

Notice Number 2024-21Rule Number En 1200

1. Agency Name & Address:

**Department of Energy
21 S. Fruit St., Ste. 10
Concord, NH 03301**

2. RSA Authority: RSA 12-P:5, IV

3. Federal Authority: _____

4. Type of Action:

Adoption X

Repeal _____

Readoption _____

Readoption w/amendment _____

5. Short Title: **Uniform Administration of Utility Customer Relations**

6. (a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:

The Department of Energy (Department) intends to adopt new Chapter En 1200 rules in accordance with RSA 12-P:5.

The substance of the new Chapter En 1200 rules proposed by the Department is based on various provisions of the existing Puc 1200 rules of the Public Utilities Commission (PUC), with the Chapter En 1200 rules effectuating the division of regulatory responsibilities between the Department and the PUC, following the establishment of the Department on July 1, 2021 (see RSA 12-P:2). The Department drafted the Chapter En 1200 rules in coordination with the PUC, although the PUC's involvement was not extensive as responsibility for all but one provision transferred to the Department in 2021. That provision is Puc 1203.05 pertaining to the "Implementation of Rate Changes," because the adjudicative functions pertaining to the establishment of rates or changes thereof are under the authority of the PUC (see RSA 365:8, I).

The Department is proposing to include all other applicable existing Puc 1200 rules in adopting the new Chapter En 1200 rules pursuant to RSA 12-P:5, IV. Generally, the Chapter En 1200 rules simplify and standardize the administrative processes by which utility companies and customers interact in order to increase the level of information and protection provided to both and to ensure, as far as is possible, the equal application of these rules by all utilities. Specifically, the Department's proposal includes the existing Puc 1200 rules regarding the provision of utility services, winter rules, and medical emergency rules.

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

As stated in proposed En 1201.02, these rules affect public utilities providing electric, gas, sewer, or water service in the State of New Hampshire. The rules also encompass certain rights and remedies of their customers.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

RULE NUMBER	STATUTE IMPLEMENTED
En 1201 – En 1202	RSA 12-P:5, IV; RSA 363-B
En 1203.01 – En 1203.04	RSA 12-P:5, IV
En 1203.05 – En 1203.07	RSA 12-P:5, IV; RSA 363-B
En 1203.08 – En 1203.09	RSA 12-P:5, IV; RSA 365:1 & 2
En 1203.10 – En 1204.06	RSA 12-P:5, IV; RSA 363-B:1 & 2

RULE NUMBER	STATUTE IMPLEMENTED
En 1205	RSA 12-P:5, IV; RSA 363-B

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

Name: **Marie-Helene B. Bailinson, Esq.** Title: **Hearings Examiner**
Mailing Address: **21 S. Fruit St., Ste. 10** Phone #: **603-271-7524**
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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: **March 26, 2024**

☐ Fax ☒ E-mail ☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Monday, March 18, 2024 at 10:00 a.m.**

Physical Location: **Hearing Room A
Dept. of Energy
21 S. Fruit Street
Concord, NH 03301**

Electronic Access (if applicable): **N/A**

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

FIS # 24:007 , dated 1/23/24

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**

Not applicable these are new 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):**

There is no cost or benefit attributable to the proposed rules. Any cost or benefit would be attributable to RSA 12-P and not the rules.

- 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.