

# 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 1200

<b>1. Agency Name &amp; Address:</b>  <b>Department of Energy 21 S. Fruit St., Ste. 10 Concord, NH 03301</b>	<b>2. RSA Authority:</b>	<b>RSA 12-P:5, IV, RSA 363-B, RSA 365:1 &amp; 2</b>
	<b>3. Federal Authority:</b>	_____
	<b>4. Type of Action:</b>	_____
	Adoption	<u>  X  </u>
	Amendment	_____
	Repeal	_____
	Readoption	_____
	Readoption w/amendment	_____
	Interim rule	_____
	<b>5. Have the rules expired?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Date Expired:	_____

**6. Short Title: En 1200 UNIFORM ADMINISTRATION OF UTILITY CUSTOMER RELATIONS**

**7. Contact Person:**

Name: **Marie-Helene Bailinson, Esq.**

Title: **Hearings Examiner**

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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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## APPENDIX II-B (Continued)

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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 intended action of the rulemaking is to adopt Chapter En 1200.**

**The substance of the new Chapter En 1200 rules proposed by the Department of Energy (Department) is based on various provisions of the existing Puc 1200 rules, with the Chapter En 1200 rules effectuating the division of regulatory responsibilities between the Department and the Public Utilities Commission (PUC). 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.**

**The Department intends to adopt new Chapter En 1200 rules in accordance with RSA 12-P:2, which created the Department effective July 1, 2021.**

**The Department intends to adopt all 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 Initial Proposal includes the existing Puc 1200 rules regarding the provision of utility services, winter rules, and medical emergency rules.**

- (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, if any, associated with these rules are the direct result of the creation of the Department under RSA 12-P:2, I and the division of existing regulatory responsibilities relative to the uniform administration of utility customer relations between the Department and the PUC. The rules adopt the substance of existing Puc rules 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 incremental or net costs to the State of New Hampshire as a result of the proposed Chapter En 1200 rules.**

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- (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 being proposed by the Department and the corresponding provisions of the existing Puc 1200 rules have not expired.**

- (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.**

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

**There are no costs or benefits to any state special fund in carrying forward existing Puc 1200 rules in the new Chapter En 1200 rules.**

- (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 benefit from the continuation of existing PUC rules regulating their utilities' interactions with them.**

- (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 Chapter En 1200 rules do not impose any costs 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 regulatory monitoring of utility relations with their customers.**