

APPENDIX II-B

OFFICE OF LEGISLATIVE BUDGET ASSISTANT  
REQUEST FOR FISCAL IMPACT STATEMENT (FIS)

FIS Number \_\_\_\_\_ Rule Number Puc 2500

1. Agency Name & Address:  <b>Public Utilities Commission 21 South Fruit Street, Suite 10 Concord, NH 03301</b>	2. RSA Authority: <u>RSA 362-F:13; 365:8</u>
	3. Federal Authority: _____
	4. Type of Action: Adoption _____ Amendment _____ Repeal _____ Readoption _____ Readoption w/amendment <u>X</u> Interim rule _____
	5. Have the rules expired? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Date Expired: _____

6. Short Title: **Puc 2500 – Electric Renewable Portfolio Standard Rules**

7. Contact Person:  
Name: **David K. Wiesner, Esq.** Title: **Staff Attorney**  
Address: **Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301**  
Phone #: **603-271-6030**  
Fax #: **603-271-4033**  
E-mail: **David.Wiesner@puc.nh.gov**  
TTY/TDD Access: **Relay NH 1-800-735-2964 or dial 711 (in NH)**

Remember:

- (a) A copy of the proposed rule or an annotated copy of the amended rule must accompany this form. The annotated copy shall use [brackets] to indicate deleted material, and underlining for added material, or any other annotation style allowed in Section 5.4 in Chapter 4 of the Drafting and Procedure Manual for Administrative Rules.
- (b) Please provide the methodology and any calculations used in determining the fiscal impact. Where appropriate or necessary, please attach a worksheet detailing the methodology and associated calculations.
- (c) This form may be replicated to expedite preparation.
- (d) Please allow 10 working days from day of receipt for the Office of Legislative Budget Assistant to complete the fiscal impact statement. Additional information about this form is in Section 2.3 in Chapter 3 of the Drafting and Procedure Manual for Administrative Rules.

APPENDIX II-B (Continued)

REQUEST FOR FISCAL IMPACT STATEMENT (FIS) – Page 2

- (e) Please provide the following information and attach additional sheets if necessary:

**NOTE:** Pursuant to RSA 541-A:5, IV the fiscal impact of the proposed rule which was previously effective but has expired, or of a proposed rule which adopts a current agency policy, procedure or practice as a rule for the first time, shall not be assessed as an existing rule but as a proposed rule which is not yet effective.

- (1) Summarize the intended action and the proposed rule. The intended action is defined by RSA 541-A:5, VII as the proposed adoption, amendment, re-adoption, re-adoption with amendment, or repeal of a rule pursuant to RSA 541-A.

The Commission intends to re-adopt with amendments its Puc 2500 rules. Puc 2500 sets forth the rules applicable to administration of the electric renewable portfolio standard (RPS) under RSA 362-F, including eligibility of renewable energy generation facilities to produce renewable energy certificates (RECs), compliance of retail electricity providers with the RPS, the role of independent monitors and REC aggregators, and funding of initiatives from the renewable energy fund (REF). The amendments are required to include biodiesel production as an eligible renewable energy technology, to address other statutory changes, and to update the rules based on the Commission's administrative experience during the past few years.

- (2) Is the cost associated with this intended action mandated by the rule or by state statute? If the cost is mandated by statute, then the rule itself may not have a cost or benefit associated with it. Please state either the statute or chapter law that is instigating this rule.

Any costs associated with these rules are mandated by the statute, RSA 362-F; the rules administer the statute and do not add any other costs.

- (3) Compare the cost of the proposed rule with the cost of the existing rule, if there is an existing rule. Please provide the methodology and any calculations used in making your determination. If there is no cost, please explain why.

There are no incremental or net costs to the state as a result of the proposed rules or the existing rules.

- (4) To the extent the proposed rule had expired, please indicate the cost of the expired rule as you do for a new rule, and if applicable, the difference in cost of any proposed change from the expired rule. Please provide the methodology and any calculations used in making your determination. If there is no cost, please explain why.

The existing Puc 2500 rules have not expired.

- (5) Describe the costs and benefits to the state general fund which would result from this intended action.

There are no costs to the state general fund resulting from these rules, as RPS program administration is funded by the REF and not through general funds. Any civil penalties paid as a result of violations of these rules would be applied to the state general fund.

APPENDIX II-B (Continued)

REQUEST FOR FISCAL IMPACT STATEMENT (FIS) – Page 3

- (6) Explain and cite the federal mandate for the intended action, if there is such a mandate. How would the mandate affect state funds?

**There is no direct federal mandate for the proposed Puc 2500 rules amendments.**

- (7) Describe the cost and benefits to any state special fund which would result.

**Part of the rules covers administration of the REF, which is a nonlapsing special fund created under RSA 362-F:10. The proposed amendments to that portion of the rules are required under recent statutory changes. There is no cost or benefit to any other state special fund.**

- (8) Describe the costs and benefits to the political subdivisions of the state.

**These rules are neutral as applied to political subdivisions of the state.**

- (9) Describe the costs and benefits to the citizens of the state.

**There are no specific direct costs to citizens of the state, except for those citizens who elect to participate in the RPS through the production of RECs. The rules benefit citizens of the state in that the rules implement the RPS, which the legislature has determined provides numerous benefits, as described in RSA 362-F:1.**

- (10) Describe the costs and benefits to any independently owned business, including a description of the specific reporting and recordkeeping requirements upon those employing fewer than 10 employees.

**The rules do not impose any costs on independently owned businesses in excess of those imposed by the statute. Businesses that wish to engage in the RPS program must meet certain standards that are required by statute and administered by the rules.**