

NEW HAMPSHIRE DRAFTING AND PROCEDURE MANUAL

APPENDIX II-B

**OFFICE OF LEGISLATIVE BUDGET ASSISTANT
REQUEST FOR FISCAL IMPACT STATEMENT (FIS)**

FIS Number _____ Rule Number En 1400

<p>1. Agency Name & Address:</p> <p>Department of Energy 21 S. Fruit St., Ste. 10 Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 12-P:5, IV; RSA 374:3; RSA 374:15</u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption <u> X </u></p> <p>Amendment _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment _____</p> <p>Interim rule _____</p> <p>5. Have the rules expired? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Date Expired: _____</p>
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6. Short Title: **Puc 1400 Rules for Pipeline Utilities**

7. Contact Person:

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Remember:

- (a) A copy of the proposed rule or an annotated copy of the amended rule must accompany this form. The annotated copy shall use [brackets] to indicate deleted material, and underlining for added material, or any other annotation style allowed in Section 5.4 in Chapter 4 of the Drafting and Procedure Manual for Administrative Rules.
- (b) Please provide the methodology and any calculations used in determining the fiscal impact. Where appropriate or necessary, please attach a worksheet detailing the methodology and associated calculations.
- (c) This form may be replicated to expedite preparation.
- (d) Please allow 10 working days from day of receipt for the Office of Legislative Budget Assistant to complete the fiscal impact statement. Additional information about this form is in Section 2.3 in Chapter 3 of the Drafting and Procedure Manual for Administrative Rules.

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- (e) Please provide the following information and attach additional sheets if necessary:

NOTE: Pursuant to RSA 541-A:5, IV the fiscal impact of the proposed rule which was previously effective but has expired, or of a proposed rule which adopts a current agency policy, procedure or practice as a rule for the first time, shall not be assessed as an existing rule but as a proposed rule which is not yet effective.

- (1) Summarize the intended action and the proposed rule. The intended action is defined by RSA 541-A:5, VII as the proposed adoption, amendment, readoption, readoption with amendment, or repeal of a rule pursuant to RSA 541-A.

The new En 1400 rules regarding pipeline public utilities reports, which are proposed by the Department of Energy (Department), are the same as existing Puc 1400 rules, with the En 1400 rules effectuating the transfer of the entirety of these regulatory responsibilities regarding certain reporting from the Public Utilities Commission (PUC) to the Department.

The new En 1400 rules mirror the existing Puc 1400 rules without other modification and, more specifically, apply to reporting by pipeline utilities regarding gas, crude petroleum, refined petroleum products, or combinations of petroleum products in the State.

- (2) Is the cost associated with this intended action mandated by the rule or by state statute? If the cost is mandated by statute, then the rule itself may not have a cost or benefit associated with it. Please state either the statute or chapter law that is instigating this rule.

The costs associated with these rules, if any, are the direct result of the creation of the Department under RSA 12-P:2,I and the transfer of the referenced responsibilities from the PUC to the Department. The rules mirror the existing Puc rules in their entirety and do not impose any other costs. Accordingly, there are no additional costs mandated solely by the rules.

- (3) Compare the cost of the proposed rule with the cost of the existing rule, if there is an existing rule. Please provide the methodology and any calculations used in making your determination. If there is no cost, please explain why.

There are no additional costs resulting from the adoption of the existing Puc 1400 rules in their entirety in the En 1400 rules.

- (4) To the extent the proposed rule had expired, please indicate the cost of the expired rule as you do for a new rule, and if applicable, the difference in cost of any proposed change from the expired rule. Please provide the methodology and any calculations used in making your determination. If there is no cost, please explain why.

These are new rules to be adopted by the Department. The corresponding and identical provisions of the existing Puc 1400 rules have not expired.

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- (5) Describe the costs and benefits to the state general fund which would result from this intended action.

For the reasons set forth above, there are no costs or benefits to the state general fund as a result of the proposed new rules.

- (6) Explain and cite the federal mandate for the intended action, if there is such a mandate. How would the mandate affect state funds?

Not applicable.

- (7) Describe the cost and benefits to any state special fund which would result.

Not applicable.

- (8) Describe the costs and benefits to the political subdivisions of the state.

This rule is neutral as applied to political subdivisions of this state.

- (9) Describe the costs and benefits to the citizens of the state.

There are no direct costs to citizens of the state; Citizens will benefit from the continuation of existing rules regulating oversight of pipeline utilities through examination of required reports relevant to safety and reliability.

- (10) Describe the costs and benefits to any independently owned business, including a description of the specific reporting and recordkeeping requirements upon those employing fewer than 10 employees.

The En 1400 rules do not impose any costs whatsoever that are particular to independently owned businesses or businesses employing fewer than 10 employees, and do not impose any new costs upon regulated utilities; the rules benefit the referenced independent and small businesses through the continued reporting requirements relevant to safety and reliability.