

Notice Number 2023-209

Rule Number Puc 700

1. Agency Name & Address:

**Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, New Hampshire, 03301**

2. RSA Authority: RSA 365:8, I(e) and (l)

3. Federal Authority: _____

4. Type of Action:

Adoption _____

Repeal _____

Readoption _____

Readoption w/amendment X

5. Short Title: **Rules for Sewer Utilities**

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

The Public Utilities Commission (Commission) is proposing to readopt with amendment the existing Chapter Puc 700 on sewer utilities to reflect the division of sewer service regulatory responsibilities between the Commission and the Department of Energy (Department), which was created under RSA 12-P:2, I, after consultation between the two agencies. The Department is concurrently proposing to adopt its own rules related to sewer utilities, Chapter En 700. Taken together, the Commission’s proposed rules and the Department’s proposed En 700 rules maintain the existing extent and scope of state regulation of sewer utilities as is currently reflected in Puc 700.

The Commission is proposing to readopt with amendment, in substantially the same form as the existing rules, rules that define relevant terms used in the rule set, establish tariff requirements and contents, require Commission authorization to provide sewer service, prescribe recordkeeping and record retention requirements, prescribe reporting and accounting standards, and prescribe processes and standards for utility requests for authority to issue securities.

Proposed amendments include the deletion of existing provisions in rules governing customer relations, meter accuracy and testing, equipment and facilities, accident and leak reporting, other reporting, and enforcement procedures which the Department is proposing to adopt as part of the Chapter En 700 in a rulemaking proceeding that is occurring contemporaneously with this proposed action.

Proposed amendments also include edits, updates, clarifying changes, and cross references to the Department’s proposed rule set.

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

Puc 700 rules generally apply to any public utility providing sewer service to the public in the state of New Hampshire and their customers.

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

Rule	Specific State Statute the Rule Implements
Puc 701.01 – Puc 702.08	RSA 365:8, I(e) and (l)
Puc 703.01	RSA 365:8, I(e) and (l); RSA 374:15
Puc 704.01 – Puc 704.06	RSA 365:8, I(e) and (l); RSA 369:1 and 3; RSA 374:3, 4, and 13
Puc 705.01– Puc 705.03	RSA 365:8, I(e) and (l); RSA 374:3, 4, and 15

Rule	Specific State Statute the Rule Implements
Puc 705.04	RSA 365:8, I(e) and (l); RSA 369:1 and 3

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

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@puc.nh.gov
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or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **October 13, 2023**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **October 4, 2023, 10:00 a.m. (jointly with Department of Energy)**
Place: **N.H. Public Utilities Commission, Hearing Room B**
21 S. Fruit Street, Suite 10, Concord, NH 03301

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

FIS # 23:208, dated August 28, 2023

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**
There is no difference when comparing the proposed rules to the existing rules.
2. **Cite the Federal mandate. Identify the impact on state funds:**
No federal mandate, no impact on state funds.
3. **Cost and benefits of the proposed rule(s):**
 - A. **To State general or State special funds:**
None.
 - B. **To State citizens and political subdivisions:**
None.
 - C. **To independently owned businesses:**
None.

11. 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, and therefore do not violate Part I, Article 28-a of the N.H. Constitution by necessitating additional local expenditures by a political subdivision.