P. Honigberg

COMMISSIONER
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EXECUTIVE DIRECTOR
Debra A. Howland

STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

VH 01 17-204
MM 7-13-15

TDD Access: Relay NH
1-800-735-2964

Tel. (603) 271-2431

FAX No. 271-3878

Website:
www.puc.nh.gov

JUL 13 2015

July 13, 2015

*The proposed amendments
remove the issues raised
on the FP.*

HAND DELIVERED

Michael A. Morrell, Esq.
Joint Legislative Committee on Administrative Rules
State House Annex, Room 219
25 Capitol Street
Concord, NH 03301

**CONDITIONAL APPROVAL
REQUEST**
FP 2015-14

Re: 2015-14; Puc 2100, Affiliate Transactions Rules
JLCAR hearing July 16, 2015

Dear Mr. Morrell:

The Administrative Rules Office made three substantive comments to the Commission's Final Proposal for the Puc 2100 rules. I write to ask JLCAR to grant conditional approval of the rules. Enclosed with this letter is a copy of the rules in question annotated to show the amendments that the Commission would like the Committee to require as the condition for approval. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael J. Sheehan".

Michael J. Sheehan, Esq.
Staff Counsel

cc: service list

Conditional Approval Request, Puc 2100

Puc 2106.01

Edit. "(f)"

(e) Any contract or arrangement not filed with the commission pursuant to this section shall be subject to the provisions of RSA 366:4. In assessing whether to approve the late filing of a contract under RSA 366:4, the commission shall take into account, in addition to the nature, extent, and gravity of the particular violation:

(1) The utility's prior history of violations of RSA 366 and these rules;

(2) The good faith efforts, if any, of the utility or affiliate to comply with RSA 366 and these rules;

(3) The nature and degree of economic benefit gained by the utility or its affiliate;

(4) Deterrence of future violations; and

(5) Such other factors that are relevant and material to the particular circumstances of the violation.

Edit. "(g)"

(f) If a utility fails to provide the information required by Puc 2106 in the manner and time required, it shall be subject to the provisions of RSA 366:7. In assessing whether to disallow any payments or compensation to an affiliate pursuant to RSA 366:7 for violation of this rule, the commission shall take into account, in addition to the nature, extent, and gravity of the particular violation:

Edit. "(h)"

Edit. "(1)" - "(5)"

(a) The utility's prior history of violations of RSA 366 and these rules;

(b) The good faith efforts, if any, of the utility or affiliate to comply with RSA 366 and these rules;

(c) The nature and degree of economic benefit gained by the utility or its affiliate;

(d) Deterrence of future violations; and

(e) Such other factors that are relevant and material to the particular circumstances of the violation.

Puc 2106.05

(a) On the commission's own motion or upon receipt of a complaint, in order to verify that the utility is in compliance with these rules, and if it shall appear to the commission that the complaint alleges a violation of these rules or RSA 366 there are reasonable grounds therefor, the commission shall:

(1) Assign its staff to perform a review, investigation, or inquiry; or

(2) Order a compliance audit to be performed by its staff or by independent auditors.

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 14-234-1 Printed: July 14, 2015

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**
- DEBRA A HOWLAND
EXECUTIVE DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) Serve a written copy on each person on the service list not able to receive electronic mail.**