



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

Rulemaking Notice Form

Notice Number: 2026-204

Rule Number: Puc 1300 various

1. **Agency:** Public Utilities Commission
Agency Address: Public Utilities Commission
21 S. Fruit Street
Concord, NH 03301
2. **RSA Authority:** RSA 374:3; RSA 374:34-a, IX; RSA 362:7
3. **Federal Authority:**
4. **Action(s):** Adoption, Readopt w/Amendment, Readopt
5. **Short Title:** Utility Pole Attachments
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:**

The Public Utilities Commission (Commission) is proposing to readopt with amendment the existing Chapter Puc 1300 to adopt the pole attachment rate formula recommended by the Department of Energy (DOE) in compliance with RSA 374:34-a, IX.

The Commission is proposing to readopt with amendment Puc 1300 in substantially the same form as the existing rules, to ensure rates, charges, terms, and conditions for pole attachments that are nondiscriminatory, just, and reasonable.

Proposed amendments include removing a multi-part test in favor of the recommended pole attachment rate formula, consistent with the DOE recommendation.

_ Does this rule implement a state statute for the first time?

This rule does not implement a statute for the first time.

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

Puc 1300 rules generally apply to any public utilities who enter into pole attachment agreements in the state of New Hampshire.

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

Rule	Statute
Puc 1302- Puc 1303	RSA 374:3; RSA 374:34-a

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

Name: Marissa Schuetz	Title: Staff Attorney
Address: 21 S. Fruit Street Concord NH 03301	Phone Number: (603) 271-6016
	FAX Number:
	Email: marissa.a.schuetz@puc.nh.gov

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

Thursday, November 5, 2026

☐ **Fax**
☒ **Email** clerksoffice@puc.nh.gov
☐ **Other**

9. **Public hearing scheduled for:**

Date: Thursday, October 29, 2026

Time: 10:00 AM

Place: Public Utilities Commission
21 S. Fruit Street
Concord, NH 03301

Electronic Access, if applicable: N/A

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

FIS #: 26:204, dated: Tuesday, September 22, 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 existing rules. Not applicable to Puc 1302.08, which is a new rule.

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):

New Puc 1302.08, and the changes to Puc 1303.06, implement Chapter 312:1, Laws of 2024 (RSA 374:34-a, IX), which require the Commission to conduct rulemaking to incorporate a pole attachment rate formula following an investigation by the Department of Energy. New Puc 1302.08 establishes a formula based on the Federal Communications Commission's cable formula, and proposed Puc 1303.06 requires the Commission to apply the formula when determining just and reasonable pole attachment rates for certain attachments. There are no cost or benefits for the proposed rules.

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 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. They therefore do not violate Part I, Article 28-a of the N.H. Constitution by necessitating additional local expenditures by a political subdivision.