

## APPENDIX II-H

### INCORPORATION BY REFERENCE STATEMENT

**\*\*PLEASE LIST THE FOLLOWING:**

1. Name of Agency. **Department of Energy**
2. Person who has reviewed the material to be incorporated into the agency's rules:

Name:	<b>Paul Kasper</b>	Title:	<b>Director, Enforcement Division</b>
Address:	<b>NHDOE, 21 South Fruit Street, Suite 10 Concord, NH 03301</b>	Phone #:	<b>603-271-3670</b>

3. Specific rule number where the material is incorporated:

**En 504.06(a)(1); En 506.02(i); En 508.05(a)(2)a –  
En 508.05(a)(2)d; En 506.02(a)(l); En 506.02(g);  
En 511.01(b); En 511.01(c); En 511.02(a); En 511.08(a);  
En 511.08(d); En 511.14(g)(l); and En 511.14(n).**

**\*\*PLEASE ATTACH THE FOLLOWING**, numbered to correspond to the number on this sheet (a separate sheet is not required for every item):

4. The complete title of the material which is to be incorporated including the date on which the material became effective (or a document identification number) or, if the material is undated Internet content, the date the material was accessed and printed, and the title of the entity that created or promulgated the material.

5. How the agency modified the text of the material incorporated, clearly identifying where amendments have been made to the text. **N/A**

6. How the material incorporated can be obtained by the public (include cost and the address of the party which published the material, and the Internet source URL if it appears in the rule, for example if the material is Internet content only available online).

7. Why the agency did not choose to reproduce the incorporated material in full in its rules. The discussion shall include more than the obvious reason that it is less expensive to incorporate by reference. **The length and dimensions of the documents and page dimensions are readily amenable only to digital format.**

**\*\*PLEASE SIGN THE FOLLOWING:**

I, the adopting authority,\* certify that the text of the material which the agency is incorporating by reference in these rules has been reviewed by this agency. To the best of my knowledge and belief, this agency has complied with the requirements of RSA 541-A:12, IV and Section 3.12 of Chapter 4 of the Drafting and Procedure Manual for Administrative Rules. I further certify that the agency has the capability and the intent to enforce the material incorporated into the rules, as identified above.

Date: September 18, 2023

Signature: 

Name: Jared S. Chicoine

Title: Commissioner

\*("Adopting authority" is the official empowered by statute to adopt the rule, or a member of the group of individuals empowered by statute to adopt the rule.)

ATTACHMENT TO APPENDIX II-H  
INCORPORATION BY REFERENCE STATEMENT

Rulemaking Notice No. 2023-94  
En 1400, Rules for Pipeline Public Utilities  
Rules of the Department of Energy  
Final Proposal

- (1) En 1403.02(a)(1): Form Number 2 – Major Natural Gas Pipeline Annual Report.
- (2) En 1403.02(a)(1): Form Number 2A – Non-Major Natural Gas Pipeline Annual Report.
- (3) The Department did not modify the text of any materials incorporated by reference.
- (4) Copies of Form Number 2 – Major Natural Gas Pipeline Annual Report and Form Number 2A – Non-Major Natural Gas Pipeline Annual Report are both available from the publisher, Federal Energy Regulatory Commission (FERC) at no cost at <http://www.ferc.gov/docs-filing/forms.asp>.
- (5) The Department did not reproduce the incorporated materials in full in the rules because the incorporated materials are not only lengthy, but the page dimensions are extensive and voluminous. All incorporated materials are available for purchase from the publisher or other sources, or are available for review at the Department of Energy at no cost.