### 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:	Paul G. Kasper	Title:	Director, Enforcement Division
Address:	NHDOE, 21 South Fruit Street, Suite 10 Concord, NH 03301	Phone #:	603-271-3670

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3. Specific rule number where the material is incorporated: En 1502.09

\*\*<u>PLEASE ATTACH THE FOLLOWING</u>, numbered to correspond to the number on this sheet (a separate sheet is <u>not</u> 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.

## Utility Accommodation Manual, dated October 2017 – available from the New Hampshire Department of Transportation

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).

Available for download, free of charge, from the New Hampshire Department of Transportation at <u>www.dot.nh.gov</u>

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 most recent, updated version is maintained by and readily available through the New Hampshire Department of Transportation.

### **\*\*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 <u>Drafting and</u> <u>Procedure Manual for Administrative Rules</u>. I further certify that the agency has the capability and the intent to enforce the material incorporated into the rules, as identified above.

Date: April 3, 2024

Signature:	fund
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. 2023-298 En 1500, Licenses for Crossings of Public Waters or State Land Rules of the Department of Energy Final Proposal

En 1502.09: Utility Accommodation Manual - The New Hampshire Department of Transportation ("DOT"),