

Notice Number 2024-92

Rule Number En 300

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: **Rules for Electric Service**

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 intended action of the rulemaking is to adopt Chapter En 300 rules for Electric Service.

The substance of the new Chapter En 300 rules proposed by the Department of Energy (Department) is based on various provisions of the existing Chapter Puc 300 rules of the Public Utilities Commission (PUC) effectuating the division of regulatory responsibilities between the Department and the PUC. The Department drafted the Chapter En 300 rules in coordination with the PUC.

The Department proposes to adopt these new Chapter En 300 rules in accordance with 12-P:5, IV following the enactment of RSA 12-P:2, which created the Department effective July 1, 2021 (2021, 91:187, eff. July 1, 2021).

The purpose of the En 300 rules is to establish requirements for the provision of electric service in New Hampshire. The proposed rules regulate meter reading and meter accuracy and testing, service quality including voltage variation and interruption of service, notice to the Department of accidents and outages, and the requirement that utilities submit periodic reports for Department review. The Department proposes to adopt the existing sections of the Puc 300 rules where the Department's statutory authority to do so exists. In some places of the En 300 initial proposal, the Department has generally clarified language, which was retained from the existing Puc 300 rules. The Department has amended the text of the existing PUC rules pertaining to master metering as set forth in the initial proposal at En 303.01 to specify the exceptions to individual metering and the circumstances where a utility would be permitted to install or provide electric service to a master meter.

The Department has updated existing PUC forms where those forms are now considered to be Department Forms as referenced in En 308 and other sections of the Initial Proposal. The Department has updated the references to publications at Appendix B and throughout the initial proposal.

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

This rules affect the three electric distribution utilities in the state (Public Service Company of New Hampshire, Granite State Electric Company d/b/a Liberty Utilities, and Unitol Energy Systems, Inc.). En 301.01(b) indicates the provisions of the rules that apply to the New Hampshire Electric Cooperative.

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

Rule	Statute
En 301.01	RSA 12-P:5, IV; RSA 362:2, II
En 302.01 - En 302.24	RSA 12-P:5, IV; RSA 370:1-9
En 303.01	RSA 12-P:5, IV; RSA 374:15
En 303.02	RSA 12-P:5, IV
En 304.01 - En 304.04	RSA 12-P:5, IV; RSA 370:1-2; RSA 374:1, RSA 374-F:3, I
En 305.01 - En 305.07	RSA 12-P:5, IV; RSA 365:6; RSA 370:1-9, RSA 374:1, RSA 374-F:3, I
En 306.01 - En 306.05	RSA 12-P:5, IV; RSA 374:1; RSA 374-F:3, I
En 306.06 and En 306.07	RSA 12-P:5, IV; RSA 365:6; RSA 374:39
En 306.08	RSA 12-P:5, IV, RSA 374:1, RSA 374-F:3, I; RSA 374:49
En 306.09 and En 306.10	RSA 12-P:5, IV; RSA 374:1-3
En 307.01 - En 307.04	RSA 12-P:5, IV
En 307.05 - En 307.07	RSA 12-P:5, IV
En 308.01 and En 308.02	RSA 12-P:5, IV; RSA 374:15
En 308.03 - En 308.05	RSA 12-P:5, IV; RSA 370:1-9; RSA 374:15
En 308.06	RSA 12-P:5, IV; RSA 374:15; RSA 374:39
En 308.07	RSA 12-P:5, IV; RSA 374:4-5; RSA 374:15
En 308.08 - En 308.10	RSA 12-P:5, IV; RSA 374:1; RSA 374:4; RSA 374:15
En 308.11 and En 308.12	RSA 12-P:5, IV; RSA 374:1; RSA 374:15; RSA 374-F:3, I

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

Name: **Marie-Helene Bailinson, Esq.** Title: **Hearings Examiner**
Mailing Address: **21 S. Fruit St., Ste. 10** Phone #: **603-271-7524**
Concord, NH 03301 Fax#: **N/A**
E-mail: **marie-helene.b.bailinson@energy.nh.gov**

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: **Tuesday, July 2, 2024**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time **Monday, June 24, 2024 at 10:00 AM**

Physical Location: **Hearing Room A
Walker Building
21 S. Fruit St., Concord, NH 03301**

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

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

FIS # 24:084, dated 4/30/24

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

There is no difference in cost between the proposed En 300 rules and the existing Puc 300 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):

This proposal effectuates the division of regulatory responsibilities between the Department and the PUC based on the enactment of RSA 12-P which created the Department of Energy. The proposed Department of Energy En 300 rules are based on various provisions of the existing Puc 300 rules of the Public Utilities Commission (PUC). The Department drafted the Chapter En 300 rules in coordination with the PUC.

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. They therefore do not violate Part I, Article 28-a of the N.H. Constitution by necessitating additional local expenditures by a political subdivision.