



OFFICE OF LEGISLATIVE SERVICES  
ADMINISTRATIVE RULES  
STATE HOUSE ANNEX  
25 CAPITOL STREET, ROOM 234  
CONCORD, NH 03301

## Rulemaking Notice Form

**Notice Number:** 2026-116

**Rule Number:** En 404.02

1. **Agency:** Department of Energy  
**Agency Address:** 21 S. Fruit St., Ste. 10,  
Concord, NH 03301
2. **RSA Authority:** RSA 12-P:5, IV
3. **Federal Authority:**
4. **Action(s):** Readopt w/Amendment
5. **Short Title:** Rules for Telephone Utilities
6. **(a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:**

By this rulemaking, the Department proposes to readopt with amendment En 404.02 and delete the requirement at paragraph (e) that the Department issue a Telephone Utility Identification Number (TUIN) to an applicant for registration to provide voice service. The reference to a Department-assigned TUIN was also part of the Form T-8 "Application for Registration to Provide Voice Service" but this field/line was later removed from the T-8 and other Department Telecommunications forms through the expedited rulemaking process with an effective date of 10/29/2025.

Although the pertinent Department telecommunication forms have been updated concerning the TUIN, there remains the text at En 404.02(e) which is the only place in the rule set that text appears referencing the TUIN.

By explanation, the Department does not assign TUIN's and has not since July 1, 2021, when the Department of Energy was created and assumed responsibility for receiving information required on its telecommunications forms as codified in En 400 *Rules for Telephone Utilities* (effective July 1, 2024). The TUIN language was included

erroneously on the forms and in the rule during the process of adopting the En 400 rules during the 2024 rulemaking.

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

This rule affects telephone utilities as defined in RSA 362:2 and their customers.

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

Rule	Specific State Statute the Rule Implements
En 404.02	RSA 12-P:5, IV; RSA 374:3; RSA 374:22

7. **Contact person for copies and questions including requests to accommodate persons with disabilities:**

<b>Name:</b> Marie-Helene Bailinson	<b>Title:</b> Hearings Examiner
<b>Address:</b> 21 S. Fruit St., Ste. 10, Concord, NH 03301	<b>Phone Number:</b> (603) 271-7524
	<b>FAX Number:</b>
	<b>Email:</b> ENGY.RulesGroup@energy.nh.gov

8. **Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified:**

Friday, July 10, 2026

- Fax
- Email [ENGY.RulesGroup@energy.nh.gov](mailto:ENGY.RulesGroup@energy.nh.gov)
- Other

9. **Public hearing scheduled for:**

**Date:** Thursday, July 2, 2026

**Time:** 9:00 AM

**Place:** Hearing Room A  
21 S. Fruit Street  
Concord, NH 03301

**Electronic Access, if applicable:** N/A

**10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):**

FIS #: 26-096, dated: Thursday, May 21, 2026

**1. Comparison of the costs of the proposed rule(s) to the existing rule(s):**

There is no difference in costs when comparing the proposed rules to the existing rules.

**2. Cite the Federal mandate. Identify the impact on state funds:**

No federal mandate, no impact on state funds.

**3. Cost and benefits of the proposed rule(s):**

**A. To State general or State special funds:**

None.

**B. To State citizens and political subdivisions:**

None.

**C. To independently owned businesses:**

None.

**11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:**

The rule does not apply to any political subdivision of the state, and therefore does not increase the costs a political subdivision must pay. No municipal corporation and county corporation operates as an “incumbent local exchange carrier” as defined and regulated in these rules. Municipal corporations and county corporations operating within their corporate limits are specifically exempted from the definition of “excepted local exchange carrier” and therefore from regulation under the En 400 rules. Thus, these rules do not violate Part 1, Article 28-a of the NH Constitution.