

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DRM 15-075

RULEMAKING

Puc 1800 - Energy Conservation in Building Construction

ORDER OF NOTICE

On March 13, 2015, the Commission voted pursuant to RSA 541-A to initiate a rulemaking for N. H. Code Admin. Rules PART Puc 1800, Rules for the energy conservation code in new building construction. The Commission's Initial Proposal represents a re-adoption of the existing Puc 1800 rules with amendments. Pursuant to RSA 155-D:10, Commission Staff held an informal conference on February 18, 2015 to discuss revisions of the rules with building professionals involved in the construction of new buildings.

The Puc 1800 rules describe the process whereby the Commission administers the code for energy conservation in new building construction, and gives parties involved in design and construction of new buildings an explanation of what they must do to comply with the Code. The Commission voted to amend by rules by adding language which permits electronic submission of the application form for certification of compliance with the code.

Upon approval, the proposed amended rule will replace the current version of Puc 1800.

A rulemaking notice form (Notice), as required by RSA 541-A:6, was filed with the Office of Legislative Services on March 27, 2015. The Notice sets forth a date for a public hearing to be held at the Commission and a deadline for submission of written comments. That notice is appended hereto.

A copy of the Rulemaking Notice will be sent to stakeholders, including engineers and construction professionals identified as being involved in the construction of new buildings. Pursuant to RSA 541-A:6, III, notice will also be provided by public notice advertisement in a publication of daily statewide circulation.

The readoption with amendment Initial Proposal may be viewed on the Commission website, www.puc.nh.gov, or copies may be obtained from the Commission as set forth in the Notice.

Based upon the foregoing, it is hereby

ORDERED, that a Public Hearing, pursuant to 541-A:11, be held before the Commission located at 21 South Fruit Street, Suite 10, Concord, New Hampshire on May 7, 2015 at 10:00 a.m., and that the deadline for submission of materials in writing or via e-mail shall be May 15, 2015, as set forth in the Notice; and it is

FURTHER ORDERED, that pursuant to RSA 541-A:6, III, the Commission shall undertake a public notice advertisement by publishing a copy of this Order together with the Notice no later than April 16, 2015, in a newspaper with a daily statewide circulation, publication to be documented by affidavit filed with the Commission on or before May 5, 2015.

By order of the Public Utilities Commission of New Hampshire this ninth day of April, 2015.



Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability, should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 South Fruit Street, Suite 10, Concord, New Hampshire 03301; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number _____

Puc 1800

1. Agency Name & Address:

**Public Utilities Commission
21 South Fruit Street
Suite 10
Concord, NH 03301**

2. RSA Authority:

**RSA 365:8, VIII and RSA
155-D:10**

3. Federal Authority: _____

4. Type of Action:

Adoption _____

Amendment _____

Repeal _____

Readoption _____

Readoption w/amendment **X**

5. Short Title: **NH Code for Energy Conservation in New Building Construction**

6. (a) Summary of what the rule says and of any proposed amendments:

The rules describe the process whereby the Commission administers the Code for Energy Conservation in New Building Construction, and gives parties involved in design and construction of new buildings an explanation of what they must do to comply with the Code. The rules are amended by adding language which permits electronic submission of the application (form EC-1) for certification of compliance with the Code.

6. (b) Brief description of the groups affected:

Architects, engineers and construction professionals involved in the construction of new buildings.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement.

Rule	Statute
Puc 1801.01 – 1801.08	RSA 365:8, XII
Puc 1802.01	RSA 365:8, XII; RSA 155-D:3; 42 U.S.C. §§ 6201 et seq.
Puc 1802.02	RSA 155-D:7; RSA 155-D:8; RSA 365:8, XII; 42 U.S.C § § 5401 - 5426
Puc 1803.01	RSA 155-D:4; RSA 155-D:5
Puc 1803.02	RSA 155-D:4, IV, V & VII
Puc 1803.03	RSA 155-D, VI & VII
Puc 1803.04	RSA 155-D:4, V, VI & VII
Puc 1803.05	RSA 155-D:4, IV & V
Puc 1804.01	RSA 155-D; RSA 365:8, XII
Puc 1804.02	RSA 155-D:4, V & VI
Puc 1804.03	RSA 541-A:29, II(a); RSA 365:8, XII
Puc 1805.01	RSA 365:8, XII, RSA 155-D:4, IV, V, VI & VII

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name:	Suzanne Amidon, Esq.	Title:	Staff Attorney
Address:	NH Public Utilities Commission 21 South Fruit Street, Suite 10 Concord, NH 03301	Phone #:	603-271-2431
		Fax#:	603-271-4033
		E-mail:	Suzanne.Amidon@puc.nh.gov

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **May 15, 2015 4:00 P.M. Email comments to rulescomments@puc.nh.gov.**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **May 7, 2015, at 10:00 a.m.**
Public Utilities Commission
Place: **21 South Fruit Street, Suite 10**
Concord, NH 03301

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 15:046, dated 3/23/2015

10. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed rules do not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivision of the State of New Hampshire. They therefore do not violate Part I, Article 28-a, of the N.H. Constitution by necessitating additional local expenditures by a political subdivision.

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.

Executive.Director@puc.nh.gov
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karen.cramton@puc.nh.gov
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Docket #: 15-075-1 Printed: April 09, 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
EXEC 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.