

STATE OF NEW HAMPSHIRE



OFFICE OF LEGISLATIVE SERVICES

STATE HOUSE
107 NORTH MAIN STREET, ROOM 109
CONCORD, NEW HAMPSHIRE 03301-4951

August 15, 2024

Jared Chicoine, Commissioner
Department of Energy
21 S. Fruit St., Ste. 10
Concord, NH 03301

Re: Conditional Approval of Final Proposal 2024-28

Dear Commissioner Chicoine:

At its meeting on August 15, 2024, the Joint Legislative Committee on Administrative Rules (Committee) voted, pursuant to RSA 541-A:13, V(a), to conditionally approve Final Proposal 2024-28 of the Department of Energy (Department) containing En 800 on rules for the underground utility damage prevention program. The Committee's approval was conditioned on amending Final Proposal 2024-28 as specified in the Department's amended conditional approval request dated August 1, 2024.

Pursuant to RSA 541-A:13, V(a), you are required to submit a written explanation detailing how the rules have been amended in accordance with the conditional approval within 30 days of the date on which it was made, which was August 15, 2024. In this instance, the 30th day is September 14, 2024, which falls on a Saturday. Pursuant to RSA 541-A:16, IV, the deadline will be extended to Monday, September 16, 2024. The explanation shall include a letter and the text of the entire final proposed rule, annotated to show the amendments.

The explanation shall be reviewed by the Office of Legislative Services to determine whether the rules have been amended in accordance with the conditional approval and RSA 541-A:13, V(a). If it is determined that the rules have not been amended in accordance with the conditional approval and RSA 541-A:13, V(a), the conditional approval will be deemed a Committee vote to make a preliminary objection as of the date of the conditional approval, and you must respond to the preliminary objection as specified in RSA 541-A:13, V(c).

Please be advised that you may not adopt the rules until the Office of Legislative Services sends written confirmation that your amendments are in accordance with the conditional approval and RSA 541-A:13, V(a).

Jared Chicoine, Commissioner
FP 2024-28
August 15, 2024
Page 2

If you have any questions concerning the provisions of RSA 541-A relative to conditional approvals, objections, responses, or adoptions, please contact me at rebecca.ricard@leg.state.nh.us.

Sincerely,



Rebecca Ricard
Committee Attorney

cc: David Shulock, Esq., General Counsel, Department of Energy
Hillary Schrank, Legal Research Assistant, Department of Energy