

Notice Number _____

Rule Number _____

Puc 500

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), (l)**

3. Federal Authority: _____

4. Type of Action:

Adoption _____

Repeal _____

Readoption _____

Readoption w/amendment **X**

5. Short Title: **Rules for Gas Service**

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

The intended action of the rulemaking is to readopt with amendment existing Puc 500 to reflect the division of gas service regulatory responsibilities between the Commission and the Department of Energy, which was created under RSA 12-P:2, I, after consultation between the two agencies.

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

Proposed amendments include the repeal of existing parts of rules governing gas quality, meter accuracy and testing, equipment and facilities, safety standards, accident and leak reporting, other reporting and accounting, and enforcement procedures which the Department of Energy intends to adopt as part of a new proposed rule set (En 500) in a rulemaking proceeding that will occur contemporaneously with this proposed action. The proposed Puc 500 rules preserve the hearings and appeal processes related to enforcement in the existing Puc 500 rules, reflecting the enforcement responsibility of the Department of Energy and the adjudication role of the Commission; hearing requests must be made within ten days of the Department of Energy issuing a notice of violation.

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

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

Puc 500 rules generally apply to any public utility providing gas service to the public in the state of New Hampshire and their customers. Puc 511 and 512 apply to LP and LNG and landfill operators 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 or Federal Statute the Rule Implements
Puc 501	RSA 362:4-b; 365:8, I, (e), (l); 40 U.S.C. 60101 et seq.
Puc 502	RSA 365:8, I, (e), (l)
Puc 503	RSA 365:8, I, (e), (l); 378:1
Puc 504	RSA 365:8, I, (e), (l); 374;; 49 C.F.R. Parts 191 and 192
Puc 505	RSA 365:8, I, (e), (l)
Puc 506.01 - 506.05	RSA 365:8, I, (e), (l); 374:8, 13; 374:15; 369.7; 18 C.F.R. Part 201
Puc 507.01 - 507.04	RSA 365:8, I, (e), (l); 369:3; 374:5; 15 U.S.C. § 717 et seq.
Puc 508.01 - 508.06	RSA 365:8, I, (e), (l); 378
Puc 509.01	RSA 365:8, I, (e), (l); 374:7-a
Puc 510.01	RSA 365:8, I, (e), (l); 374:7-a

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

Name: **Eric Wind, Esq.** Title: **Senior Advisor**
Address: **N.H. Public Utilities Commission** Phone #: **603-271-2431**
21 S. Fruit Street, Suite 10 Fax#:
Concord, NH 03301 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: **July 13, 2023**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **June 29, 2023, 1:00 p.m. (jointly with Department of Energy)**
Place: **N.H. Public Utilities Commission, Hearing Room A**
21 S. Fruit Street, Suite 10, Concord, NH, 03301

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

FIS # 23:100, dated April 18, 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.