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October 29, 2024

Daniel C Goldner, Chairman
New Hampshire Public Utilities Commission
21 South Fruit Street
Concord, NH 03301-2429

DRM 24-086 Comment on Proposed Puc 200 rules

Dear Chairman Goldner,

I am writing to suggest one particular change to your proposed Puc 200 rule. The proposed Puc 203.03 concerning "Acceptance of filings" would provide that "[a] filing shall be deemed filed on the day it was filed consistent with Puc 203.09. A filing shall be rejected if it does not comply with the commission's administrative rules." The proposed rule goes on to provide that the Commission will notify a filer in writing if their filing is rejected stating the reason for non-compliance and would give the filer 5 business days to remedy the filing and refile the document. That process may not make sense if the filing is rejected for being filed late.

The proposed Puc 203.09 would provide that: "Filings shall be deemed filed on the date that the commission receives it, if submitted during the commission's business hours listed in Puc 203.04. A filing submitted after hours shall be deemed to have been filed on the next business day." That proposed rule goes on to repeat similar language to proposed Puc 203.03 about the Commission notifying the filer if their filing is rejected for non-compliance and provides a similar opportunity to the filer to make a corrected filing, which seems redundant to proposed Puc 203.03.

My suggestion is that the first two sentences in proposed Puc 203.09 be amended to read as follows:

Filings shall be deemed filed on the date that the commission receives it, if submitted during the commission's business hours listed in Puc 203.04 if in paper form and if received by the commission before midnight if in electronic form. An electronic filing submitted after midnight shall be deemed to have been filed on the next business day."

The reasons for my suggestion are two-fold:

- 1) For the commission, there is no practical difference between an electronic (e.g. email) filing received at 4:29 pm and one received at 5:00 pm or 11:59 pm the same day. Both will be processed by the Clerk's office and posted to the docket book and made available to staff the next business day.
- 2) Things happen that cause unexpected last-minute delays in filings and having a few more hours in the evening to complete a filing can make a big difference in the quality of the filing and result in more complete record for the Commission. As an individual who has


made numerous filings with the Commission over the past decade, pro se and as volunteer (unpaid) advocate and witness for the City of Lebanon and the Community Power Coalition of New Hampshire, I do note that I also have a paying job operating and managing a commercial building where my office is on-site and sometimes that has to take priority. There have been occasions when I filed after 4:30 pm, but would have timely filed, but for an unexpected building or tenant emergency such as a water leak or backed up sewer line, where I have had to drop everything and immediately tend to that emergency.

Though I think filers always plan and try to meet the 4:30 pm deadline of when the Commission office closes, since the suspension of required paper filings during the pandemic I have observed occasions when Commission staff (before the split off of DOE), DOE staff, OCA, and regulated utilities have all missed a 4:30 pm deadline, sometimes by just a few minutes and occasionally by a longer period of time extending into the evening. Believe me, I don't like working into the evening, especially on a Friday evening to complete a filing, but sometimes that extra bit of time has been critical to making a coherent and complete filing and those few extra hours between 4:30 pm and midnight simply do not otherwise delay timely progress in the procedural schedule.

Finally I would note that when filings are large and there is a particularly long service list, there can be several minutes of delay from when I have hit send and when the email is received by others, such that hitting send at 4:27 pm may result in receipt after 4:30 pm, so having a bit of leeway can be appreciated.

Thank you for your consideration of this modest suggestion.

Yours truly,


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