



4 January 2022

Update on CPA Administrative Rules

Be advised that the New Hampshire Public Utilities Commission (PUC) has docketed the two petitions for rulemaking submitted by (1) CPCNH on behalf of a coalition of stakeholders and (2) the New Hampshire Department of Energy. The respective docket numbers are DRM 21-142 and DRM 21-135, which are available online below:

1. <https://www.puc.nh.gov/Regulatory/Docketbk/2021/21-142.html>
2. <https://www.puc.nh.gov/Regulatory/Docketbk/2021/21-135.html>

Additionally, be advised that the PUC has scheduled a public meeting to discuss and receive public comment on both CPCNH's petition and that of the Department of Energy at 2 PM EST on January 5, 2022.

- The PUC meeting notice, which was sent to the service lists of the above dockets, is available on-line at: <https://www.puc.nh.gov/Regulatory/Agendas-Minutes/commission-meeting-agenda-01052022.pdf>
- Representatives of CPCNH will attend and provide public comment.

For additional context regarding the Administrative Rulemaking process, please refer to the cover letter to the Draft Business Plan provided by the Chair of CPCNH's Board of Directors, which was included in the Reference Materials accompanying the RFI and posted online:

- <https://www.cpcnh.org/solicitations> — refer to document "1_CPCNH_Draft Biz Plan Cover Letter.pdf" in the folder "4_CPCNH draft Business Plan".

Registration Process for PUC Service List

To sign up for the service lists for DRM 21-142 and DRM 21-135 directly, entities should:

1. Submit a request via email to ClerksOffice@PUC.NH.gov
2. Reference the docket numbers (DRM 21-142 and DRM 21-135) in the subject line of the email.
3. Attach a dated letter, in PDF form, addressed to the Chair of the PUC.¹ Note that the letter should include the name and address of the person submitting the document and the party or parties on whose behalf it is submitted, if any.²

¹ As shown in this example: www.puc.nh.gov/Regulatory/Docketbk/2021/21-142/LETTERS-MEMOS-TARIFFS/21-142_2021-12-27_CENH-REQ-SERVICE-LIST-CHANGE.PDF.

² Per PUC 202.06, available online: <https://www.puc.nh.gov/Regulatory/Rules/Puc200.pdf>.



Additionally, be advised that:

- The PUC has referenced docket **DRM** 21-142 in the public meeting notice as “**DE** 21-142” in the online Docket Book.
 - “DE” stands for Docket Electric whereas “DRM” stands for Docket Rule Making.
 - This appears to be an inconsequential discrepancy.
- Rulemaking is a legislative function delegated to the executive branch, and not an adjudicative proceeding.
 - As such, filings are not required to be sent to all parties on the service list.
 - For reference, current service lists are accessible online.³
- The PUC maintains in effect a COVID-19 related rule waiver that suspends the usual requirement for non-adjudicative proceedings of submitting three (3) paper copies of filings in favor of electronic filings only.⁴

³ Available online: www.puc.nh.gov/ServiceList/ViewServiceList.aspx.

⁴ Available online: www.puc.nh.gov/Regulatory/Secretarial%20Letters/20200317-SecLtr-Temp-Changes-in-Filing-Requirements.pdf.