



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

Rulemaking Notice Form

Notice Number: 2026-216

Rule Number: En 600 various

1. **Agency:** Department of Energy
Agency Address: Department of Energy
21 S. Fruit St., Ste. 10,
Concord, NH 03301
2. **RSA Authority:** RSA 12-P:5, IV; RSA 370:3
3. **Federal Authority:**
4. **Action(s):** Adopt, Readopt w/Amendment
5. **Short Title:** Rules for Water Service
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 proposed rule makes amendments to three existing rule parts and adds a new part. The rulemaking readopts with amendment En 602, En 605.04, and En 609.06 and differentiates the testing requirements for electronic and mechanical meters. The Department is amending the definition section at En 602 to clarify the distinctions between mechanical, electronic, revenue, and non-revenue meters. Consistent with this, the rulemaking also amends Table 6.5.2 at En 605.04(c) where there are now two columns that identify the maximum testing intervals for mechanical versus electronic meters. Similarly, the rulemaking proposes two E-15 forms where one exists currently. That is the E-15-E which pertains to annual reporting of electronic meter testing and the Form E-15-M which pertains to annual reporting of mechanical meter testing. The new forms are incorporated by reference at En 609.06. The rule at En 605.04(e) is amended to state that source and other non-revenue meters shall be tested at the same intervals and in accordance with the size of such meter.

There is also a proposed new part, En 611 which allows water utilities to implement a meter replacement program, if approved by the Department, instead of testing its meters in accordance with En 605.04(c).

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

The rule does not implement a state statute for the first time.

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

The rule affects regulated water distribution utilities in New Hampshire with metering systems and their customers who under the proposed and existing rules can request that their meters be tested. This option exists to customers whether the water distribution utility operates a meter replacement program as proposed in the rulemaking or not. Other potentially interested groups include the New Hampshire Water Works Association and the New Hampshire Department of Environmental Services.

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 602	RSA 12-P:5, IV; RSA 362:2; RSA 362:4, RSA 370:2, 370:3; RSA 374:1, RSA 374:22, RSA 374:26
En 605.04	RSA 12-P:5, IV; RSA 370:3; RSA 374:15
En 609.06	RSA 12-P:5, IV; RSA 374:15
En 611	RSA 12-P:5, IV; RSA 370:3

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

Name: Marie-Helene Bailinson	Title: Hearings Examiner
Address: 21 S. Fruit St., Ste. 10, Concord, NH 03301	Phone Number: (603) 271-7524
	FAX Number:
	Email: 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, November 13, 2026

- Fax**
X Email ENGY.RulesGroup@energy.nh.gov
Other

9. **Public hearing scheduled for:**

Date: Thursday, November 5, 2026

Time: 1:00 PM

Place: Department of Energy

Hearing Room B

21 S. Fruit St.

Concord, NH 03301

Electronic Access, if applicable: N/A

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

FIS #: 26:178, dated: Monday, September 28, 2026

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

When compared to the existing rules, the proposed rules may decrease costs to State citizens and may increase or decrease costs to certain independently owned businesses. Not applicable to En 611, as these are new 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):

When compared to the existing rules, the proposed rules differentiate testing requirements for mechanical and electronic meters, increase the maximum testing intervals for electronic meters, and apply revenue meter testing intervals to source and other non-revenue meters, which are currently required to be calibrated at least every 10 years. The testing intervals for mechanical meters remain unchanged. The proposed rules also replace the existing E-15 annual report with separate forms for electronic and mechanical meter testing. These changes may decrease some meter testing costs and increase others for regulated water utilities.

The newly adopted rules in En 611 establish an optional meter replacement program that a water utility may implement with Department approval instead of testing meters in accordance with En 605.04(c). A utility choosing to participate would incur costs associated with applying for and operating the replacement program, including retaining and storing replaced meters and annually testing five percent (5%) of meters removed and replaced. The Department may approve a program only when the utility demonstrates, among other requirements, estimated cost savings for the utility and its customers and improved meter-reading accuracy. Because participation is optional and the costs and savings will depend on the program proposed by each utility, the fiscal impact of the newly adopted rules is indeterminable.

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

The proposed rules may benefit State citizens who are customers of regulated water utilities to the extent reduced utility costs result in lower utility costs. The proposed rules may also benefit customers if a utility implements an approved meter replacement program. The fiscal impact is indeterminable because it will depend on whether utilities elect to participate and the specific programs approved.

There is no impact on political subdivisions.

C. To independently owned businesses:

The proposed rules may decrease costs to certain independently owned businesses that are regulated water utilities by increasing testing intervals for electronic meters. The proposed rules may increase costs to some regulated water utilities by applying revenue meter testing intervals to source and other non-revenue meters, which are currently required to be calibrated at least every 10 years.

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

The proposal does not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivision of the state, and therefore does not increase the costs a political subdivision must pay and so does not violate Part I, Article 28-a of the NH Constitution.