Notice Number	2016-162	Rule Number	Puc 800
Public Utilities 21 South Fruit Concord, NH 0	Street, Suite 10	2. RSA Authority: 3. Federal Authority: 4. Type of Action: Adoption Amendment Repeal Readoption Readoption w/amend	RSA 374:50; 365:8, XII
5. Short Title:	Puc 800 – Undergrou	nd Utility Damage Prevention Pro	gram

6. (a) Summary of what the rule says and of any proposed amendments:

The Commission intends to readopt with amendments its Puc 800 rules. Puc 800 sets forth the procedures and standards to be used by the Commission in implementing the Underground Utility Damage Prevention Program, otherwise known as "Dig Safe," which protects the public, operators, and excavators from physical harm, property damages, and interrupted service resulting from damage to underground facilities. These rules also establish procedures and requirements relative to: minimum requirements for the operation of the system, including notification procedures; the investigation of complaints including enforcement; emergency situations for which notice of excavation is not required; and minimum standards of marking the tolerance zone. The existing rules are scheduled to expire on November 8, 2016, but are subject to extension pursuant to RSA 541-A:14-a.

Amendments to the existing rules include minor word changes and updates throughout; adding, clarifying and modifying terms in the definition section; updating location-specific information requirements; updating telephone information; updating reporting requirements and timeframes for reporting; updating notification requirements; and adding excavator specific instructions.

6. (b) Brief description of the groups affected:

These rules affect persons or entities performing excavation activities and those who own underground utility facilities. This also includes persons or entities that perform excavations on private property, public ways, rights-of-way, easements, public streets, or any other public place.

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6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Statute
Puc 801.01	RSA 374:50; RSA 374:55,VII
Puc 801.02	RSA 374:50
Puc 802.01	RSA 374:50; RSA 374:48, VIII
Puc 802.02	RSA 374:50; RSA 374:48,I
Puc 802.03	RSA 374:50
Puc 802.04	RSA 374:50
Puc 802.05	RSA 374:50; RSA 374:48,III
Puc 802.06	RSA 374:50; RSA 374:48,1V
Puc 802.07	RSA 374:50
Puc 802.08	RSA 374:50
Puc 802.09	RSA 374:50; RSA 288:1; RSA 288:2
Puc 802.10	RSA 374:50
Puc 802.11	RSA 374:50
Puc 802.12	RSA 374:50; RSA 374:48,IV-a; RSA 362:2, II; RSA 362:7, III(e)
Puc 802.13	RSA 374:50; RSA 374:48,V
Puc 802.14	RSA 374:50; RSA 374:51,IV
Puc 802.15	RSA 374:50; RSA 374:48,I
Puc 802.16	RSA 374:50
Puc 802.17	RSA 374:50; RSA 374:48,VII
Puc 803.01	RSA 374:50, I; RSA 374:49, RSA 374:52
Puc 803.02	RSA 374:50,I
Puc 804.01	RSA 374:50
Puc 804.02	RSA 374:50; RSA 374:49; RSA 374:52
Puc 804.03	RSA 374:50
Puc 805.01	RSA 374:50, I; RSA 374:51
Puc 805.02	RSA 374:50
Puc 805.03	RSA 374:50; III; RSA 374:51,I
Puc 805.04	RSA 374:50; RSA 374:51,VII
Puc 805.05	RSA 374:50; RSA 374:54
Puc 806.01	RSA 374:50; RSA 374:53
Puc 806.02	RSA 374:50; RSA 374:53
Puc 806.03	RSA 374:50; RSA 374:53
Puc 806.04	RSA 374:50,III
Puc 806.05	RSA 374:50; RSA 374:53
Puc 807.01	RSA 374:50,II
Puc 807.02	RSA 374:50; RSA 374:55,VII
Puc 807.03	RSA 374:50; RSA 374:55
Puc 807.04	RSA 374:50; RSA 374:55, VII
Puc 807.05	RSA 374:50; RSA 374:55
Puc 807.06	RSA 374:50; RSA 374:55,VII
Puc 807.07	RSA 374:50; RSA 374:55

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7.	Contact p	Contact person for copies and questions including requests to accommodate persons with disabilities:						
	Name:	Name: David K. Wiesner, Esq.		Title:	Staff Attorney			
	Address:	Public Utilitie		Phone #:	603-271-6030			
		21 South Frui Concord, NH	t Street, Suite 10	te 10	Fax#:	603-271-4033		
		Concord, Mil	03301		E-mail:	David.Wiesner@puc.nh.gov		
					TTY/TDD Access: Relay NH 1-800-735- 2964 or dial 711 (in NH)			
8.	Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: October 14, 2016							
	⊠Fax		⊠F-mail			Other format (specify):		
9.								
	Ī	Date and Time:	October 6, 2016 at	10:00 a.n	n.			
Place:		Place:	N.H. Public Utilitie 21 South Fruit Stre Concord, NH 03301	et, Suite				
10	. Fiscal Im	pact Statement (I	repared by Legislativ	e Budget	Assistant)			
	FIS#	16:172	, dated	Augus	26, 2016			
Comparison of the costs of the proposed rule(s) to the existing rule(s): There is no cost attributable to either the proposed or existing rules as any cost or benefit is attributable to RSA 374:48-56 and not the rules.								
2. Cite the Federal mandate. Identify the impact on state funds:								
;								
	A. To State general or State special funds: None.							
	В.	To State citize	ns and political sub	division	s:			

- C. To independently owned businesses:
 None.
- 11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed rules do not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivision of the State of New Hampshire, and therefore do not violate Part I, Article 28-a of the N.H. Constitution by necessitating additional local expenditures by a political subdivision.