



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 St. Suite 10 Concord, NH 03301	Phone #:	603-271-3670

3. Specific rule number where the material is incorporated:

En 804.03(a)

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

National Utility Locating Contractors Association (NULCA) Professional Competence Standards for Locating Technicians, Fourth Edition 2015.

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 from NULCA for \$250.00 with membership. Available on the Department's website at www.energy.nh.gov at no cost.

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 document is too long to include in its entirety within the rule.

8. Pursuant to JLCAR Committee rule 201.02(d), if the document or internet content being incorporated in the proposed rule was amended from the version in the currently effective rules, then please provide an explanation of the differences between the two versions. The explanation may be a narrative or a side-by-side comparison written in the space below or on a separately attached page. The narrative must identify any substantive changes. If no substantive changes were made, please state that no substantive changes were made. Do not leave this section blank.

No substantive changes were made.

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

Date: July 3, 2024

Signature: 

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. 2024-025
En 800 Rules – Underground Damage Prevention Program
Rules of the Department of Energy
Final Proposal

- (1) En 804.03(a): National Utility Locating Contractors Association (NULCA) Professional Competence Standards for Locating Technicians, Fourth Edition 2015 – NULCA.
- (2) The Department did not modify the text of any materials incorporated by reference.
- (3) Copies of the NULCA Professional Competence Standards for Locating Technicians, Fourth Edition 2015 are available from NULCA at a cost of \$250.00 with membership or are available on the Department's website at www.energy.nh.gov at no cost.