

STATE OF NEW HAMPSHIRE



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January 4, 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:

Per our conversation of this morning, please find enclosed the Incorporation by Reference Statement for Conditional Approval No. 2004-141 relative to the National Fire Protection Association National Fuel Gas Code known as NFPA 58.

Thank you for your attention to this matter. Please let me know if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Suzanne Amidon".

Suzanne Amidon
Staff Attorney

Enclosure

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: **512.02(b); 512.03(a); 512.09(a) and 513.03(c)(7)**

****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.

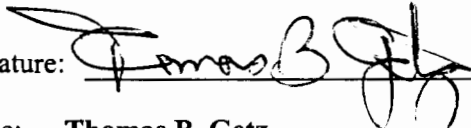
6. How the material incorporated can be obtained by the public (include cost and the address of the out-of-state agency which published the material).

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 4, 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 2004 edition of the National Fuel Gas Code known as NFPA 58, 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 58 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 58 in the rules because the document is voluminous.