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March 9, 2022

Mr. Michael W. Kane  
Legislative Budget Assistant  
107 North Main Street  
State House Room 102  
Concord, NH 03301

**Re: REQUEST FOR FISCAL IMPACT STATEMENT  
Department of Energy Chapter En 1300  
Utility Pole Attachment Rules**

Dear Mr. Kane:

Enclosed please find a Request for Fiscal Impact Statement regarding the Department of Energy's Chapter En 1300 rules entitled "Utility Pole Attachment Rules." Also enclosed for your review is a copy of the Initial Proposal for adoption of Chapter En 1300, as approved by the Commissioner of the Department on March 8, 2022.

The Department is adopting these new rules pursuant to its rulemaking authority over most issues related to utility pole attachments under RSA 374:34-a, as amended effective July 1, 2021. See 2021 N.H. Laws Chapter 91 (House Bill 2-FN-A-Local). The En 1300 rules are substantially the same as Parts Puc 1301, 1302, and 1303 of the existing Chapter Puc 1300 rules of the Public Utilities Commission, except for the addition of provisions for One-Touch Make-Ready procedures and timelines as required under Senate Bill 88 (2021). Part Puc 1304, which covers dispute resolution and related pole attachment fee rate-setting, will remain with the Commission in an amended version of its Puc 1300 Utility Pole Attachment Rules.

When you have completed the Fiscal Impact Statement, please notify the Department. If you should have any questions or comments, please do not hesitate to contact me.

Thank you for your attention to this matter.

Sincerely,

*David Wiesner*

David K. Wiesner  
Legal Director

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Enclosures