

Notice Number 2023-268

Rule Number Puc 1900

1. Agency Name & Address:

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

2. RSA Authority: RSA 365:8, I(j)

3. Federal Authority: _____

4. Type of Action:

Adoption _____

Repeal _____

Readoption _____

Readoption w/amendment X

5. Short Title: **Rate Case Expenses**

6. (a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:

The Public Utilities Commission (Commission) is proposing to readopt with amendment existing Puc 1900 rules. The Puc 1900 rules govern the determination and recovery of rate proceedings expenses. The Puc 1900 rules define relevant terms used in the rule set, require Commission approval prior to recovery of rate case expenses, prescribe criteria for determining allowed rate case expenses, prescribe procedures for requesting approval of rate case expenses including reporting and documentation requirements, describe recoverable and non-recoverable expenses, and require that recovery of rate case expenses occur through rates as a surcharge. If the rules are not readopted, the determination and recovery of rate proceedings expenses would not be governed by rules and procedural, reporting, and documentation requirements would not be clear. The Puc 1900 rules were scheduled to expire 11-15-23 but are subject to extension pursuant to RSA 541-A:14-a.

These rules are substantially the same as the existing Puc 1900 rules, but contain amendments for the first time to reflect the establishment of the Department of Energy, which was created under RSA 12-P:2, I, including the transfer of audit functions to the Department of Energy, pursuant to 2021, 91:187, effective 7-1-21.

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

Puc 1900 applies to rate-regulated utilities in the State.

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 1900	RSA 365:8, I(j)

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

Name: **Eric Wind**

Title: **Senior Advisor**

Mailing Address: **Public Utilities Commission**

Phone #: **603-271-6016**

**21 S. Fruit Street, Suite 10
Concord, NH 03301**

Fax#:

E-mail: **rulemakingadministration@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: **Friday, January 19, 2024**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Thursday, January 11, 2024, 10:00 a.m.**

Physical Location: **N.H. Public Utilities Commission, Hearing Room A
21 S. Fruit Street, Suite 10
Concord, NH 03301**

Electronic Access (if applicable): **N/A**

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

FIS # 23:276, dated 11/15/2023

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost 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.