STATE OF NEW HAMPSHIRE

INTERIM COMMISSIONER
Jared Chicoine

DEPUTY COMMISSIONER
Christopher J. Ellms, Jr.

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TDD Access: Relay NH
1-800-735-2964

Tel. (603) 271-3670

FAX No. 271-1526

Website:
www.energy.nh.gov

DEPARTMENT OF ENERGY
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

October 26, 2021

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, NH 03301

Your Excellency and Honorable Councilors:

REQUESTED ACTION

Authorize the New Hampshire Department of Energy to accept and expend federal grant funds in the amount of $48,931 from the U.S. Department of Transportation - Pipeline and Hazardous Materials Safety Administration (USDOT-PHMSA) for non-gas related work performed in the enforcement of the Underground Utility Damage Prevention System effective upon Governor and Council approval through September 29, 2022. 100% Federal Funds.

These federal grant funds are to be budgeted in a new account entitled One Call Grant Yr 01 as follows:

Fiscal Year Summary
02-52-52-520510-XXXXXXXX

Class	Description	FY 2022
41-500801	Audit Fund Set Aside	489
50-500109	Personnel Services -Part Time Salaries	32,698
60-500601	Benefits	15,744
Totals:		48,931

Source of Funds

Class	Description	FY 2022
000-40735	One Call Grant Yr 02	48,931
Totals:		48,931

EXPLANATION

The statutory provisions for the Underground Utility Damage Prevention System, commonly referred to as DigSafe, are found in RSA 374:48 through RSA 374:56. The NHPUC, by Order No. 24,347 in Docket DM 04-119, authorized the Safety Division to administer and enforce the DigSafe program. On July 1, 2021, the New Hampshire Department of Energy (Department) came into existence and many functions previously performed by the NHPUC were transferred to the Department, including administration of the DigSafe program under RSA 374:48-56. Under RSA 12-P:14, "existing rules, orders, and approvals of the [NHPUC] which are associated with any functions, powers, and duties, transferred to the [Department] pursuant to RSA 12-P:11 or any other statutory provision, shall continue in effect and be enforced by the commissioner of the [Department] until they expire or are repealed or amended in accordance with applicable law." *See* 2021 N.H. Laws Chapter 91 (House Bill 2-FN-A-Local).

The enforcement of New Hampshire laws pertaining to gas-related DigSafe violations is funded through a USDOT Natural Gas Pipeline Safety grant. Accordingly, the Department requests authorization to accept and expend $48,931 in USDOT-PHMSA grant funds for non-gas DigSafe enforcement activities, *i.e.*, related to telephone, cable, electric, water, and sewer facilities, and to budget the funds as follows:

- Class 041-500801 Audit Set Aside Fund will be used to cover the 0.1% charge of the $48,931 awarded in federal grant funds.

- Class 050-500109 Personnel Services – Part Time Salaries will be used to support the portion of salary costs for current staff associated with the non-gas DigSafe enforcement. No new employees will be hired.

- Class 060-500601 Benefits will be used to cover the benefits costs associated with current staff time spent on non-gas DigSafe enforcement.

In the event that Federal funds are no longer available, General Funds will not be requested to support these expenditures.

Your consideration of our request is appreciated.

Respectfully submitted,

Jared S. Chicoine
Interim Commissioner

Attachment: Grant Award

ASSISTANCE AGREEMENT

1. Award No.	2. Modification No.	3. Effective Date	4. CFDA No.
693JK32140024PSOC		09/29/2021	

5. Awarded To	6. Sponsoring Office	7. Period of Performance
PUBLIC UTILITIES COMMISSION, NEW HAMPSHIRE Attn: RANDY KNEPPER 21 S FRUIT ST STE 10 CONCORD NH 033012428	PIPELINE AND HAZARDOUS MATERIALS SA Acquisition Services Division 1200 New Jersey Avenue SE, East Bldg, 3rd Washington DC 20590	09/30/2021 through 09/29/2022

8. Type of Agreement	9. Authority	10. Purchase Request or Funding Document No.
[X] Grant [ ] Cooperative Agreement [ ] Other		PH956-21-0113

11. Remittance Address	12. Total Amount	13. Funds Obligated
PUBLIC UTILITIES COMMISSION, NEW HAMPSHIRE Attn: STATE OF NEW HAMPSHIRE 21 SO FRUIT ST CONCORD NH 033012429	Govt. Share: $48,931.00 Cost Share : $0.00 Total : $48,931.00	This action: $48,931.00 Total : $48,931.00

14. Principal Investigator	15. Program Manager	16. Administrator
	REX EVANS Phone: 217-679-8495	PIPELINE AND HAZARDOUS MATERIALS SA Acquisition Services Division 1200 New Jersey Avenue SE, East Bldg, 3r Washington DC 20590

17. Submit Payment Requests To	18. Paying Office	19. Submit Reports To
	PHMSA Delphi eInvoicing System https://einvoice.esc.gov	

20. Accounting and Appropriation Data

5172321DB5.2021.PSGRT02030.50D0207000.41050.61000000.0000000000.0000000000.0000000000.0000000000

21. Research Title and/or Description of Project

For the Recipient		For the United States of America	
22. Signature of Person Authorized to Sign Randall S. Knepper		25. Signature of Grants/Agreements Officer TREMAYNE WOODING TERRY Digitally signed by TREMAYNE WOODING TERRY Date: 2021.09.29 18:19:51 -04'00'	
23. Name and Title Director of Safety	24. Date Signed 10/1/2021	26. Name of Officer TREMAYNE TERRY	27. Date Signed