

STATE OF NEW HAMPSHIRE

CHAIRMAN
Thomas B. Getz

COMMISSIONERS
Graham J. Morrison
Michael D. Harrington

EXECUTIVE DIRECTOR
AND SECRETARY
Debra A. Howland



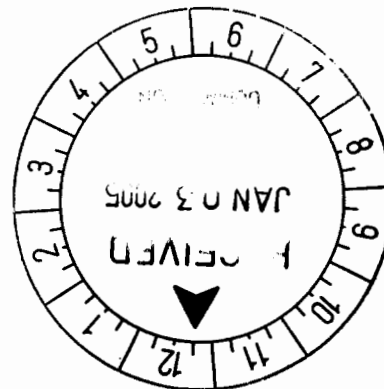
PUBLIC UTILITIES COMMISSION
21 S. Fruit Street, Suite 10
Concord, N.H. 03301-2429

Tel. (603) 271-2431
FAX (603) 271-3878
TDD Access: Relay NH
1-800-735-2964
Website:
www.puc.nh.gov

January 3, 2005

Scott F. Eaton, Director
Administrative Rules Division
Office of Legislative Services
State House Annex, Room 219
25 Capitol Street
Concord, New Hampshire 03301

Re: Conditional Approval No. 2004-141
Puc 500, Rules for Gas Service and Gas Safety
Readoption, Amendment and Repeal
Commission Docket DRM 04-149
Incorporation by Reference Statements



Dear Mr. Eaton:

Enclosed you will find 3 incorporation by reference statements, one for each of the following:

National Fuel Gas Code (NFPA 54);
Training Guide for Operators of Small LP Gas Systems; and
Purging Principals and Practice.

I erred in referring to NFPA 58 as a document that requires incorporation. NFPA 58 is the code incorporated by Federal regulation. Please let me know if there is some way that I can correct the record on this point.

The revised text will be considered by the Commission on Friday and will be hand delivered to your office after the vote has occurred.

Thank you for all your help and for your attention to this matter.

Sincerely,

Suzanne Amidon
Staff Attorney

enclosures

APPENDIX II-H

INCORPORATION BY REFERENCE STATEMENT

****PLEASE LIST THE FOLLOWING:**

1. Name of Agency. **New Hampshire Public Utilities Commission**

2. Person who has reviewed the material to be incorporated into the agency's rules:

Name: **Suzanne Amidon** Title: **Staff Attorney**
Address: **NH Public Utilities Commission** Phone #: **(603) 271-2431**
21 S. Fruit Street Suite 10
Concord, NH 03301

3. Specific rule number where the material is incorporated: **Puc 512.03(a); 512.09(c) and 512.15(g)(1)**

****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) and the title of the entity that created or promulgated the material.

5. How the agency modified the text of the material incorporated, clearly identifying where amendments have been made to the text.

6. How the material incorporated can be obtained by the public (include cost and the address of the out-of-state agency which published the material).

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.

****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: January 3, 2005

Signature: 

Name: Thomas B. Getz

Title: Chairman, NH PUC

*("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
CA 04-141, Puc 500, Rules for Gas Service and Gas Safety

4. The 1999 edition of the National Fuel Gas Code known as NFPA 54, was prepared by the National Fire Protection Association and is part of the “National Fuel Gas Code and Handbook Set” available from the National Fire Protection Association.
5. The agency made no changes to the incorporated materials.
6. NFPA 54 may be obtained through the National Fire Protection Association’s website, www.nfpa.org, for \$118.00 or by mail to NFPA at its telephone number (617-770-3000) or at the following address:

1 Batterymarch Park
Quincy, Massachusetts
USA 02169-7471
7. The Commission chose not to reproduce the entire NFPA 54 in the rules because the document is voluminous.

APPENDIX II-H

INCORPORATION BY REFERENCE STATEMENT

****PLEASE LIST THE FOLLOWING:**

1. Name of Agency. **New Hampshire Public Utilities Commission**

2. Person who has reviewed the material to be incorporated into the agency's rules:

Name: **Suzanne Amidon** Title: **Staff Attorney**
Address: **NH Public Utilities Commission** Phone #: **603-271-2431**
21 S. Fruit Street, Suite 10
Concord NH 03301

3. Specific rule number where the material is incorporated: **Puc 506.02(h)**

****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) and the title of the entity that created or promulgated the material.

5. How the agency modified the text of the material incorporated, clearly identifying where amendments have been made to the text.

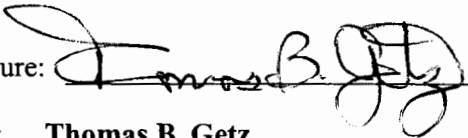
6. How the material incorporated can be obtained by the public (include cost and the address of the out-of-state agency which published the material).

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.

****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: January 3, 2005

Signature: 
Name: Thomas B. Getz

Title: Chairman, NH PUC

*("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
Puc 500, Rules for Gas Service and Gas Safety
2004-141

Puc 506.02(h)

4. "Purging Principles and Practice" issued by the American Gas Association, 1990 edition.
5. The agency did not modify the text.
6. The "Purging Principles and Practice" is available from the American Gas Association and may be obtained by order through their website, www.aga.org, for \$120.00. In the alternative, it can be obtained by contacting the American Gas Association at the following address:
American Gas Association
400 N. Capitol St., NW
Suite 450
Washington, DC, 20001
7. The Commission chose not to reproduce the incorporated material because the document is voluminous and is protected by copyright.

APPENDIX II-H

INCORPORATION BY REFERENCE STATEMENT

****PLEASE LIST THE FOLLOWING:**

1. Name of Agency. **New Hampshire Public Utilities Commission**

2. Person who has reviewed the material to be incorporated into the agency's rules:

Name: **Suzanne Amidon** Title: **Staff Attorney**
Address: **NH Public Utilities Commission** Phone #: **(603)271-4231**
21 South Fruit Street Suite 10
Concord, NH 03301

3. Specific rule number where the material is incorporated: **Puc 512.02(c)**

****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) and the title of the entity that created or promulgated the material.

5. How the agency modified the text of the material incorporated, clearly identifying where amendments have been made to the text.

6. How the material incorporated can be obtained by the public (include cost and the address of the out-of-state agency which published the material).

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.

****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: January 3, 2005

Signature: 

Name: Thomas B. Getz

Title: Chairman, NH PUC

*("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
CA 04-141, Puc 500, Rules for Gas Service and Gas Safety

4. "Training Guide for Operators of Small LP Gas Systems" is prepared by the National Association of Regulatory Utility Commissioners for the United States Department of Transportation, Research and Special Programs Administration, Office of Pipeline Safety" in April, 2001.
5. The agency did not modify the text.
6. "Training Guide for Operations of Small LP Gas Systems" is available at no cost through the New Hampshire Public Utilities Commission, 21 South Fruit Street, Concord, NH. A copy may be obtained from the Commission safety division, or at the Commission website at www.puc.nh.gov. A copy can also be obtained at no cost through the Eastern Division of Pipeline Safety, 400 Seventh Street SW Room 2108, Washington D.C. 20590 (telephone number 202-366-4580).
7. The Commission choose not to reproduce the incorporated material because of its length and the inclusion of graphic illustration in the material.