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February 9, 2024

Mr. Michael W. Kane  
Legislative Budget Assistant  
107 North Main Street  
State House Room 102  
Concord, NH 03301

**Re: REQUEST FOR FISCAL IMPACT STATEMENT**  
**Department of Energy Chapter En 800**  
**Underground Utility Damage Prevention Rules**

Dear Mr. Kane:

Enclosed please find a Request for Fiscal Impact Statement regarding the En 800 rules entitled, "Underground Utility Damage Program," of the Department of Energy (the Department). Also enclosed for your review is a copy of the Initial Proposal for adoption of Chapter En 800, as approved by the Commissioner of the Department on February 8, 2024.

The Department is adopting these new rules pursuant to its rulemaking authority related to underground utility damage under RSA 374:50 and RSA 12-P:5, IV regarding "rules necessary to implement the specific statutes administered by the department."

The En 800 rules are substantially the same as the existing Puc 800 rules, which they replace in their entirety, reflecting the creation of the Department under RSA 12-P:2,I, and effectuating the transfer of underground utility damage regulatory responsibilities to the Department.

When you have completed the Fiscal Impact Statement, please notify the Department. If you should have any questions or comments, please do not hesitate to contact me.

Thank you for your attention to this matter.

A handwritten signature in blue ink, appearing to read "AJH", followed by a horizontal line.

Andrew J. Harmon  
Hearings Examiner

Enclosures  
AJH/hms