

STATE OF NEW HAMPSHIRE

COMMISSIONER
Jared S. Chicoine

DEPUTY COMMISSIONER
Christopher J. Ellms, Jr.



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

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Website:
www.energy.nh.gov

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September 21, 2022

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

REQUESTED ACTION

Authorize the N.H. Department of Energy (Energy) to amend an accept and expend request approved by the Governor and Executive Council on November 10, 2021 (Item # 31) by adjusting the appropriation within the accounting unit in the amount of \$440 for better use of appropriated federal funds, effective upon Governor and Executive Council approval through September 29, 2022. **100% Federal Funds**

Appropriation to be adjusted as follows:

02-52-52-520010-18990000 One Call Grant

Class/Account	Description	Original FY23 Adjusted Authorized	Amendment	New FY23 Adjusted Authorized
041-500801	Audit Fund Set Aside	\$443	(\$440)	\$3
050-500109	Personnel Services- Part Time	\$668	\$440	\$1,108
060-500601	Benefits	\$1,815	\$0	\$1,815
	Total Expenses	\$2,926	\$0	\$2,926

Funding	Description	Original FY23 Adjusted Authorized	Amendment	New FY23 Adjusted Authorized
000-407735	One Call Grant	\$2,926	\$0	\$2,926
	Total Funding	\$2,926	\$0	\$2,926

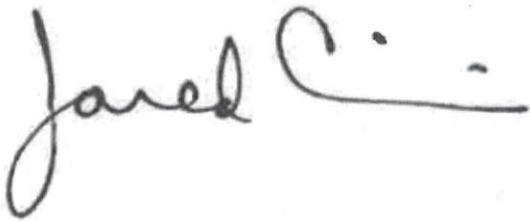
EXPLANATION

This grant is 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. When this grant was originally budgeted in FY22, 1% was mistakenly budgeted for Audit Fund Set Aside (AFSA) when it should have been budgeted at .1%. The remaining grant funds came forward into FY23 and the AFSA needs to be reduced and class 050 Part-Time Salaries increased to expend the remaining funds by September 29, 2022.

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.

In the event Federal Funds are not available, General Funds will not be requested to support this program.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jared Chicoine". The signature is written in a cursive style with a long horizontal stroke at the end.

Jared Chicoine,
Commissioner

STATE OF NEW HAMPSHIRE

31 YOR

INTERIM COMMISSIONER
Jared Chicoine

DEPUTY COMMISSIONER
Christopher J. Elms, Jr.



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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).

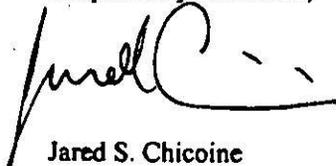
The enforcement of New Hampshire laws pertaining to gas-related DigSafe violations is funded through a USDOT Natural Gas Pipeline Safety grant. Accordingly, the Department requests authorization to accept and expend \$48,931 in USDOT-PHMSA grant funds for non-gas DigSafe enforcement activities, *i.e.*,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

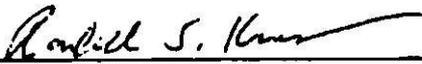
Respectfully submitted,



Jared S. Chicoine
Interim Commissioner

Attachment: Grant Award

ASSISTANCE AGREEMENT

1. Award No. 693JK32140024PSOC		2. Modification No.	3. Effective Date 09/29/2021	4. CFDA No.
5. Awarded To PUBLIC UTILITIES COMMISSION, NEW HAMPSHIRE Attn: RANDY KNEPPER 21 S FRUIT ST STE 10 CONCORD NH 033012428		3. Sponsoring Office PIPELINE AND HAZARDOUS MATERIALS SA Acquisition Services Division 1200 New Jersey Avenue SE, East Bldg, 3rd Washington DC 20590		7. Period of Performance 09/30/2021 through 09/29/2022
6. Type of Agreement <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Other	9. Authority		10. Purchase Request or Funding Document No. PH956-21-0113	
11. Remittance Address PUBLIC UTILITIES COMMISSION, NEW HAMPSHIRE Attn: STATE OF NEW HAMPSHIRE 21 SO FRUIT ST CONCORD NH 033012429		12. Total Amount Govt. Share: \$48,931.00 Cost Share : \$0.00 Total : \$48,931.00		13. Funds Obligated This action: \$48,931.00 Total : \$48,931.00
14. Principal Investigator	15. Program Manager REX EVANS Phone: 217-679-8495		16. Administrator PIPELINE AND HAZARDOUS MATERIALS SA Acquisition Services Division 1200 New Jersey Avenue SE, East Bldg, 3rd Washington DC 20590	
17. Submit Payment Requests To		18. Paying Office PHMSA Delphi eInvoicing System https://einvoice.eac.gov		19. Submit Reports To
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 			25. Signature of Grants/Agreements Officer TREMAYNE WOODING TERRY Digitally signed by TREMAYNE WOODING TERRY Date: 2021.09.29 18:19:51 -0400	
23. Name and Title <i>Director of Safety</i>	24. Date Signed 10/11/2021	26. Name of Officer TREMAYNE TERRY		27. Date Signed