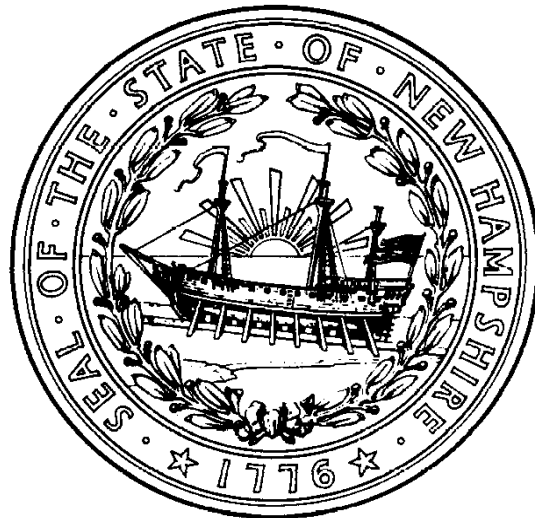
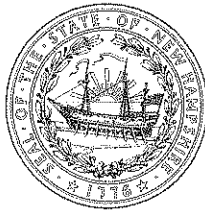


# **FISCAL COMMITTEE**



**Meeting of March 8, 2013  
10:00 a.m.  
Room 210-211, LOB**



JEFFRY A. PATTISON  
Legislative Budget Assistant  
(603) 271-3161

MICHAEL W. KANE, MPA  
Deputy Legislative Budget Assistant  
(603) 271-3161

## State of New Hampshire

OFFICE OF LEGISLATIVE BUDGET ASSISTANT  
State House, Room 102  
Concord, New Hampshire 03301

RICHARD J. MAHONEY, CPA  
Director, Audit Division  
(603) 271-2785

February 28, 2013

To the Members of the Fiscal Committee  
of the General Court

The Chairman of the Fiscal Committee of the General Court, as established by RSA 14:30-a, of which you are a member, has requested that you be notified that the Fiscal Committee will hold a regular business meeting on Friday, March 8, 2013, at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Please find attached information to be discussed at that meeting.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey A. Pattison".

Jeffrey A. Pattison  
Legislative Budget Assistant

JAP/pe  
Attachments

FISCAL COMMITTEE  
AGENDA

Friday, March 8, 2013 in Room 210-211 of the Legislative Office Building

**10:00 a.m.**

- (1) Acceptance of Minutes of the February 1, 2013 meeting

**NOTE: ALL ITEMS LISTED ON THE AGENDA UNDER CONSENT CALENDAR ARE IN BOLD.**

- (2) Old Business:

FIS 12-359 McAuliffe-Shepard Discovery Center – requests approval for the business plan for the operation of the McAuliffe-Shepard Discovery Center. Tabled 12/21/12

FIS 13-005 Department of Transportation – authorization to transfer \$149,922 in highway funds through June 30, 2013. Tabled 02/01/13

FIS 13-024 Department of Justice – authorization to establish four (4) full-time temporary positions to consist of: an Attorney (unclassified), an Investigator (unclassified), a Managing Analyst-Financial (unclassified) and a Paralegal II (classified) through June 30, 2013 and further establish one (1) part-time temporary classified Legal Secretary III position through June 30, 2013. Tabled 02/01/13

FIS 13-025 Department of Transportation – authorization to transfer \$1,455,332 in highway funds through June 30, 2013. Tabled 02/01/13

FIS 13-040 Public Utilities Commission – accept and expend \$2,663,089. Tabled 02/01/13

FIS 13-047 Department of Transportation – authorization to 1) establish a consultant position through June 30, 2013 and further authorization to 2) transfer \$37,363 from Highway Surplus through June 30, 2013. Tabled 02/01/13

- (3) RSA 14:30-a, III Audit Topic Recommendation by Legislative Performance Audit and Oversight Committee:

FIS 13-081 Letter from Representative Lucy McVitty Weber, Chairman of the Legislative Performance Audit and Oversight Committee relative to the recommendation of the following six (6) performance audit topics:

- Department of Corrections, Division of Community Corrections;
- Department of Health and Human Services, Health Facilities Administration, Assisted Living and Nursing Facility Inspections;
- Department of Health and Human Services, Electronic Benefit Transfer Cards;
- Department of Resources and Economic Development, Economic Development Programs;
- Police Standards and Training Council, The Council in Performance of its Charter; and
- Community Development Finance Authority, Program Results

**CONSENT CALENDAR**

(4) **RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000 from any Non-State Source:**

**FIS 13-048 Department of Agriculture, Markets and Food – accept and expend \$238,572**

**FIS 13-049 Department of Corrections – authorization to amend FIS 12-182, approved May 21, 2012, and subsequently amended by FIS 12-344, approved November 8, 2012, to extend the end date from May 31, 2013 to June 30, 2013, with no increase in funding**

**FIS 13-050 Office of Energy and Planning – authorization to retroactively amend FIS 12-256, approved July 23, 2012, by reallocating \$16,575 in federal ARRA funds and to extend the end date from September 30, 2012 to September 30, 2013**

**FIS 13-051 Office of Energy and Planning – authorization to amend FIS 10-280, approved September 21, 2010, by reallocating \$136,200 in federal ARRA funds and to extend the end date from May 31, 2013 to September 30, 2013**

**FIS 13-052 Department of Safety – accept and expend \$129,450**

**FIS 13-053 Department of Safety – accept and expend \$2,210,557**

**FIS 13-076 Department of Safety – accept and expend \$166,412**

**FIS 13-077 Department of Resources and Economic Development – authorization to 1) amend FIS 13-010, approved February 1, 2013 (FIS 11-141, originally approved May 2, 2011), to extend the end date from March 31, 2013 to September 30, 2013 and 2) further authorization for the Department of Employment Security, the sub-grantee with DRED, to amend FIS 13-010, approved February 1, 2013 (FIS 11-141, originally approved May 2, 2011), to extend the end date from March 31, 2013 to September 30, 2013**

**FIS 13-078 Department of Transportation – accept and expend \$19,266**

(5) **RSA 124:15 Positions Restricted:**

**FIS 13-080 Department of Administrative Services – authorization to establish one (1) temporary full-time Administrator to the Deferred Compensation Plan, position 9T169, through June 30, 2013**

(6) **RSA 14:30-a, VI, Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000 from any Non-State Source and RSA 124:15 Positions Restricted:**

**FIS 13-054 Department of Information Technology – authorization to 1) accept and expend \$958,950 in other funds through June 30, 2013 and further authorization to 2) fund class 046 consultant positions through June 30, 2013**

**FIS 13-075 Insurance Department – authorization to 1) accept and expend \$409,690 in federal funds through June 30, 2013, and authorization to 2) establish one (1) part time temporary Grants & Contracts Technician position through June 30, 2013, and 3) establish class 046 consultant positions through June 30, 2013**

- (7) RSA 14:30-a, VI, Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000 from any Non-State Source, and RSA 228:69, I. (b), Appropriation and Use of Special Railroad Fund:

FIS 13-056 Department of Transportation – authorization to 1) accept and expend \$346,497 in other funds, and further authorization to 2) expend an amount not to exceed \$346,497 in prior year carry-forward funds from the Special Railroad Fund for maintenance and repair of active State-owned railroad lines through June 30, 2013

- (8) RSA 21-I:56, II, Reclassification of Positions or Increases:

FIS 13-055 Joint Board of Licensure and Certification – authorization to reclassify position number 18095 from Administrator II, salary grade 29, to Executive Director, Joint Board, salary grade 35

FIS 13-082 Department of Administrative Services – authorization to reclassify position number 10082 from Administrator II, Health and Safety Coordinator, labor grade 29, to Administrator Plant and Property Management, labor grade 35

- (9) RSA 363:28, III, Office of the Consumer Advocate:

FIS 13-062 Office of Consumer Advocate – authorization to employ experts for assistant to complete its participation in the NH Public Utilities Commission (NHPUC) docket DE 11-250, regarding Public Service Company of NH (PSNH), Investigation of Scrubber Costs and Cost Recovery through December 31, 2013

- (10) Chapter 224:14, II, Laws of 2011, Department of Health and Human Services; Program Eligibility; Additional Revenues; Transfer Among Accounts:

FIS 13-057 Department of Health and Human Services – authorization to accept and expend \$877,687 in federal funds through June 30, 2013

FIS 13-058 Department of Health and Human Services – authorization to accept and expend \$118,204 in federal funds through June 30, 2013

FIS 13-059 Department of Health and Human Services – authorization to accept and expend \$560,419 in federal funds through June 30, 2013

FIS 13-060 Department of Health and Human Services – authorization to accept and expend \$9,745,766 in federal funds through June 30, 2013

- (11) Chapter 224:210, Laws of 2011, Department of Information Technology; Transfers Among Accounts:

FIS 13-061 Department of Information Technology – authorization to transfer \$779,832.84 in other funds through June 30, 2013

- (12) Miscellaneous:

(13) Informational Materials:

LBAO Report on Additional Revenues for the Biennium Ending June 30, 2013 – Fiscal Committee Approvals through February 1, 2013 (RSA 14:30-a, VI and Chapter 224:14, II, Laws of 2011)

LBAO Report on American Recovery and Reinvestment Act (ARRA) Stimulus Funding – Fiscal Committee Approvals through February 1, 2013 (RSA 14:30-a, VI and Chapter 224:14, II, Laws of 2011)

Letter from Jeffry A. Pattison, Legislative Budget Assistant relative to a hiring, promotion or step increases granted to LBAO employees

Joint Legislative Facilities Committee  
Legislative Branch  
Detail of Balance of Funds Available  
Fiscal Year 2013  
As of 01/31/13

FIS 13-063 Department of Administrative Services – Chapter 224:80, Laws of 2011 – progress report, dated January 31, 2013, of the sale of the Lakes Region Facility property in Laconia

FIS 13-064 Department of Corrections – Chapter 223:13, Laws of 2011 – quarterly SFY 2013 Budget Reduction Progress report, December 2012

FIS 13-065 New Hampshire Fish and Game Department – RSA 206:42 – Search and Rescue Quarterly Report of Expenditures for the period October 1, 2012 to December 31, 2012

FIS 13-066 New Hampshire Liquor Commission – RSA 176:16, V – semi-annual report of all transfers of appropriated funds for the period from July 1, 2012 through December 31, 2012

FIS 13-067 New Hampshire Liquor Commission – Chapters 224:91 and 224:92, Amended 177:1-a, Laws of 2011 – Quarterly report on Employee Incentive Program and Temporary State Stores, dated February 4, 2013

FIS 13-068 Department of Health and Human Services – Chapters 223:6 and 224:14, Laws of 2011 – December 2012 Operating Statistics Dashboard report for the fiscal year ending June 30, 2013

FIS 13-069 Department of Health and Human Services – Chapter 263:109, Laws of 2007, Rate Setting – report of expenditures for the Child and Family Services account and Child Development (child care) Program for July 2012 through December 2012

FIS 13-070 Department of Health and Human Services – Chapter 263:109, Laws of 2007, Rate Setting – report of expenditures for the Medicaid program for the State fiscal quarter ending December 31, 2012

FIS 13-071 Department of Resources and Economic Development – RSA 227:14 – Quarterly Report on Season Passes Issued for Cannon Mountain during FY 2013, dated January 9, 2013

FIS 13-072 Department of Resources and Economic Development – RSA 215-A:3, II-b and RSA 215-C:2, VIII-b – Transfer of funds for the Bureau of Trails for the quarter ending December 31, 2012

FIS 13-073 Department of Resources and Economic Development, jointly with the New Hampshire Insurance Department – Chapter 277:4, Laws of 2006 – Semi-annual report on status to Retain Domestic Insurers and Recruit Foreign Insurers as of January 17, 2013

FIS 13-074 Department of Revenue Administration – RSA 21-J:45 – Refund report for January 2013

FIS 13-079 Department of Health and Human Services – Chapter 224:314, Laws of 2011 – Medicaid Managed Care Update – February 2013

10:30 a.m.

Audits:

State of New Hampshire  
Juvenile Justice Services  
Pre-Adjudicated Placements  
Performance Audit Report  
March 2013

State of New Hampshire  
State Agency Decision-Making Practices:  
Employees Versus Contractors  
Performance Audit Report  
March 2013

State of New Hampshire  
Lottery Commission  
Management Letter  
For the Fiscal Year Ended June 30, 2012

State of New Hampshire  
Turnpike System  
Management Letter  
For the Fiscal Year Ended June 30, 2012

(14) Date of Next Meeting and Adjournment

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

February 1, 2013

The Fiscal Committee of the General Court met on Friday, February 1, 2013 at 10:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Mary Jane Wallner, Chairman  
Representative Ken Weyler, Clerk  
Representative Peter Leishman  
Representative Cindy Rosenwald  
Representative Daniel Eaton  
Senator Chuck Morse  
Senator Bob Odell  
Senator Jeanie Forrester  
Senator Donna Soucy (Alternate)  
Senator Andy Sanborn

Chairman Wallner opened the meeting at 10:06 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Eaton, seconded by Senator Morse, that the minutes of the December 21, 2012 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

FIS 12-359 McAuliffe-Shepard Discovery Center – request for approval of the business plan for the operation of the McAuliffe-Shepard Discovery Center. Tabled 12/21/12. No Action Taken.

NEW BUSINESS:

RSA 9:16-a TRANSFERS AUTHORIZED:

CONSENT CALENDAR

On a motion by Senator Morse, seconded by Representative Eaton, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 13-038 Department of Transportation – transfer \$150,000, FIS 13-039 Department of Transportation – transfer \$115,000]

RSA 9:16-c TRANSFER OF FEDERAL GRANT FUNDS:

CONSENT CALENDAR

On a motion by Representative Eaton, seconded by Representative Rosenwald, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 13-018 Department of Safety – transfer \$2,904,097, FIS 13-019 Department of Safety – transfer \$3,400]



RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE:

CONSENT CALENDAR

At the request of Senator Morse FIS 13-040 Public Utilities Commission was removed from the Consent Calendar.

On a motion by Representative Eaton, seconded by Senator Morse, that the Committee approve the remaining requests under this section as submitted. MOTION ADOPTED. [FIS 13-001 Department of Environmental Services – accept and expend \$750,000, FIS 13-003 Department of Safety – accept and expend \$156,000, FIS 13-008 Department of Environmental Services – accept and expend \$875,877, FIS 13-010 Department of Resources and Economic Development – authorization to 1) retroactively amend FIS 11-141, approved May 2, 2011, to extend the end date from September 30, 2012 to March 31, 2013 and 2) further authorization for the Department of Employment Security to retroactively amend FIS 11-141, approved May 2, 2011, to extend the end date from September 30, 2012 to March 31, 2013, FIS 13-011 Department of Safety – authorization to 1) amend FIS 12-272, approved September 14, 2012, by reallocating \$88 in federal funds through June 30, 2013 and, subject to approval of #1, further authorization to 2) accept and expend an additional \$152,741 in federal funds through June 30, 2013, FIS 13-022 Office of Energy and Planning – authorization to retroactively amend FIS 11-307, approved October 28, 2011, by extending the end date from September 29, 2012 to June 30, 2013, with no increase in funding, FIS 13-041 Department of Transportation – accept and expend \$250,000]

FIS 13-040 Public Utilities Commission – On a motion by Senator Morse, seconded by Representative Weyler, that the Committee table the request of the Public Utilities Commission to accept and expend \$2,663,089. MOTION ADOPTED.

Amy Ignatius, Chairman, Public Utilities Commission was present to offer additional information that might be useful to the Committee's understanding of the request if so requested.

RSA 124:15 POSITIONS RESTRICTED:

CONSENT CALENDAR

At the request of Representative Weyler FIS 13-024 Department of Justice was removed from the Consent Calendar.

FIS 13-024 Department of Justice – Ann Rice, Deputy Attorney General, and Rosemary Faretra, Director of Administration, Department of Justice, presented the request and responded to questions of the Committee.

The Senate requested to recess at 10:22 a.m. to caucus, and reconvened at 10:25 a.m.

On a motion by Senator Forrester, seconded by Senator Sanborn, that the Committee table the request of the Department of Justice to establish four (4) full-time temporary positions to consist of: an Attorney (unclassified), an Investigator (unclassified), a Managing Analyst-Financial (unclassified) and a Paralegal II (classified) through June 30, 2013 and further establish one (1) part-time temporary classified Legal Secretary III position through June 30, 2013.

A roll call was taken and the results were as follows:

Representative Wallner – No

Representative Rosenwald – No

Representative Eaton – No

Representative Leishman – Yes

Representative Weyler – Yes

Senator Morse – Yes

Senator Odell – Yes

Senator Forrester – Yes

Senator Soucy – Yes

Senator Sanborn – Yes

(7-Yes; 3-No) MOTION ADOPTED.

RSA 14:30-a, VI, FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE AND RSA 124:15 POSITIONS RESTRICTED:

CONSENT CALENDAR

On a motion by Representative Eaton, seconded by Representative Rosenwald, that the Committee approve the requests under this section as submitted. MOTION ADOPTED. [FIS 13-009 Department of Information Technology – authorization to 1) accept and expend \$220,200 in other funds through June 30, 2013, and further authorization to 2) establish consultant positions through June 30, 2013, FIS 13-023 Department of Safety – authorization to 1) amend FIS 09-347, approved October 20, 2009, and subsequently amended on February 18, 2011 (FIS 11-057) and May 21, 2012 (FIS 12-168) by reallocating \$29,300 in federal ARRA funds and extending the end date from February 28, 2013 to June 30, 2013, and further authorization to 2) amend FIS 09-347, approved October 20, 2009, and subsequently amended on February 18, 2011 (FIS 11-057) and May 21, 2012 (FIS 12-168) by extending the end date of one (1) full-time temporary Pharmacist/Compliance Investigator position from February 28, 2013 to June 30, 2013, FIS 13-042 Department of Information Technology – authorization to 1) accept and expend \$295,000 in other funds through June 30, 2013 and further authorization to 2) establish consultant positions through June 30, 2013, FIS 13-046 Department of Transportation – authorization to 1) accept and expend \$4,650,000 in federal funds through June 30, 2013 and further authorization to 2) establish consultant position through June 30, 2013]

RSA 124:15 POSITIONS RESTRICTED AND RSA 228:12 TRANSFERS FROM HIGHWAY SURPLUS ACCOUNT:

FIS 13-047 Department of Transportation – On a motion by Senator Morse, seconded by Senator Odell, that the Committee table the request of the Department of Transportation to 1) establish a consultant position through June 30, 2013 and further authorization to 2) transfer \$37,363 from Highway Surplus through June 30, 2013. MOTION ADOPTED.

RSA 7:12, I, ASSISTANTS:

FIS 13-020 Department of Justice – On a motion by Representative Leishman, seconded by Senator Soucy, that the Committee approve the request of the Department of Justice to accept and expend a sum not to exceed \$850,000 from funds not otherwise appropriated for the purpose of covering projected shortfalls in the general litigation expenses incurred in the defense of the State and the prosecution of criminal law through June 30, 2013. MOTION ADOPTED.

RSA 21-I:19-g, III, USE OF STATE-OWNED VEHICLES:

FIS 13-021 Department of Administrative Services – Linda Hodgdon, Commissioner, and Tara Merrifield, Senior Management Analyst, Division of Fixed and Mobile Assets, Department of Administrative Services presented the request and responded to questions of the Committee. John Beardmore, Director of Administration, Department of Safety was also present to respond to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Weyler, that the Committee approve the request of the Department of Administrative Services for agency waivers to retain state-owned passenger vehicles which fall below the break-even mileage for FY 2012. MOTION ADOPTED

RSA 106-H:9,I,(e), FUNDING; FUND ESTABLISHED:

FIS 13-002 Department of Safety – On a motion by Representative Eaton, seconded by Senator Forrester, that the Committee approve the request of the Department of Safety to transfer \$100,000 of the prior year carry forward balance in the E911 System Fund through June 30, 2013. MOTION ADOPTED.

RSA 228:12 TRANSFERS FROM HIGHWAY SURPLUS ACCOUNT:

FIS 13-005 Department of Transportation – On a motion by Senator Morse, seconded by Senator Sanborn, that the Committee table the request of the Department of Transportation to transfer \$149,922 in highway funds through June 30, 2013. MOTION ADOPTED.

FIS 13-025 Department of Transportation – On a motion by Senator Morse, seconded by Representative Leishman, that the Committee table the request of the Department of Transportation to transfer \$1,455,332 in highway funds through June 30, 2013. MOTION ADOPTED.

RSA 604-A:1-b ADDITIONAL FUNDING:

FIS 13-026 Judicial Council – On a motion by Representative Eaton, seconded by Senator Soucy, that the Committee approve the request of the Judicial Council to receive \$400,000 in additional general funds from funds not otherwise appropriated through June 30, 2013. MOTION ADOPTED.

CHAPTER 155:1, LAWS OF 2012, DEPARTMENT OF CORRECTIONS; TRANSFERS:

FIS 13-027 Department of Corrections – On a motion by Representative Leishman, seconded by Representative Eaton, that the Committee approve the request of the Department of Corrections to transfer \$40,000 in general funds to cover projected shortfalls for the remainder of SFY 2013. MOTION ADOPTED.

CHAPTER 224:14, II, LAWS OF 2011, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 13-004 Department of Health and Human Services – On a motion by Senator Morse, seconded by Representative Rosenwald, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$100,000 in general funds from funds not otherwise appropriated through June 30, 2013. MOTION ADOPTED.

FIS 13-013 Department of Health and Human Services – On a motion by Senator Morse, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$72,573 in federal funds through June 30, 2013. MOTION ADOPTED.

FIS 13-028 Department of Health and Human Services – On a motion by Representative Rosenwald, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$293,169 in federal funds through June 30, 2013. MOTION ADOPTED.

FIS 13-029 Department of Health and Human Services – Nicholas Toumpas, Commissioner, and Shanthi Venkatesan, Director, Division of Reorganization Planning, Department of Health and Human Services, presented the request and responded to questions of the Committee.

The Senate requested to recess at 10:50 a.m. to caucus, and reconvened at 10:57 a.m.

On a motion by Representative Rosenwald, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$4,500,000 in federal funds through June 30, 2013.

A roll call was taken and the results were as follows:

Representative Wallner – Yes  
Representative Rosenwald – Yes  
Representative Eaton – Yes  
Representative Leishman – Yes  
Representative Weyler – No  
Senator Morse – Yes  
Senator Odell – Yes  
Senator Forrester – Yes

Senator Soucy – Yes  
Senator Sanborn – No

(8-Yes; 2-No) MOTION ADOPTED.

FIS 13-043 Department of Health and Human Services – Nicholas Toumpas, Commissioner, Department of Health and Human Services presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Leishman, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$94,217 in federal funds through June 30, 2013. MOTION ADOPTED. (7-Yes, 3-No)

CHAPTER 224:14, II AND III, LAWS OF 2011, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 13-030 Department of Health and Human Services – On a motion by Senator Morse, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to transfer \$1,663,148 in general funds and decrease related revenue adjustments of (\$647,578) in federal funds and increase revenue adjustments of \$13,191 in other funds through June 30, 2013. MOTION ADOPTED.

FIS 13-031 Department of Health and Human Services – On a motion by Senator Morse, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to transfer \$22,053,109 in general funds and decrease related revenue adjustments of (\$7,087,447) in federal funds and decrease revenue adjustments of (\$1,173,883) in other funds through June 30, 2013. MOTION ADOPTED.

FIS 13-032 Department of Health and Human Services – On a motion by Senator Morse, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to transfer \$488,704 in general funds and decrease related revenue adjustments of (\$125,731) in federal funds and increase revenue adjustments of \$34,586 in other funds through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:85, I, LAWS OF 2011, DEPARTMENT OF ADMINISTRATIVE SERVICES; CONSOLIDATION OF CERTAIN BUSINESS PROCESSING FUNCTIONS:

FIS 13-044 Department of Administrative Services – On a motion by Representative Eaton, seconded by Senator Morse, that the Committee approve the request of the Department of Administrative Services to transfer and reallocate \$468,955 for personnel from the Departments of; Justice, Employment Security, Fish and Game, Resources and Economic Development, Education, and Corrections to the Department of Administrative Services to establish a Shared Services Center for the consolidation of business processing within state government, through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:210, LAWS OF 2011, DEPARTMENT OF INFORMATION TECHNOLOGY;  
TRANSFERS AMONG ACCOUNTS:

FIS 13-045 Department of Information Technology – On a motion by Representative Eaton, seconded by Senator Morse, that the Committee approve the request of the Department of Information Technology to transfer \$354,214 in other funds through June 30, 2013. MOTION ADOPTED.

CHAPTER 224:371, LAWS OF 2011, TRANSFER OF FUNDS:

FIS 13-014 Department of Administrative Services – On a motion by Representative Leishman, seconded by Representative Eaton, that the Committee approve the request of the Department of Administrative Services to transfer \$72,774 in general funds and \$245,617 in other funds, for a total of \$318,391 through June 30, 2013. MOTION ADOPTED.

MISCELLANEOUS:

Jeffry Pattison, Legislative Budget Assistant, requested Committee approval to fill a vacancy in the Office of Legislative Budget Assistant, Budget Office and further authority to fill one (1) vacancy in the Audit Division.

On a motion by Representative Eaton, seconded by Representative Rosenwald, that the Committee approve the request of the Legislative Budget Assistant to fill a vacancy in the Office of Legislative Budget Assistant, Budget Office and further approval to fill one (1) vacancy in the Audit Division. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Comprehensive Annual Financial Report, For Fiscal Year 2012 – Richard Mahoney, Director of Audits, Office of Legislative Budget Assistant, Greg Driscoll, KPMG Partner, and Scott Warnetski, KPMG Senior Audit Manager, Linda Hodgdon, Commissioner, and Edgar Carter, Comptroller, Department of Administrative Services, presented the report and responded to questions of the Committee.

On a motion by Representative Weyler, seconded by Representative Eaton, that the report be accepted, placed on file and released in the usual manner. MOTION ADOPTED.

The Unique College Investing Plan, Annual Report, September 30, 2012 and The Fidelity Advisor 529 Plan, Annual Report, September 30, 2012 – Catherine Provencher, State Treasurer, and Rachael Bradley, representing PricewaterhouseCoopers, presented the report and responded to questions of the Committee.

On a motion by Representative Weyler, seconded by Representative Eaton, that the report be accepted, placed on file and released in the usual manner. MOTION ADOPTED.

State of New Hampshire, Department of Transportation, Turnpike System, Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2012 – Richard Mahoney, Director of Audits, and Jean Mitchell, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Also present were Patrick McKenna, Director of Finance, and Leonard Russell, Administrator of Financial Reporting, Department of Transportation, to respond to questions of the Committee.

On a motion by Representative Weyler, seconded by Representative Eaton, that the report be accepted, placed on file and released in the usual manner. MOTION ADOPTED.

New Hampshire Lottery Commission, A Department of the State of New Hampshire, Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2012 – Richard Mahoney, Director of Audits, and Elizabeth Bielecki, Manager, Audit Division, Office of Legislative Budget Assistant, presented the report and responded to questions of the Committee. Also present were Charles McIntyre, Executive Director, and Cassie Strong, Chief Accountant, New Hampshire Lottery Commission to respond to questions of the Committee.

On a motion by Representative Weyler, seconded by Representative Eaton, that the report be accepted, placed on file and released in the usual manner. MOTION ADOPTED.

ADJOURNMENT:

The next regular meeting of the Fiscal Committee will be Friday, March 8, 2013 at 10:00 a.m.

On a motion by Representative Eaton, seconded by Representative Rosenwald, that the meeting adjourn. (Whereupon the meeting adjourned at 12:06 p.m.)

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Representative Ken Weyler, Clerk



2 Institute Drive  
Concord, NH 03301  
phone 603-271-7827  
fax 603-271-7832

www.starhop.com

November 1, 2012

Representative Ken Weyler  
Chairman, Fiscal Committee of the General Court  
Legislative Office Building – Room 210-211  
Concord, NH 03301

Dear Representative Weyler:

Requested Action

Pursuant to RSA 12-L:14, II, the McAuliffe Shepard Discovery Center requests approval for the business plan for the operation of the McAuliffe-Shepard Discovery Center.

Explanation

RSA 12-L:14, II states, "The McAuliffe-Shepard discovery center commission shall submit a business plan for the operation of the discovery center to the fiscal committee of the general court for approval by November 1, 2012."

With assistance from Executive Service Corps and the McAuliffe-Shepard Discovery Center Corporation Board of Directors, the Discovery Center has completed its business plan and looks forward to discussing it with the Fiscal Committee of the General Court. We hereby submit for Fiscal Committee approval the McAuliffe-Shepard Discovery Center Business Plan, dated November 1, 2012, for your approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul A. Burkett". The signature is fluid and cursive.

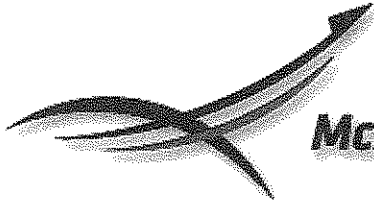
Paul A. Burkett, Esq.  
Chair, McAuliffe-Shepard Discovery Center Commission

c.c.: James R. MacKay, Ph.D.  
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Enc.: Proposed McAuliffe-Shepard Discovery Center Business Plan





**McAuliffe-Shepard Discovery Center**

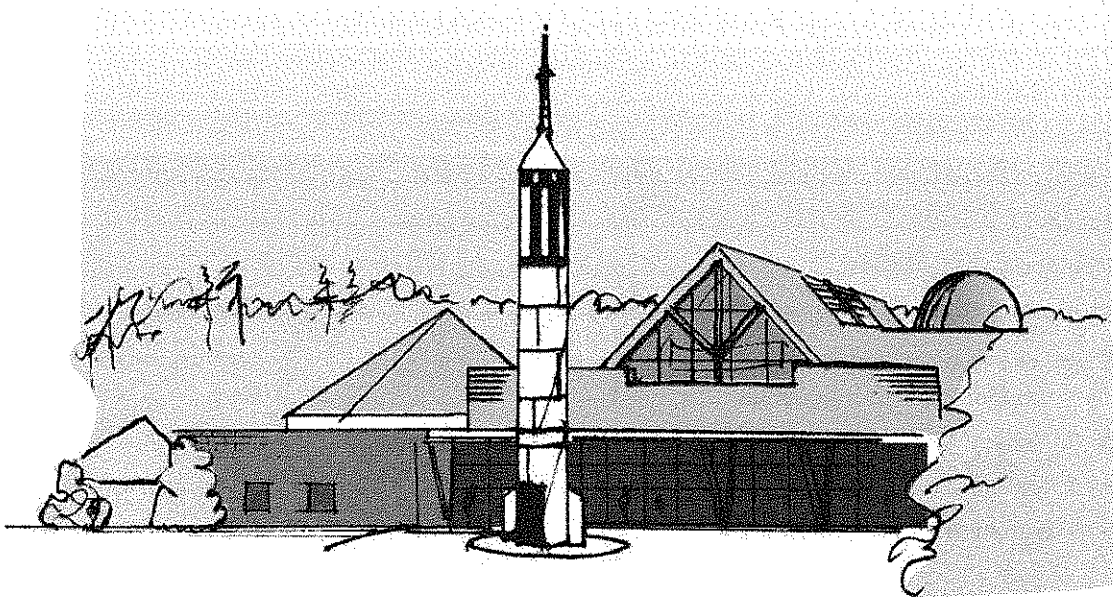
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# BUSINESS PLAN

Prepared By  
**THE EXECUTIVE SERVICE CORPS**



**November 1, 2012**



# McAuliffe-Shepard Discovery Center Business Plan

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# McAuliffe-Shepard Discovery Center Business Plan

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## Executive Summary

The McAuliffe-Shepard Discovery Center ("Discovery Center") will undergo a major transformation at the end of 2012. Having originated as the Christa McAuliffe Planetarium in 1990, the Discovery Center undertook a significant expansion in 2009. Currently a state agency, the Discovery Center will transform into a purely private, not-for-profit 501(c)(3) organization effective January 1, 2013, through New Hampshire law CH173, Laws of 2012. This change will provide the Discovery Center with more operational flexibility and better access to private funding, thereby enabling the organization to better serve its constituents in the generations to come.

The Discovery Center hired the Executive Service Corps (ESC) in July 2011 to analyze and recommend the best way to transform itself into a fiscally-independent entity, consistent with New Hampshire Chapter 224:88(II), Laws of 2011. ESC presented its report in November 2011. The Discovery Center then retained ESC in 2012 to help it (a) form a new board of directors; (b) conduct a market analysis; (c) develop a marketing plan; and (d) develop a business plan. This document is the business plan, which incorporates by reference the market analysis and marketing plan. The purposes of this business plan are to guide the Discovery Center's transformation into a vibrant and enduring not-for-profit organization that fulfills its mission; and to demonstrate the Discovery Center's viability and value to supporters and other stakeholders.

This business plan describes the mission, objectives, marketplace, structure, and procedures which will guide the Discovery Center for the upcoming year and beyond. It is intended to be a helpful information source for all of the Discovery Center's stakeholders, including its board of directors, officers and staff, members, donors, visitors, the State of New Hampshire, and the wider community.

## TRANSITION

Much has to be done before the 1 January 2013 spinoff to ensure that the Discovery Center will continue to prosper and to serve its constituents in the coming years. These urgent transition tasks are constrained by limited funds as well as by the need for all staff to continue to do their "day jobs". All require several months of advance work. The transition tasks can be categorized as follows:

- Governance, organizational and staffing tasks
- Programs and services tasks, such as exhibit enhancements
- Marketing promotional tasks
- Fundraising and development tasks
- Transaction-processing tasks (contracts and vendor relations)
- Day One Tasks (announcements, special events, cutovers)

## HISTORICAL DATA AND FORWARD-LOOKING STATEMENTS

This document, including components incorporated by reference, contains "forward-looking statements". Examples of such statements include plans, projections, and assumptions, explicit or implied, regarding future actions or events. All such statements are subject to known and unknown risks, which could materially affect the Discovery Center's future operations, results and condition. The Discovery Center endeavors to monitor, mitigate and adapt to such risks.

Discovery Center historical data is presented on a *pro forma* or "as if" basis, reflecting the results of the McAuliffe-Shepard Discovery Center Corporation's state-agency predecessor. Such historical data has in many cases been reclassified or otherwise adjusted for comparability.

# McAuliffe-Shepard Discovery Center Business Plan

## Mission and Objectives

The Discovery Center's mission is "to educate, engage and inspire people of all ages in the fields of science, technology, engineering and mathematics through operation of a science center focused on astronomy, aviation, Earth and space science".

The Discovery Center's objectives include the following: "to be a catalyst for learning and discovery about, and delight in, the universe in which we live, inspired by the pioneering efforts of Alan Shepard and Christa McAuliffe; to encourage young people to pursue careers in science, technology, engineering and mathematics (STEM); and to become a national leader in STEM education.

## SWOT

A "Strengths, Weaknesses, Opportunities and Threats" summary is a useful way to portray an organization's current position compared with where it wants to go.

	HELPFUL	HARMFUL
INTERNAL	<b>STRENGTHS</b> <ul style="list-style-type: none"> <li>• Staff well-regarded by visitors</li> <li>• Spacious, modern facility</li> <li>• Ample, onsite parking</li> <li>• Talented and engaged board of directors</li> <li>• Named for / dedicated to two internationally known, highly-regarded space pioneers</li> <li>• Interpretive areas (astronomy, aviation, Earth &amp; space science) popular with the general public</li> <li>• State-of-the-art planetarium system</li> <li>• Good peer network</li> </ul>	<b>WEAKNESSES</b> <ul style="list-style-type: none"> <li>• Reputation for tired exhibits and planetarium</li> <li>• Uncertainty about future</li> <li>• Lack of skilled marketing director</li> <li>• Lack of skilled fundraising and development director</li> <li>• Lack of experienced exhibits and curatorial staff</li> <li>• Small donor base</li> <li>• Inability to produce professional full-dome planetarium shows in-house</li> <li>• Volunteer program not well developed</li> <li>•</li> </ul>
EXTERNAL	<b>OPPORTUNITIES</b> <ul style="list-style-type: none"> <li>• Transition presents chance to reinvent</li> <li>• Name recognition for planetarium</li> <li>• Abundance of technology businesses in southern NH</li> <li>• National emphasis on STEM education</li> <li>• Good reputation with NASA, space science teams at UNH, Dartmouth, &amp; other institutions</li> <li>• Proximity to source of partnerships, interns, volunteers, work-study students (NHTI)</li> </ul>	<b>THREATS</b> <ul style="list-style-type: none"> <li>• Competition (other museums and attractions)</li> <li>• Technological obsolescence</li> <li>• Continued regional economic weakness</li> <li>• Susceptibility to weather</li> <li>• U.S. Congress may limit funding and resources available from prospective grant sources (e.g. NASA, NSF, IMLS)</li> <li>• School budgets and testing impede schools' ability to send students on field trips</li> </ul>

## Governance, Organization and Staffing

The Discovery Center will be governed by a Board of Directors, who, in addition to providing fiduciary oversight, appointing officers, and approving the annual budget, will be actively engaged in fundraising and advising. The board will consist of between nine and 23 voting members who will serve staggered three-year terms. One member shall be appointed by the speaker of the New Hampshire House of Representatives and one member shall be appointed by the Senate President, per CH 173, Laws of 2012. The Discovery Center executive director is an *ex officio*, nonvoting member of the board. The board may include non-members on its committees and may be assisted from time to time by an Advisory Committee, which will provide advice and expertise.

# McAuliffe-Shepard Discovery Center Business Plan

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## OFFICERS AND STAFF

The Discovery Center's officers shall consist of an Executive Director (ED), and, reporting to the ED, an Education Director, Marketing Director, Operations Director, Development Director, and Finance & Administration Director. Their responsibilities will be as follows:

- **Executive Director** – In consultation with the Board, sets the direction for the Discovery Center and assures that it achieves its mission. Works with the Board on short-, long-range and strategic planning, setting annual and long-range goals and objectives and fundraising. Directs, oversees and implements Board policies, business, annual, long-range and strategic plans and initiatives, recruits and directs staff. Serves as the public face and voice of the Discovery Center to the staff, supporters, the media, and the public. Ex-officio member of the Board, liaison between Board and staff.
- **Education Director** - Develops and implements the Discovery Center's educational programs and initiatives; ensures that programs and services properly support the Discovery Center's mission and meet the needs of its constituents and stakeholders. Works with the marketing director on outreach to the educational community and general public to be sure the programs are well-attended.
- **Marketing Director** – Strategically positions the Discovery Center as a key educational and visitor attraction, on a local, regional, national and international level. Oversees all branding and communications. Works with top leadership to keep awareness of the Discovery Center high in key target markets. Analyzes markets using surveys and other two-way communications tools, incorporates findings into annual and long-range marketing plans and immediate actions when necessary. Coaches staff and board in communications including crisis communications.
- **Operations Director** – Oversees and implements all visitor services, facilities management, private rentals, special events and volunteer program. Works closely with marketing director on visitor surveys and other feedback, and with development director on special events. Ensures that the facility is adequately staffed for all events.
- **Development Director** – Works with the executive director and Board on all fundraising initiatives and activities including capital, annual, memberships and special projects; develops and implements annual and long-range fundraising plans and strategies, including prospecting, cultivation, relationship building and maintenance, and acknowledgement of donors and sponsors; develops and writes grants and oversees implementation of and reporting on grant-funded initiatives.
- **Finance & Administration Director** - Finance, accounting, human resources, oversight of retail operations. Works with board secretary, treasurer and contracted accounting firm on audits and federal, state and local reporting requirements. Oversees all Discovery Center financial transactions and contracting.

The Discovery Center's past staffing has included 14 full-time and 37 part-time employees; in its new organizational structure, its goal is to have 12 full-time employees (including officers) plus approximately 12 part-time employees who work from 2-30 hours per week. Until fundraising targets are met, the Discovery Center will start the first quarter of 2013 with seven full-time staff and 14 part-time staff, increasing its staffing as revenues allow. The Discovery Center also relies on volunteers and occasional work-study staff members, as well as on contracted services such as for information technology and maintenance. Staffing levels may change over time, but the emphasis will be on attracting, rewarding and retaining experienced, dedicated, full-time staff and a well-trained, enthusiastic contingent of volunteers drawn from the community and area colleges.

## Organizational and Governance Goals

- Organizational design supports the Discovery Center's mission, goals and objectives
- Leadership is credible and earns high respect
- The board and top leadership cultivate a culture of trust, ethics and stewardship
- The board, executive director, staff, volunteers and members are deeply connected with and committed to the Discovery Center

# McAuliffe-Shepard Discovery Center Business Plan

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- Employees understand what they are expected to do, how what they do affects the mission of the organization, employees' goals, objectives and evaluations are tied to the mission and organization plans, goals and objectives.
- Employees understand how what they do affects the mission of the organization
- Processes are simplified and barriers eliminated
- Employees are well-trained, empowered, valued, and enjoy their jobs
- Succession planning is in place, and appropriate individuals are developed and mentored
- The Discovery Center celebrates diversity in its board, staff, volunteers, visitors and program leaders and participants
- Accessibility is a key factor in the design of facilities, staff and volunteer assignments, exhibits and programs

## RECRUITMENT AND SELECTION

The Discovery Center will recruit to fill positions internally and externally. All recruitment activities will seek top-quality candidates while conforming to Title VII and all other relevant state and federal labor laws, including tracking and reporting of the recruitment process. The Discovery Center is an equal-opportunity employer.

The board of directors is responsible for recruitment, hiring, evaluation and termination of the executive director. The executive director is responsible for recruitment, hiring, evaluation and termination of all other staff. The executive director may enlist the aid of the board in selection of top staff leadership, and may delegate recruitment and evaluation of mid- and entry-level staff to the appropriate staff director.

## WORKPLACE ENVIRONMENT

The Discovery Center will provide a safe, accessible and comfortable workplace environment, meeting or exceeding all applicable state and federal laws. This objective will be met through the appropriate facilities, equipment, and training. Additionally, the Discovery Center will provide appropriate avenues for resolving grievances.

The Discovery Center will comply with all relevant labor laws, including

- Required postings i.e. Minimum Wage, Child Labor etc.
- EEO (Equal Employment Opportunity)
- OSHA reporting requirements and "right to know"
- Employment at will
- Pre-employment I-9 and visa verification
- FMLA (Family & Medical Leave Act)
- ADEA (Age Discrimination in Employment Act)
- FLSA (Fair Labor Standards Act)
- HIPAA (Health Information Portability and Accountability Act)

## STAFF TRAINING AND DEVELOPMENT

The Discovery Center will provide staff training in the areas of workplace safety; organizational ethics and conduct; anti-discrimination and anti-harassment issues. This training will be given to all paid and unpaid staff shortly before or after the transition to a private organization; and to all new staff members shortly after they join the organization. Furthermore, the Discovery Center will provide regular refresher training in these essential areas.

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The Discovery Center will encourage and facilitate staff development in relevant professional skills, including providing financial assistance for professional development where appropriate. The Discovery Center will maintain relationships with area education centers such as NHTI, Concord's Community College to help with such purposes.

## COMPENSATION

Staff compensation should be

- (a) Fair: How much would you or I want to be paid if we were doing that job?
- (b) Sufficient to attract and retain talented employees.
- (c) Flexible.
- (d) Performance-based.

As a guide, the Discovery Center should use outside annual salary surveys by organizations such as The Association of Science and Technology Centers, New England Museums Association, NH Center for Nonprofits, American Association of Museums, and Chronicle of Philanthropy.

**Compensation components** will include base salary or wage, and, in line with norms, employer-sponsored medical insurance and possibly a defined-contribution retirement plan; paid vacation time, sick time, and holidays. In the short term the Discovery Center may be unable to afford to provide or subsidize dental or vision care, medical insurance for spouses and families or retirement. The Discovery Center may also provide employees with limited discounts for themselves, family and friends for the Discovery Center admissions, events, services, and merchandise.

**Performance reviews** should be conducted each September, with compensation **merit adjustments** effective on the first day of each fiscal year (January 1) and based on the table below (merit increase percentages to be revised each year before the performance review process). Merit adjustments for partial-year employees will be prorated based on date of hire or date of job change (whichever is appropriate).

Performance Rating →	Greatly Exceeds Expectations	Exceeds Expectations	Meets Expectations	Slightly Short of Expectations	Substantially Short of Expectations
Merit Increase %	Up to 4.0%	Up to 2.5%	Up to 1.5%	0.0%	0.0%

## AT-WILL EMPLOYMENT

The Discovery Center is an "at-will" employer, and, as such, does not guarantee employment. Either the Discovery Center or the employee may terminate the employment relationship at any time, with or without cause, and with or without notice, for any reason or no reason as long as the decision is not based on age, sex, race, ethnicity, country of origin, religion, sexual orientation, veteran status, or disability, consistent with state and federal law.

## Market Analysis

The Executive Service Corps distributed a market analysis entitled *Acquiring and Satisfying Customers* via email on 9 May 2012. That report is an integral part of this Business Plan and is incorporated by reference into it. It is also available by request from the Discovery Center board members or officers.

## Marketing Plan

# McAuliffe-Shepard Discovery Center Business Plan

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The Executive Service Corps has separately distributed a marketing plan entitled *McAuliffe-Shepard Discovery Center 2013 Marketing Plan* on 17 August 2012, which is incorporated into this business plan by reference. It is available by request from the Discovery Center board members or officers.

## Website Strategy

If we are to increase the onsite Discovery Center visitors to an annual rate of 85,000 by December 2015 – representing an increase of 25,000 -- the website needs to play a pivotal role in creating awareness and persuading potential visitors who find the website to visit. As a benchmark, 25,000 annual visitors would be about 625 additional groups of four people each month, while the website currently has from 4,500 to 7,500 unique visitors each month.

We know from the visitors' survey that 29% of current visitors became aware of the Discovery Center through the internet. We also know that only 56% of New Hampshire residents were aware of the Discovery Center, and in two counties, Grafton (37% aware) and Sullivan (41% aware), it was much lower.

Seventy-one percent of visitors are from within a one hour drive of the Discovery Center, which means that 29% are from more than an hour's drive, or most likely visitors from out of state. It is safe to assume that the out of state awareness is significantly less than 56% and probably approaches zero as we move farther from Concord, New Hampshire.

According to the survey, 55% used the internet in planning the current visit. That suggests a very big role for the website in 1) reminding those who are online looking for an activity about the Discovery Center and 2) for persuading those who visit the site to visit the Discovery Center.

### Summary - Role of the Website in Marketing

1. Raise awareness among those who are not aware of the Discovery Center.
2. Persuade those who come to the website looking for activities to visit.
3. Provide easy access to what is happening to promote more visits by members and core customers.
4. Eventually provide online ticketing in order to improve the customer experience, assist in collecting better market intelligence, and free up resources for other activities.
5. Provide online educational experiences that build a regional and national following.

### Strategy

- Awareness Strategy
- Search Engine Optimization
  - Add keywords or Meta Tags to major pages
  - Add links in
  - Add new verbiage with increased keyword density
- Persuade Strategy
- Improve first page
- Compelling copy and graphics
- Improve access
- Simplify the site
- User friendly analysis

### Website Marketing Plan Outline

#### Now

- Understand Website Statistics
- Develop a Management Report – combine web visits with data from the e-newsletter into a monthly report
- Improve the Keywords or Meta tags – Improve the keyword density on 5 to 10 pages – Make sure Alt Tags are helpful and reinforce keywords



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- Start to monitor TripAdvisor.com and similar sites

## Continuous

- Look to increase links in from tourism sites, government, STEM organizations
- Add online booking of tickets, retail sales, donations
- Re-do the website design
- Consider a makeover of the current home page – this might be done on the cheap now.
- Improve content editor - consider a Word Press Site, see below
- Review and adjust for mobile compatibility

## Goals

- We need to see a 25% increase in the monthly unique visitors from 2011, or seek outside Search Engine Optimization (SEO) help.
- Develop Home Grown SEO

## Programs and Services

The Discovery Center provides the following programs and services:

- Exhibits – indoors and outside, primarily interactive
- Planetarium shows
- School Field Trips
- Educational Workshops, Programs and Activities, on- and off-site
- Observatory
- Events
- Gift Shop and Café
- Facility Rentals

**Program Impact Table as of 31 December 2012; Target Goal by January 1, 2015 is 100% 5s**

Program	Effectiveness	Depth	Breadth / Volume	Revenue	Cost	Profitability	TOTAL	Weight	WGTD TOTAL
Exhibits	3	3	2	3	3	2	16	25%	4.00
Planetarium Shows	5	4	5	4	4	5	27	20%	5.40
Educational Programs	4	4	3	2	2	2	17	25%	4.25
Observatory	5	5	4	0	4	0	18	5%	0.90
Events	5	5	5	2	2	2	21	5%	1.05
Gift Shop & Café	4	4	4	2	2	2	18	10%	1.80
Facility Rentals	5	4	2	4	5	5	25	10%	2.50
<b>TOTALS</b>	<b>31</b>	<b>29</b>	<b>25</b>	<b>17</b>	<b>22</b>	<b>18</b>		<b>100%</b>	<b>19.9</b>

5 = Excellent; 4 = Good; 3 = Acceptable; 2 = Needs Improvement ASAP; 1 = Poor; 0 = Not Applicable

## Planetarium Shows

The 103-seat planetarium will continue to provide shows generally five times each day during regular Discovery Center public hours, plus shows for field trips, groups, special evening shows and presentations. "Tonight's Sky" show is updated continually; other shows are rotated on and off the schedule every few months, with a new show opening two to four times per year.

## Exhibits

# McAuliffe-Shepard Discovery Center Business Plan

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The Discovery Center typically has an average of 20 exhibits at any one time. Eighteen of these are permanent, maintained, updated/upgraded on a regular basis, while two are temporary – one major, one minor – and typically rotated every three months.

The 2012 Discovery Center visitor and member surveys identified the need to freshen and upgrade the exhibits, and the Discovery Center intends to respond aggressively and enthusiastically to this need.

Permanent and traveling exhibits are the core experience in the science center, providing visitors an engaging, interactive way to learn about space science, astronomy, aviation and Earth science. They create the environment of a science center and serve as important educational tools as well as entertainment. Changing exhibits, limited exhibit downtime, and updates/upgrades of permanent exhibits are critical to engendering and increasing repeat visitation.

The majority of permanent exhibits incorporate National Science Standards in their design. Permanent exhibits include:

- aviation and aerospace exhibits in the central atrium and second floor;
- a flight school, model light aircraft, and aviation simulators planned for 2014;
- a flight timeline focused on aviation, rocketry and space flight milestones in place by late 2013;
- an Earth science room including remote sensing equipment, a model Earth that can also transform into other planetary bodies as needed, a meteorology station, and satellite imagery of the region;
- an electromagnetic spectrum exhibition, incorporating lasers, visible light and methods of viewing/utilizing light from the non-visible ends of the spectrum including model satellites with New England components, some elements of which are in place now and more to be added in 2013-2015;
- simulators – shuttle, lunar, aviation;
- an exhibit on living and working in space; and
- individual exhibits and a resource room focused on Christa McAuliffe and Alan Shepard, in place by fall 2013.

In addition to education and entertainment, a goal of the Discovery Center is to inspire young people to pursue excellence and careers in science, mathematics, engineering and technology. “Real People, Amazing Jobs” are a component of key exhibits, featuring a person working in a field related to the exhibit (airplane mechanic, space physicist, teacher, astronaut).

Tours, live demonstrations, exhibit-related activities, and informal interpretation by docents will enhance the exhibit experience for school and public visitors and private groups. A flexible staging area in the central atrium allows large group science demonstrations and presentations.

## Education

The Discovery Center will pursue its key educational mission by providing education-oriented exhibits, workshops, planetarium shows, professional development for educators, and events; and by encouraging visits and program participation by families, school groups, scout groups, summer youth camps, and other youth-oriented organizations. The Discovery Center will work with teachers and school administrators to ensure that its programs align optimally with school curricula, and will explore the possibility of allowing students to earn academic credits through completion of the Discovery Center activities. These possibilities include operating a charter school within the Discovery Center [Note: Operation of a charter school is not included within the scope of this business plan.] The Discovery Center incorporates NH Science Frameworks and national STEM Standards/Guidelines in its programs and exhibits.

## Observatory

The Discovery Center’s facility includes a rooftop observatory with a professional astronomical and a solar telescope and “Go To” technology, suitable for nighttime or daylight (solar) observations. The Discovery Center will connect a telescope to a video display and/or provide internet access by late 2013.

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## Events

The Discovery Center hosts several events each year to bring together aviation and space science educators and experts with visitors: Aerospacefest, an aviation and space festival for families; the Astronomy Bowl, a high school competition; a science symposium for educators and the end of each school year; NASA-initiated events such as an International Observe the Moon Night; and events centered around astronomical and space science occurrences and issues.

## Gift Shop and Café

The onsite gift shop, the Science Store, provides a large selection of items for sale that are consistent with the Discovery Center's mission. These include games, models, books, and other items focused on space science, technology, engineering, and mathematics. The purpose of the shop is to generate revenues for Discovery Center operations and to extend the visitor experience.

The onsite café, the Countdown Café, provides light meals, snacks and beverages for the convenience of visitors, and also caters events and facility rental functions. The café contract focuses on creating a partnership between the café operator and the Discovery Center that provides excellent service to Discovery Center visitors, adds value to private rentals, and allows both partners to flourish financially. The current café operator's contract will be extended for one year, and reviewed in 2013 before going out to competitive bid for 2014-2016.

Because the gift shop and café are onsite and consistent with the Discovery Center's mission, they fully qualify as not-for-profit components of the Discovery Center.

## Facility Rentals

The Discovery Center rents portions or all of its facility for business meetings, seminars, group and private functions. We are able to provide tables and chairs, audio-visual equipment, food and beverages and educational programs. The Discovery Center's modern, spacious facility; its convenient access; and its ample, onsite parking have made facility rentals an increasing source of revenue. Recent customers have included family rentals for birthdays, wedding parties, and bar mitzvahs, college and high school reunions, corporate annual meetings, gathers of social service groups, and company parties.

The Discovery Center will continue to promote facility rentals as a source of high-margin revenue, so long as these rentals do not interfere with our educational mission. IRS Publication 588 includes guidance on tax exemption for this type of revenue.

## Fundraising and Development

The development director will be responsible for development and oversight of all of the McAuliffe-Shepard Discovery Center's fundraising activities, supported by the executive director and the board of directors. This function includes:

- Prospect review, donor cultivation, developing a strong and growing donor base
- Soliciting donations from individuals, private foundations, and businesses; coaching and teeing up board and committee members and the executive director to make solicitations; including annual appeals, capital appeals special projects and planned giving.
- Writing, securing and reporting on grants from private foundations, businesses, and government agencies (e.g., NASA, NOAA, IMLS, FAA, Dept. of Energy, Dept. of Education, NEA, NEH).
- Grants and donations from private foundations, businesses, government agencies, and individuals. Grants and donations may be money, exhibits, equipment, or services (such as providing speakers, internships, volunteers, promotion, sponsorship, or other support).

# McAuliffe-Shepard Discovery Center Business Plan

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- Memberships offered to individuals and organizations.
- Development partnerships and alliances.

## ALLIANCES

The Discovery Center establishes alliances with various other STEM organizations to share ideas and resources and to coordinate events. Among those organizations are:

- NASA – resources from Headquarters and Centers including Jet Propulsion Laboratory, Goddard Space Flight Center, Johnson Space Center.
- Smithsonian National Air and Space Museum – historical artifacts, networks.
- UNH Institute for the Study of Earth Oceans and Space – expert consultation.
- Harvard-Smithsonian Center for Astrophysics – guest speakers and consultation.
- Society of Experimental Test Pilots – funding, program and exhibit support.
- Association of Naval Aviation – funding and exhibit support.
- Plymouth State University – meteorology consultation and internships.
- Dartmouth College – expert consultation and internships.
- Daniel Webster College – Aviation Sciences consultation and internships.
- Sea-Lake-Summit-Sky – program collaboration with Squam Lakes Science Center, McAuliffe-Shepard Discovery Center, Seacoast Science Center, and Mt. Washington Observatory.
- NH Astronomical Society – night sky viewing with telescopes and program support.
- NH Aviation and Space Education Council – workshops, content support, outreach.
- NH Aviation Historical Society – program and exhibit collaboration.
- NH Public Television – exhibit and show content, program collaboration.
- NH Department of Education – state educational frameworks guidance, networks, outreach.
- NEA, NEH and NH affiliates, IMLS – funding source.
- School Districts (NH, ME, VT, No. MA) – content guidance and outreach.
- NH Space Grant Consortium – UNH, Dartmouth, McAuliffe-Shepard Discovery Center, PSU, H.A. Rey Center, Mt. Washington Observatory, Community College System of NH, FIRST – funding, collaborations, shared expertise
- NHTI, Concord's Community College – internships, work-studies, volunteers, program and exhibit support.
- Mt. Washington Observatory – Earth Sciences consultation and support.
- Civil Air Patrol – Aviation support, programs.
- Aircraft Owners and Pilot's Association – General Aviation support and consultation.
- Experimental Aircraft Association – Aviation expertise and consultation.
- National Museum of Naval Aviation – artifact loans.
- US Naval Institute – archive data.
- Aerospace Industries Association – program support.
- Association of Science-Technology Centers, American Alliance of Museums, New England Museums Association – networking, resources, and professional development.

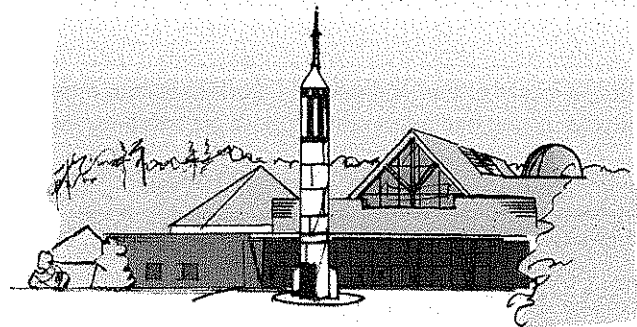
## Facilities

The McAuliffe-Shepard Discovery Center occupies a 45,223 square foot facility, including a 9,000 square foot planetarium facility constructed in 1990, a 1997 1500-square-foot program space expansion, plus a 34,123 square foot addition built in 2009. The entire facility is heated and air conditioned for year-round operation. The Discovery Center will lease the facility from the State of New Hampshire for \$1 per year through a 10-year renewable lease beginning in January 2013. Highlights of the facility are:

- Two floors devoted to air and space exhibits, totaling 13,000 square feet of exhibit space.
- A 103-seat planetarium with state of the art Digital Sky full-dome video system, one of the most advanced in New England.
- A stunning 50-foot-high central atrium space.

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- Two floors devoted to air and space exhibits, totaling 13,000 square feet.
- A Rooftop Observatory with telescopes including a 16" computerized telescope; 10 person capacity.
- Multi-purpose classroom, event and meeting spaces (1 large; 2 smaller), and flexible exhibit and event space (portable stage and seating in main hall) to accommodate traveling exhibits and special events.
- Café and Gift Shop – offering an inexpensive, quality dining experience and fun science-related items from around the universe.
- Administrative offices with board room meeting area (upper level) and volunteer station (lower level).
- Large workshop for creating and maintaining exhibits.
- Outdoor picnic exhibit areas and picnic spaces, featuring gardens, a rocket plaza with a 92-foot-high Mercury Redstone rocket replica and a science playground.
- Parking Lot with 125 parking spots for visitors, three parking spots for school buses with a covered drop-off grand entrance.



## Finance and Administration

### Financial History and Outlook Summary

The Discovery Center has a 2013 operating budget of \$1.3 million. This is down substantially from earlier years due to the absence of the NH state funding and charges from previous years.

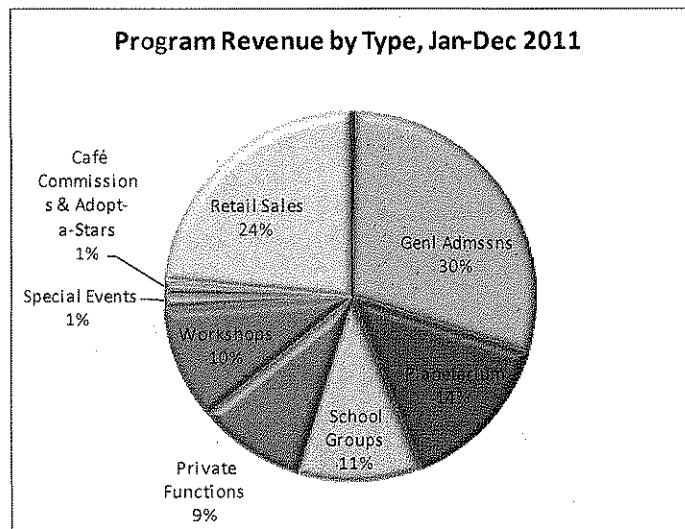
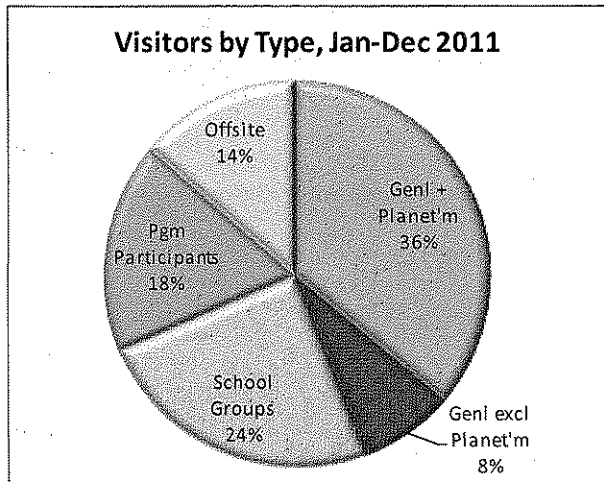
**Table A-1: Statement of Revenues and Expenses (Unaudited)**

	<i>Pro Forma, for Years Ended June 30</i>			Forecast	Budget
	2010	2011	2012	Jul-Dec 2012	YE Dec 31 2013
<b>Revenue</b>					
Program Revenue	\$ 616,922	\$ 561,849	\$ 522,254	\$ 226,751	\$ 691,503
Contributions & Grants	469,087	265,229	172,197	85,348	538,497
NH State Funding	812,498	874,233	1,192,274	388,208	70,000
Investment Income	-	-	-	-	-
<b>Total Revenue</b>	<b>1,898,507</b>	<b>1,701,311</b>	<b>1,886,725</b>	<b>700,307</b>	<b>1,300,000</b>
<b>Expenses</b>					
Staff Costs	1,223,909	1,177,627	1,079,479	491,647	884,817
Occupancy excl Bonds	183,074	208,617	224,086	93,905	184,912
Program Costs, N.E.C.	94,448	110,046	141,694	114,343	150,735
NH State Charges (incl Bonds)	225,115	158,423	379,978	99,121	1
Other Costs	171,961	46,598	61,488	25,366	79,535
<b>Total Expenses</b>	<b>1,898,507</b>	<b>1,701,311</b>	<b>1,886,725</b>	<b>824,382</b>	<b>1,300,000</b>
<b>Net Periodic Surplus (Deficit)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (124,075)</b>	<b>\$ -</b>

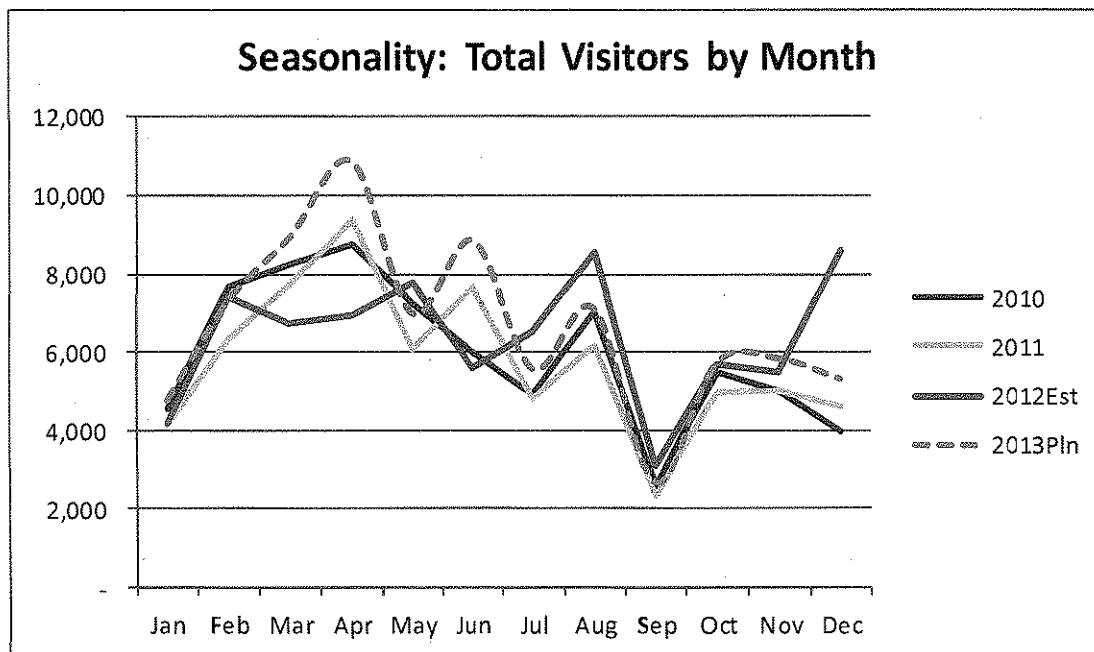
# McAuliffe-Shepard Discovery Center Business Plan

## SOURCES OF REVENUE

Revenue from programs and services is closely tied to the number of visitors. The pie charts below are for January – December 2011, but the patterns have been fairly consistent over the years. General-public visitors comprise 44 percent of the total. Most (36%) visit the Discovery Center, view the exhibits, and attend a planetarium show. School groups comprise about a fourth of the total visitors. Workshops and other programs attract 18 percent of the total, and the Discovery Center visits to schools and other venues brings our exhibits and speakers offsite to 14 percent of our total customer base.

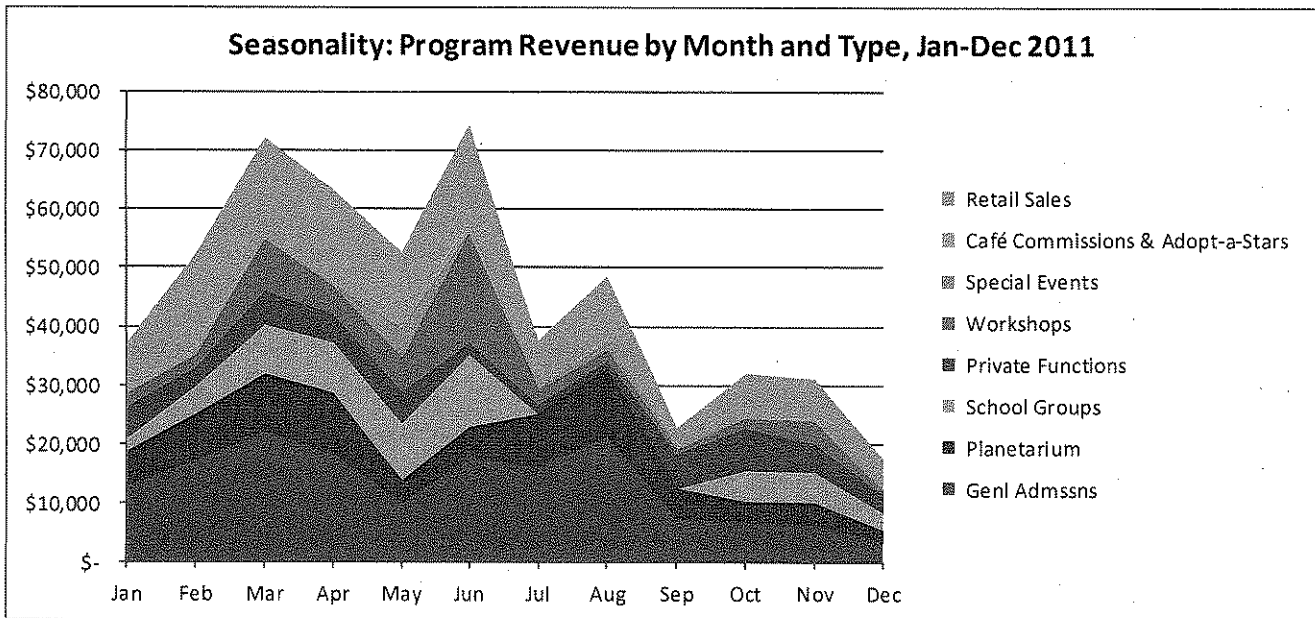


Activity is highly seasonal, as one would expect, and as shown in the line graph below. Visitor numbers peak February through May, with an influx of school field trip and school vacation visitors; summer visitors are mainly general public; visitation is generally weak in fall, largely due to the school calendar, and general tourism patterns (fall is outdoor / foliage time in NH).



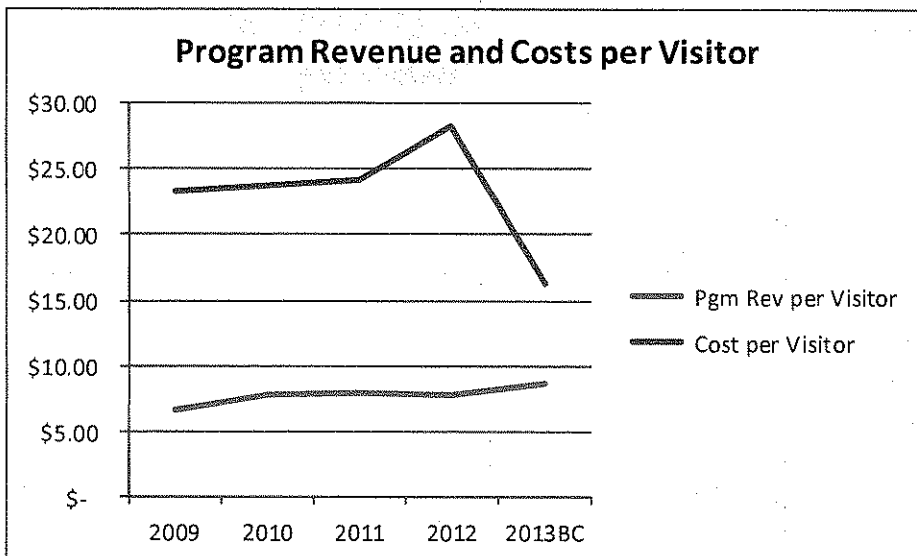
Revenue seasonality, except for private functions, is consistent with the visitation pattern, as shown in the next graph.

# McAuliffe-Shepard Discovery Center Business Plan



The Discovery Center can respond to and perhaps mitigate this revenue seasonality by adjusting days and hours of operation, pricing, programs, and promotional efforts, including targeting market segments appropriate for each season and focusing efforts on making its outdoor areas – especially the science playground – a strong draw for families, especially during the summer and fall seasons.

Program revenue is expected to cover only half of the Discovery Center’s future costs, as shown in the graph below. The sharp decline in costs per visitor in 2013 is primarily due to the elimination of the facility construction bond payments, which peaked in fiscal 2012 at \$379 thousand, or \$5.70 per visitor. Also contributing to the decline in per-visitor costs are overall cost reductions plus a planned 19 percent growth in visitors.



**Notes:**

2009-12 data is on a July 1 to June 30 basis. 2013 Business Case data is on a going-forward January to December fiscal year.

Costs per visitor in 2009-12 include facility construction bond repayments, which have no counterpart in 2013 and beyond.

# McAuliffe-Shepard Discovery Center Business Plan

## EXPENSES COMPONENTS AND TRENDS

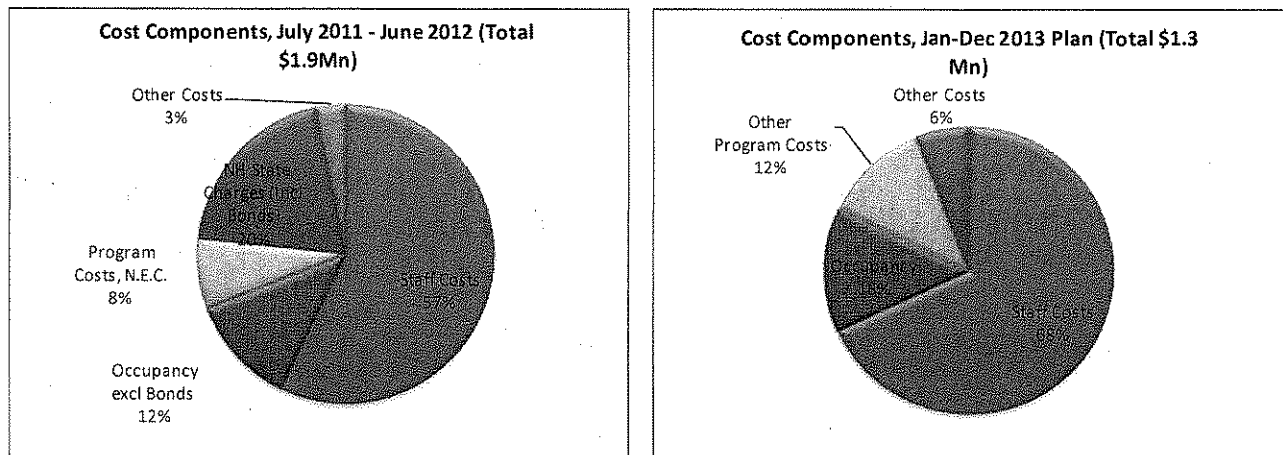
The Discovery Center plans to spend \$1.3 million during each of the next few years. That total is down sharply from the \$1.9 million spent by the predecessor state agency in the fiscal year ending 30 June 2012. The reasons for \$0.6 million planned savings are:

- \$400 thousand saved from elimination of the facility construction loan repayments.
- \$200 thousand saved from reduced staffing, reduced benefit levels and increased use of volunteers. \$70 thousand in anticipated facility maintenance savings because the State of New Hampshire will retain responsibility for certain maintenance responsibilities.

These savings are partially offset by having to fund certain services, such as insurance, that were previously handled by the State.

After the Discovery Center spinoff, staff costs will represent two-thirds of total costs. Most of these staff costs are relatively fixed, but the Discovery Center will have some flexibility in its scheduling of part-time staff. Occupancy costs are primarily energy (natural gas and electricity) and maintenance, and vary slightly with hours of operation. "Other Program Costs" are primarily exhibit and show rentals, program equipment and supplies, and speaker fees. "Other Costs" consist primarily of advertising and promotion and various administrative costs.

The graphs below show the principal cost components by major account for the July 2011 – June 2012 fiscal year, and for the January – December 2013 fiscal year.



## Expenses and Profitability by Program or Service

Expenses and profitability by specific program or service is difficult to determine and interpret, because most of the costs are essentially fixed facility and staffing costs. Nevertheless, the Discovery Center will endeavor in the future to evaluate its various actual and proposed services based in part on their financial profitability.

## BALANCE SHEET

The Discovery Center will start its "life" on 1 January 2013 with a \$227,000 cash and cash equivalents balance to cover working capital requirements. Its other assets will principally comprise pledged grants and donations, owned exhibits, furniture and fixtures, supplies inventory, and, at times, minor prepaid expense assets, such as prepaid insurance premiums.

There should be no material liabilities, but at any balance sheet date there are likely to be accrued short-term liabilities for outstanding payroll, accrued holiday and vacation time, and unpaid invoices, generally not exceeding one month's operating



## McAuliffe-Shepard Discovery Center Business Plan

expenses. The building will continue to be owned by the State of NH and leased to the Discovery Center for \$1 per year under a ten-year, renewable lease agreement.

<b>Table A-2: Statement of Financial Position (Unaudited)</b>					
	<i>Pro Forma as of June 30,</i>			Dec 31,	Dec 31,
	2010	2011	2012	2012	2013
<b>ASSETS</b>					
Cash & Cash Equivalents	-	-	-	227,000	227,000
Marketable Securities	-	-	-	-	-
Grants & Fees Receivable	-	-	-	-	-
Prepaid Expenses	-	-	-	-	-
Exhibits and Supplies	-	-	-	-	-
Property, Plant & Equipment	-	-	-	-	-
Other	-	-	-	-	-
<b>Total Assets</b>	-	-	-	227,000	227,000
<b>LIABILITIES</b>					
Accounts and Notes Payable *	-	-	-	-	54,167
Other Current Liabilities	-	-	-	-	-
Noncurrent Liabilities	-	-	-	10	9
<b>Total Liabilities</b>	-	-	-	10	54,176
<b>NET ASSETS OR (LIABILITIES)</b>	-	-	-	226,990	172,824

\* Accounts and Notes Payable are assumed to average one month's expenses (\$1.3 Mn / 12 months).

### Transaction Processing, Accounting, Controls and Compliance

The Discovery Center has been using the State of New Hampshire's transaction processing, accounting and controls systems. Beginning 1 January 2013, the Discovery Center will utilize new procedures and systems to process all receipts and disbursements, and to manage accounting and financial reporting.

- Program fees, grants, and other receipts will be processed internally and deposited in either a federally-insured bank account or an appropriate investment account.
- Payroll-related processing will be done through a third-party provider specializing in such services.
- All other payables will be processed internally and through a federally-insured bank account.

The Discovery Center will develop and utilize an appropriate accounting system to generate invoices and make payments, utilizing Intuit's Quickbooks fund accounting software running on secure in-house hardware and properly backed up. Training will be provided to the finance and administration director and at least one other full-time employee.

The key purpose of accounting is to safeguard an organization's assets. The Discovery Center will utilize the above-mentioned accounting services, including its built-in checks and balances, for proper general ledger and fixed asset accounting.

The Discovery Center will perform a full accounting close each month, and generate timely reports for the executive director. Quarterly and year-end reports will be provided to the board of directors. The Discovery Center will provide stakeholders and the public with appropriate financial information as well as, of course, the required IRS Form 990.

The Discovery Center's board of directors will hire an external, independent accounting firm to conduct an annual review of the financial reports and controls, and respond promptly if any material issues arise.

# McAuliffe-Shepard Discovery Center Business Plan

The Discovery Center will maintain and enforce an **expense approval table** to ensure proper, independent signoffs for all expenditures. It may be modified from time to time with approval from the board of directors.

## EXPENSE APPROVAL LEVELS – EFFECTIVE 1 JANUARY 2013

Approval By	Contracts With Total Value	Asset Purchases or Lease Total Value	Routine Disbursements within Budget
Board of Directors Executive Committee	> \$25,000	> \$25,000	> \$50,000
Executive Director	Up to \$25,000	Up to \$25,000	Up to \$50,000
Finance Director	Up to \$5,000	Up to \$5,000	Up to \$10,000
Other Staff Officers	Up to \$2,500	Up to \$2,500	Up to \$2,500
Bookkeeper	-	-	Up to \$1,000

To ensure proper controls, all payments require approvals from two individuals, except for budgeted, routine disbursements to established vendors for under \$1,000.

## Reporting, Planning and Forecasting

The Discovery Center will prepare an annual budget, which must then be approved by the board of directors. Monthly and quarterly reporting will track actual results and forecasts against that budget. This information will be provided to the board of directors at least quarterly.

## Information Technology

The Discovery Center will obtain the majority of its information technology support and other services, including application support, telecommunications, security and backups, from a third-party provider of such services, and may employ a part-time staff member to interface with the third-party vendors, or assign this responsibility to a full-time staff member as part of his/her duties.

## Risk Management & Security

Risk management consists of (a) risk identification; (b) risk avoidance, including security; (c) risk mitigation, including insurance.

### RISK IDENTIFICATION

The key risks which the Discovery Center faces are:

- A drop in the number of visitors, and therefore in program fees, caused by reduced interest in the Discovery Center's programs and services, increased competition from alternative venues, weather patterns, regional economic weakness, or long-term demographic changes. The Discovery Center must compete with other regional STEM-oriented educational resources as well as other youth-oriented entertainment attractions. Nevertheless, the Discovery Center is the largest youth-oriented dedicated STEM facility in New Hampshire. The other similar facilities include the Seacoast Science Center (60 miles distance); Squam Lakes Science Center (20 miles distance); Montshire Museum (60 miles distant); Boston Science Museum (60 miles distant). The Discovery Center's on-site visitor levels are sensitive to weather, being adversely affected by especially good weather (when potential visitors prefer outdoor activities), hence the need for an outdoor component (science playground).
- An inability to obtain sufficient grants and other donations which are necessary to supplement the program fees.
- Loss of key officers or other staff members.

Other notable risks are:

# McAuliffe-Shepard Discovery Center Business Plan

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- Health and safety risks to staff and visitors, due, for example, to the use or misuse of exhibits, or inappropriate conduct with visitors.
- Facility risks to the structure, systems, furniture and fixtures, machinery and equipment (damage, theft, loss, obsolescence).
- Unexpected costs; loss or theft of funds.
- Data risks (loss, damage or theft of data related to staff, visitors, donors, or key operational activities).
- Legal risks (regulatory compliance, litigation).
- Legislative actions that affect the lease or amount of funds allocated to start-up costs or facility maintenance.

## RISK AVOIDANCE

Risks will be mitigated primarily through the following actions:

- Ongoing monitoring of visitors and the market, including awareness and impressions of the Discovery Center; linked to the ability to rapidly change hours of operation, pricing, and other attributes.
- Active partnering with donors and potential donors to solicit support and ideas.
- Employee job rotation, training (including periodic refresher courses), and succession planning.
- Facility design, both interior and exterior, including full compliance with local fire codes and OSHA regulations.
- Financial controls to safeguard financial, physical and intangible assets.
- Electronic data controls, including security and backup systems.
- Adherence to a Document Retention and Destruction Policy.
- Adherence to an employee Conflict of Interest Policy.
- Adherence to an employee Whistleblower Policy.
- Procedures and staff background checks, to mitigate the potential for inappropriate behavior with visitors.
- Security duties and training for frontline staff.

## RISK MITIGATION

The Discovery Center will mitigate market risks through adjusting hours of operation and programs based on weather, competition, regional economic conditions.

The Discovery Center will maintain appropriate levels of insurance covering: property & casualty (including exhibits coverage); directors & officers; and general liability. The Discovery Center will not need insurance coverage for the facility itself, as it will remain owned by the State of New Hampshire, but may choose to purchase coverage for the amount of the State's catastrophic coverage deductible (\$1 million).

## Legal

The Discovery Center must comply with all federal, state and local laws and regulations applicable to a 501(c)(3) organization. These relate primarily to governance, reporting, and staffing. The Discovery Center must maintain the staff, systems and procedures to comply with these requirements. Additionally, it will utilize outside legal counsel where appropriate.

## Communications

The Discovery Center will engage in active, ongoing, two-way communications with all of its key stakeholders: the board of directors and staff; donors, members and other supporters; visitors; area schools; and the general community.

Communications will include newsletters; an active website; active social media participation; and personal visits to schools, area businesses, and civic organizations; timely reporting on all grants as required by the grantors; and an annual report. The 2012 visitor and member surveys highlighted the importance of word-of-mouth communication, and reminds us that every board and staff member, donor, supporter, and, indeed, every stakeholder, is part of the Discovery Center's communications team.

# McAuliffe-Shepard Discovery Center Business Plan

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It is the executive director's responsibility to ensure that communications with the various stakeholders are consistent and timely. But the specific communications will be managed by the directors of marketing and development.

- External communications with donors, members, sponsors, other supporters, visitors, area schools, and the general community.
- Internal communications with trustees, officers and staff

## Organizational Social Responsibility

The Discovery Center strives to operate in a manner that is sensitive to the natural environment and to the community and wider society in which it exists. Specific actions to pursue environmental sustainability and overall organizational social responsibility (OSR) are:

- Include environmental sustainability and organizational social responsibility measurements in the key performance indicators regularly reported to the board.
- Include these indicators in the staff performance goals, so that they affect promotions and compensation.
- Minimize energy use and carbon emissions, primarily through facility management and operations.
- Minimize waste through our purchasing, usage, and disposal / recycling.
- Make OSR an explicit factor in the vendor selection process.
- Incorporate OSR as a component in our exhibits and educational activities.

## Key Performance Indicators and Contingency Actions

The following key performance indicators (KPIs) will help the Discovery Center remain on course to achieve its objectives. They can be viewed monthly, quarterly, and annually:

- Operational KPIs
  - Total Facility Operation Hours
  - Facility Utilization Index
  - Energy use (electricity kWh and gas cf)
  - Water use (gallons)
  - Waste generated (cf?)
- Market & Program KPIs
  - Total Visitors (onsite and offsite, first-time and repeat)
  - Total New Exhibits, Shows & Events
  - Total New and Repeat Private Rentals
  - Quality Rating of Exhibits, Shows and Events
  - Net Promoter Index
- Financial KPIs
  - Total Earned Revenue
  - Total Contributed Revenue
  - Total Expenses
  - Net Working Capital
  - Projected Cash Balance +1M, +2M, +3M
- Development KPIs
  - Total Members
  - Total Donors + In-Kind Supporters
  - Increase in Member and Donor Levels

The Discovery Center must monitor its KPIs, compare them with targets, and be prepared to trigger contingency actions if any of them exceed certain predefined thresholds.

## McAuliffe-Shepard Discovery Center Business Plan

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Contingency actions may be program and revenue-related: changing opening hours, adjusting pricing, and/or adjusting marketing strategies, for example. Other contingency actions may be cost-related, such as delaying exhibit rotations, canceling some least-effective programs, and/or reducing staff costs.

As of October 31, 2012, during the transition period active fundraising for the new McAuliffe-Discovery Center has not yet begun; fundraising plans are in the early stages of development on the board level, and staffing needs to be augmented to bring on development assistance. The executive director will be able to focus strongly on fundraising once all administrative pieces are in place for the new Discovery Center.

Consequently, the Discovery Center must plan for a 1st quarter (Q1) budget that utilizes only start-up funds from the State (\$227K) and Touch the Future (~\$40K), plus anticipated Q1 revenues from earned income and memberships based on a three-year average of past earned Q1 revenues of \$178K; and it must not plan to spend all of the State and Touch the Future funds in case earned revenues are below target in Q1 or Q2-Q3.

As funds are brought in, staff and programs can be added to achieve the \$1.3M scenario of full staffing and full program offerings. While this may result in qualified staff from the former State Agency Discovery Center not being available for hire in Q2/Q3, the alternative would result in an unacceptable deficit.

For Q1, full-time staffing will include the executive director, plus five additional key positions, and recruitment will begin for the development director. Part-time staffing will be at the level of 6-7 full time equivalent (FTE) positions. Traveling exhibit rental will be delayed for one month. Medical coverage may be for staff only, not for spouses or family. This will result in a projected Q1 ending balance of \$195K.

As soon as general operating funds of \$75,000 in contributed revenue are secured, recruitment will begin for a director of finance and administration. As soon as an additional \$75,000 in contributed revenue exceeding target is secured, recruitment will commence for a marketing director. As funds are secured for grant-funded positions (typically for education team members), those positions will be brought on for the duration of the grant funding.

Contributed revenues and/or earned revenues exceeding target will result in bringing on additional staff, bringing in additional traveling exhibits, and other costs, leading to a migration from the 2013 Start-up budget to the planned \$1.3M business plan budget. New/above target funds must be at least \$5,000 in excess of costs for a full-year's funding of a full-time position's salary and benefits before any commitments are made for filling each additional full-time staff position. With the increased revenues, the Board of Directors, in consultation with the executive director, may opt to increase pay and benefits to current staff up to the \$1.3M budget's salary levels and/or increase program funding up to the \$1.3M budget level, before bringing on additional staff, once the positions for development director, finance and administration director, and marketing director are filled.

Anticipated earned revenues and memberships based on prior three-year average (two-year average for Q4) and \$1 general admission price increase:

Q1	\$178,000
Q2	\$192,000
Q3	\$109,000
Q4	\$ 99,000

In order to fulfill its mission, the Discovery Center will focus on its services to the public while steadily increasing its revenue stream so that it can migrate to its sustainable budget level of \$1.3M with an operating surplus that grows year by year, as soon as possible. Target date for this full transition to a sustainable level of operations is September 1, 2013.

# McAuliffe-Shepard Discovery Center Business Plan

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## Appendices

### Appendix 1: Board of Directors Biographies

#### **PAMELA A. BELLINO**

A manager in the natural gas industry with 35 years of proven leadership experience in operations, customer service, labor relations, process improvement, and project management, including the execution of major cost reductions and productivity initiatives, and the motivation and development of employees, Bellino is currently director of customer service operations for Unitil Service Corporation and is responsible for a \$12 million budget. She is a graduate of Eastern Nazarene College and has had extensive board experience.

#### **TRICIA A. BOUCHER, CPA**

A Certified Public Accountant with 15 years of experience with the well-established accountancy firm Nathan Wechsler Company of Concord, NH, Tricia Boucher has many clients who are private non-profit charitable corporations, and serves as Treasurer of the Board for her church. She and her children are frequent visitors to, and passionate supporters of, the Discovery Center.

#### **FREDERICK BRAMANTE**

Past chair of the NH Board of Education, Bramante was a middle school science teacher who founded Daddy's Junky Music Store - which eventually grew into the 14th largest music product retailer in the United States. His innovative advocacy for student-centered mastery of learning led to meaningful redesign of education policy in New Hampshire. Bramante has a bachelor's degree in science from Keene State College and a master's degree in organizational leadership from Plymouth State University.

#### **RICHARD CANTZ**

Director of public policy and advocacy for Goodwill Industries of Northern New England, a private non-profit charitable foundation, Cantz's position entails working with legislators in the Northern New England states and numerous public advocacy groups. Cantz previously served as vice-president of resource development for the United Way of Greater Portland. He graduated from Springfield College with a degree in Clinical Psychology and his first work was with foster care services.

#### **SHARON ENG (CURRENT BOARD SECRETARY)**

Eng is president and co-owner of Contract Support Group, a contract manufacturing company specializing in electromechanical assembly located in Belmont, New Hampshire. Previously, she was director and founder of the Avalon Education Foundation in Hong Kong. Earlier in Hong Kong, she served in a variety of volunteer roles at the Chinese International School and at Crossroads International, organizing donations of furniture and clothing sent to Kosovo during that conflict. In the 1990s, Eng worked as a senior principal consultant at the Hay Group, the Asian regional headquarters of a human resources consulting firm. She has also worked as an investment broker, research and development engineer and as an investment engineer. She earned a BS degree from Vanderbilt University and an M.Ed. from the University of Hong Kong.

#### **PAUL HIGGINS**

A life-long New Hampshire resident who spent 18 years teaching automotive technology at the college level and was a self-employed automotive technician, Higgins is the founder of the Alex Higgins Memorial Space Camp Scholarship Program, which has sent 38 NH students to Space Camp over the past 11 years. Higgins has served on the Massabesic Audubon Center and the NH Audubon Society, and is a founding member of the Manchester NH Chapter of the Compassionate Friends (an international support group for bereaved parents). He has a B.A. in Education from Keene State College.

# McAuliffe-Shepard Discovery Center Business Plan

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## **ROBERT INTRONE**

Introne is a retired Air Force Officer and Meteorologist who served six terms in the NH legislature, including the House Committee on Science and Technology. A Pennsylvania State University graduate with a BS and an MS from Colorado State University, he has served on the boards of the Sports Car Club of America, Program Committee of the American Meteorological Society, America Legion, and Military Officers Association.

## **JAMES R. MacKAY, Ph.D. (CURRENT BOARD CHAIR)**

A psychotherapist in private practice, Dr. MacKay has also served as a university professor, a director and coordinator of Community Mental Health Services, a major in the Medical Service Corps of the US Army Reserve, past mayor of Concord and a six-term state legislator. MacKay is current Chair of the NH Suicide Prevention Council, Vice-Chair of the Merrimack Valley Assistance Program (HIV/AIDS), a member of the City of Concord Airport Advisory Committee and the McAuliffe-Shepard Discovery Center Commission, a member of the Board of Directors of Goodwill Industries of Northern New England, Touch the Future, Inc., The Children's Lobby, NH Child and Family Services, and serves on the Suicide Fatality Review Board and the Executive Committee of the Merrimack County Legislative Delegation.

## **COL. WILLIAM MORAN**

A retired Air Force Colonel with a distinguished career as a pilot, instructor pilot, evaluation pilot and member of the Society of Experimental Pilots, Col. Moran commanded the 46th Bomb Squadron. During his command, Moran's Squadron received the Air Force Outstanding Unit Award. After serving in increasingly significant assignments, his last as the Vice Commander of the Air Warfare Center at Nellis Air force Base in Nevada, Col. Moran worked as a small business account executive at an insurance agency. Presently, he is the New Hampshire Wing Commander of the NH Civil Air patrol. He graduated from the University of Rhode Island and immediately joined the USAF after graduation. He was a Distinguished Graduate of Officers Training School and then completed USAF pilot training.

## **STEVEN MURPHY (CURRENT BOARD TREASURER)**

The senior vice president, chief financial officer and treasurer of Associated Grocers of New England, Inc., Murphy has had 24 years of experience in the grocery industry. The scope of his responsibilities at Associated Grocers include corporate accounting, corporate finance, IT systems and loss prevention. He serves on many committee assignments as part of the Executive Management Team of Associated Grocers of New England. Murphy has a BS in Business Administration from Boston University and an MBA from Southern New Hampshire University. He is a CPA and CGMA.

## **NANCY NADEAU**

Vice President for Administration at Bellwether Community Credit Union, Manchester, Nancy Nadeau has had major responsibility since 1994 for planning, directing and overseeing all human resources and administrative functions including HR, payroll, facilities, security, training and business continuity. Nadeau has served on the Make-A-Wish Foundation of New Hampshire, Dress for Success, Volunteer NH, Saint John the Evangelist Church-Holiday Fair Chair, New Horizons for New Hampshire and as a Guardian ad Litem for CASA of New Hampshire. Nadeau has an A.A. in Business Administration from Southern New Hampshire University.

## **REP. WILLIAM REMICK**

A retired science educator and four-term member of the New Hampshire House of Representatives serving on the Standing Committee on Science, Technology and Energy, Remick served four years in the United States Air Force. He has served as an educator in several significant capacities in this and other countries, and has served on elected school boards in addition to his professional work. Remick has a BA in Education from Keene State College and an M.S. from Southern Connecticut State College.

# McAuliffe-Shepard Discovery Center Business Plan

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## **JAYME SIMOES**

President of Louis Karno and Company Communications, LLC, Simoes manages all accounts for this company he founded in 1999, including directing the firm's strategy and marketing efforts. He was recently honored with the Advertising and Public Relations Award from the New Hampshire Travel Council. Simoes is a past president of the Public Relations Society of America - Yankee Chapter and is a 2003 recipient of the Union Leader's "40 under 40" award which honors New Hampshire's outstanding young professionals.

**[Senate President Appointee: TBD, in place by January 2013]**

**[Speaker of the House Appointee: TBD, in place by January 2013]**

## **JEANNE T. GERULSKIS**

In her capacity as executive director, Gerulskis is an *ex officio* member of the board of directors.

She has been in the museum field for 22 years, with 15 years as the executive director of a science museum, the McAuliffe-Shepard Discovery Center (formerly called the Christa McAuliffe Planetarium from 1998-2008), five years as senior curator of programs and three years as program coordinator at Ketchikan Museums, a history and anthropology museum and Native American cultural center. Gerulskis is currently leading the transition of the Discovery Center from a state museum to a nonprofit operation, the McAuliffe-Shepard Discovery Center Corporation. Gerulskis holds a B.A. in economics from Williams College, where she also studied genetics, multi-variable calculus, chemistry, physics, art history and studio art. Under her leadership, the Discovery Center expanded from a stand-alone planetarium to a 45,000 square-foot science center with interactive science and engineering exhibits, a planetarium, science programs and an observatory, became a NASA Space Grant Affiliate Institution and NASA Educator Resource Center.



# McAuliffe-Shepard Discovery Center Business Plan

## Appendix 2: Transition and Outreach Plan 2012

The following tasks must be completed as part of the Discovery Center's transition from a state agency to an independent, not-for-profit corporation. Note: **C** = Task Completed; **P** = Task in Process; **O** = Task Not Started

### GOVERNANCE, ORGANIZATION & STAFFING

- C Create Board of Directors
- C Create Business Plan & submit to the Fiscal Committee of the General Court
- P Complete the Discovery Center legal formation
- P Define new organization structure, staffing & compensation structure
- P Create policies and procedures documents
- O Conduct staff workplace training

### MARKETING

- C Conduct Market Analysis
- C Conduct Summer '12 Marketing Campaign
- C Create Marketing Plan (4Ps, etc.)
- P Improve online presence
- P Update website & social media sites
- O Aggressively publicize schedule

### PROGRAMS & SERVICES

- P Improve exhibits
- P Address visitor survey suggestions
- P Improve exhibit turnaround w/ 3-Yr Plan
- P Analyze program offerings' ROI
- O Optimize schedule of exhibits & events
- O Collections Handling
- O Collections policies & procedures document
- O Implement collections policies & procedures

### FUNDRAISING & DVLPT

- O Start \$450K/yr fundraising campaign
- O Improve donor acknowledgment program

### FACILITIES

- C Compile full equipment inventory per HR1274
- O Conduct energy audit & implement
- P Fix planetarium roof & theater seats
- O Install security cameras
- P Improve outdoor facilities
- P Spruce up facility
- P Establish facility lease with State of NH

### FINANCE & ADMIN

- O Transition Procedures & Accounting
- P Select bank, payroll, and audit vendors
- O Establish financial control procedures
- P Select & develop new accounting system
- O Review & migrate all the Discovery Center contracts
- P Establish 12/31/12 financial baseline
- P Information Technology
- O Select IT vendor
- P Dvlp VISTA & Crystal visitor statistics
- P Risk Management & Security
- P Dvlp & implement IT security
- P Dvlp & implement workplace security
- P Obtain appropriate insurance

## McAuliffe-Shepard Discovery Center Business Plan

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- P Expense Optimization
- C Minimize staff-related costs
- C Ensure access to State of NH's purchasing discounts

### COMMUNICATIONS

- P Conduct Transition Outreach
- P Regular staff communications
- P Create Transition Message & Outreach Team
- P Visit or write to donors & supporters
- P Identify & visit area youth and civic organizations
- O Identify & visit area partners & supporters
- O Identify & visit area schools
- O Communicate Reopening
- O Invite Key Stakeholders to Reopening
- O Send Letter to Staff
- O Announce Reopening to Public

### GRAND REOPENING

- O Grand Reopening Event

##

# McAuliffe-Shepard Discovery Center Business Plan

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## Appendix 3: Conflict-of-Interest, Whistleblower and Harassment Policies

### CONFLICT OF INTEREST POLICY

The reputation of McAuliffe Shepard Discovery Center is contingent upon adherence to the highest principles of fairness, honesty and integrity. It is vital that these principles be upheld and that the highest standards of conduct be maintained in all activities. It is the expectation of the Discovery Center that employees will avoid any activity or behavior that could conceivably be deemed by others as inappropriate or to negatively reflect upon the Discovery Center. Employees are therefore expected to refrain from:

- Participation in any commercial activity involving the Discovery Center in which the employee or any member of the employee's family or a personal friend has a personal interest.
- Acceptance of any gift or other favor that might be reasonably deemed by others to influence the employee's judgment or actions with regard to the Discovery Center.
- Use of any proprietary or confidential information learned in the course of employment by the Discovery Center for other than Discovery Center work-related purposes.

Furthermore:

- Employees who accept additional employment outside of the Discovery Center shall report such employment to their immediate supervisor.
- Employees must promptly report any *potential* conflict of interest – that is, any circumstances that could cause concern – to their immediate supervisor.

### WHISTLEBLOWER POLICY

A Whistleblower as defined by this policy is an employee of McAuliffe Shepard Discovery Center who reports an activity that s/he considers to be illegal or dishonest to one or more of the parties specified in this Policy. The Whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Examples of illegal or dishonest activities include violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor, the executive director, or any member of the board of directors. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination of employment.

Whistleblower protections are provided in two important areas -- confidentiality and retaliation. Insofar as possible, the confidentiality of the Whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. MSDC will not retaliate against a Whistleblower. This includes, but is not limited to, the employee's right to protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of harm. Any whistleblower who believes s/he is being retaliated against must contact the executive director or any member of the board of directors immediately. The right of a Whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities will be promptly submitted to the executive director (unless the activity involves wrongdoing on the part of the executive director; then the report will be submitted directly to the Chair of the Operations Committee of the Board of Directors) who is responsible for investigating and coordinating corrective action.

### HARASSMENT POLICY

## McAuliffe-Shepard Discovery Center Business Plan

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The Discovery Center, as part of its equal employment opportunity program, is firmly committed to providing its employees with a working environment free of all forms of unlawful discrimination, including sexual harassment. Actions or words that harass or intimidate Discovery Center employees, volunteers, vendors, or visitors are strictly forbidden and will not be tolerated. Such conduct will result in disciplinary action in accordance with Discovery Center policy, up to and including termination of employment.

For the purposes of Discovery Center policy, "unlawful harassment" is defined as verbal or physical conduct that on the basis of a protected characteristic has the purpose or effect, from the point of view of a reasonable person possessing that characteristic, either of interfering with an individual's employment performance or of creating an intimidating, hostile or offensive employment environment.

Unlawful harassment may include, but is not limited to, the following actions if, as isolated acts or as part of a pattern, they have the prohibited purpose or effect on employment performance or environment:

- jokes,
- derogatory expressions, or comments,
- the display of graphics, cartoons, or objects,
- sending or forwarding electronic mail messages,
- other conduct offensive to a reasonable person possessing a particular protected characteristic.

Sexual harassment is a particular type of unlawful harassment. In addition to conduct described in the preceding paragraph that is of a sexual nature, sexual harassment includes conduct that a reasonable person would judge to be:

- unwelcome sexual advances,
- requests for sexual favors,
- other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct explicitly or implicitly affects employment decisions concerning an individual,
- or when the conduct has the purpose or effect of substantially interfering with an employee's performance,
- or creating an intimidating, hostile or offensive environment because of the employee's gender.

Any individual who feels s/he has been the recipient of unlawful harassment by anyone, including supervisory employees, co-workers, visitors, vendors, board members or other individuals doing business with the Discovery Center, is encouraged to come forward immediately and report her/his concern to her/his supervisor or any management level employee with whom the employee is comfortable. The Discover Center will take all complaints seriously; investigate the facts promptly and thoroughly; and take appropriate corrective action. Any employee making a good faith complaint of unlawful harassment, sexual harassment or discrimination-related harassment will be protected from any retaliation as a result of the complaint.

An employee who believes that s/he is being or has been subjected to any form of retaliation for having brought forward a good faith complaint, or having participated in an investigation of such a complaint, should immediately notify the employee's supervisor, the executive director, or any member of the board of directors.

Although employees are encouraged to bring any complaints of harassment to management, employees may also refer complaints of harassment to:

New Hampshire Commission on Human Rights  
2 Chennel Drive, Concord, NH 03301

The United States Equal Employment Opportunity Commission ("EEOC")  
JFK Federal Building, Room 475, Boston, Massachusetts 02203 / 1-617-565-3200

# McAuliffe-Shepard Discovery Center Business Plan

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## Appendix 4: Document Retention and Destruction Policy

Federal and state laws require the retention of certain documents for specified minimum periods of time. At the same time, privacy requirements mean that certain data pertaining to staff and visitors must be secured or destroyed after a designated period of time. Not-for-profit organizations should have a written, mandatory document retention and periodic destruction policy. Policies such as this will eliminate accidental or innocent destruction. In addition, it is important for administrative personnel to know the length of time records should be retained to be in compliance with the policy.

### Document Destruction

The Document Retention and Destruction Policy identifies the record retention responsibilities of staff, volunteers, members of the board of directors, and outsiders for maintaining and documenting the storage and destruction of the organization's documents and records.

The organization's staff, volunteers, members of the board of directors, committee members and outsiders (independent contractors via agreements with them) are required to honor the following rules:

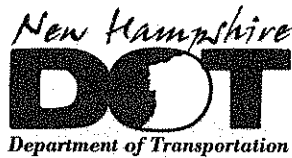
- a) Paper or electronic documents indicated under the terms for retention in the following section will be transferred and maintained by the Discovery Center's finance director, executive director, or the the Discovery Center board of directors.
- b) All other paper documents will be destroyed after three years.
- c) All other electronic documents will be deleted from all individual computers, data bases, networks, and back-up storage after one year.
- d) No paper or electronic documents will be destroyed or deleted if pertinent to any ongoing or anticipated government investigation or proceeding or private litigation (check with legal counsel or the human resources department for any current or foreseen litigation if employees have not been notified), or ongoing grant-funded project.
- e) No paper or electronic documents will be destroyed or deleted as required to comply with government auditing standards (Single Audit Act).

### Document Retention

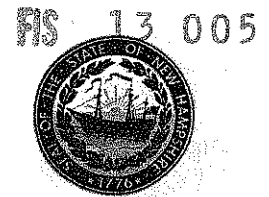
The following table indicates the Discovery Center's minimum document retention policy. These may change based on changes in federal or state requirements. In addition, federal awards and other government grants may provide for a longer period than is required by other statutory requirements.

## McAuliffe-Shepard Discovery Center Business Plan

Type of Document	Minimum Requirement
Accounts payable ledgers and schedules	7 years
Audit reports	Permanently
Bank reconciliations	2 years
Bank statements	3 years
Checks (for important payments and purchases)	Permanently
Contracts, mortgages, notes, and leases (expired)	7 years
Contracts (still in effect)	Contract period
Correspondence (general)	2 years
Correspondence (legal and important matters)	Permanently
Correspondence (with customers and vendors)	2 years
Deeds, mortgages, and bills of sale	Permanently
Depreciation schedules	Permanently
Duplicate deposit slips	2 years
Employment applications	3 years
Expense analyses/expense distribution schedules	7 years
Year-end financial statements	Permanently
Insurance records, current accident reports, claims, policies, and so on (active and expired)	Permanently
Internal audit reports	3 years
Inventory records for products, materials, and supplies	3 years
Invoices (to customers, from vendors)	7 years
Minute books, bylaws, and charter	Permanently
Patents and related papers	Permanently
Payroll records and summaries	7 years
Personnel files (terminated employees)	7 years
Retirement and pension records	Permanently
Tax returns and worksheets	Permanently
Timesheets	7 years
Trademark registrations and copyrights	Permanently
Withholding tax statements	7 years



**THE STATE OF NEW HAMPSHIRE**  
DEPARTMENT OF TRANSPORTATION



**CHRISTOPHER D. CLEMENT, SR.**  
COMMISSIONER

**JEFF BRILLHART, P.E.**  
ASSISTANT COMMISSIONER

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

December 12, 2012  
Division of Finance

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

Pursuant to RSA 228:12, authorize the Department of Transportation to transfer \$149,922 from Highway Surplus to fund increases in various accounting units effective upon Fiscal Committee and Governor and Council approval through June 30, 2013. 100% Highway Funds.

Funds are to be budgeted Fiscal Year 2013 as follows:

**FROM:** 04-096-096-960015-363615-0000 Highway Surplus Account \$149,922

**Item 1:**

			<b>FY 2013</b>
<b>04-096-096-960215-3001</b>	<b>Current Budget</b>	<b>Requested Change</b>	<b>Revised Budget</b>
<b>Bureau of Finance</b>			
<b>Expenses:</b>			
010 500100 Personal Services	\$1,703,960		\$1,703,960
018 500106 Overtime	14,000		14,000
020 500200 Current Expense	213,637		213,637
022 500257 Rents-Leases Other than State	101,532		101,532
024 500225 Contract Repairs: Machine, Equip.	0	\$39,000	39,000
025 506468 State owned Equipment Usage	9,434		9,434
060 500601 Benefits	883,918		883,918
068 500563 Remuneration	4,000		4,000
069 500567 Promotional & Marketing Expense	85,000		85,000
070 500704 In-State Travel Reimbursement	125		125
<b>Total</b>	<b>\$3,015,606</b>	<b>\$39,000</b>	<b>\$3,054,606</b>

<b>Source of Funds</b>			
<b>Revenue:</b>			
009-405921 Agency Income	\$25,000		\$25,000
000-000015 Highway Fund	2,990,606	\$39,000	3,029,606
<b>Total</b>	<b>\$3,015,606</b>	<b>\$39,000</b>	<b>\$3,054,606</b>

**Item 2:****FY 2013**

<b>04-096-096-960015-3038 Executive Office</b>	<b>Current Budget</b>	<b>Requested Change</b>	<b>Revised Budget</b>
<b>Expenses:</b>			
010 500100 Personal Services Classified	\$429,426		\$429,426
011 500126 Personal Services Unclassified	116,170		116,170
012 500128 Personal Services Unclassified	104,964		104,964
013 500131 Personal Services Unclassified	114,362		114,362
014 500134 Personal Services Unclassified	110,636		110,636
015 500137 Personal Services Unclassified	284,883		284,883
018 500106 Overtime	8,500		8,500
020 500200 Current Expense	45,000		45,000
022 500257 Rents-Leases Other than State	2,355		2,355
025 506468 State owned Equipment Usage	50,428		50,428
026 500251 Organizational Dues	1,000	\$110,922	111,922
030 500311 Equipment New Replacement	441,470		441,470
046 500464 Consultants	5,000		5,000
050 500109 Personal Service Temp	300,000		300,000
060 500601 Benefits	479,656		479,656
070 500704 In-State Travel Reimbursement	3,000		3,000
080 500716 Out of State Travel Reimbursement	15,000		15,000
405 500881 Lilac Program	5,000		5,000
<b>Total</b>	<b>\$2,516,850</b>	<b>\$110,922</b>	<b>\$2,627,772</b>

<b>Source of Funds</b>			
<b>Revenue:</b>			
000-000015 Highway Fund	\$2,516,850	\$110,922	\$2,627,772
<b>Total</b>	<b>\$2,516,850</b>	<b>\$110,922</b>	<b>\$2,627,772</b>

Please see attached schedule for the operating balance in the Highway Fund surplus account.

**EXPLANATION**

- 1) This request is to create a non-budgeted Class 024 (Contract Repairs: Machine & Equipment) in Accounting Unit 3001 (Bureau of Finance and Contracts) for the maintenance on a Konica Minolta Bizhub Pro C6500 digital Color Copier (approved by G&C #373 on 6/22/11), and for a Konica Minolta Bizhub Pro 1050 Digital Copier (approved by G&C #77 on 2/8/12), both located in the DOT Print Shop. Konica provides timely service for maintenance, repairs and replacement parts for these machines.
- 2) This is to increase Class 026 (Organizational Dues) in Accounting Unit 3038 (Executive Office) for AASHTO and NASTO memberships. This was originally approved on G&C #356 on 6/22/2011 with Federal Funds.

Both actions are efforts to align Departmental spending consistent with guidance received from the Department of Administrative Services. This change was requested for the same expenditures from the Highway Fund in FY 2012 and approved by the Fiscal Committee of the General Court #12-131 on April 13, 2012, and by the Governor and Executive Council # 131 on May 9, 2012.



Page 3

Your approval of this resolution is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "C. D. Clement, Sr.", with a stylized flourish at the end.

Christopher D. Clement, Sr.  
Commissioner

Attachment

**Highway Fund**  
**Comparative Statement of Operating and Capital Undesignated Surplus**  
**Department of Transportation**

	A	T	U	V	W	X	Y	Z	AA	AB	AC	AD	AE	AF				
1	<b>Highway Fund</b>																	
2	<b>Comparative Statement of Operating and Capital Undesignated Surplus</b>																	
3	<b>Department of Transportation</b>																	
4	Division of Finance																	
5	(000'S)																	
6	<b>JUNE 30, 2012 AUDITED</b>						<b>FY 2012 ACTUAL</b>						<b>FY 2013 Budget</b>					
7		AUDITED	STATE	FHWA	TOTAL		HIGHWAY	CHANGE	REVISED	STATE	FHWA	TOTAL						
8		HIGHWAY	FUNDED	TRUST	HIGHWAY	TOTAL	OPERATING		HIGHWAY	FUNDED	TRUST	HIGHWAY	OPERATING	TOTAL				
9		OPERATING	CAPITAL	FUND	CAPITAL	TOTAL			OPERATING	CAPITAL	FUND	CAPITAL						
10	Balance, July 1 (Budgetary)	58,721	(17,883)	164,314	146,431	205,152	50,269		50,269	803	296,126	296,929	347,198					
11																		
12	<b>Additions:</b>																	
13	Unrestricted Revenue:																	
14	Gasoline Road Toll	123,168				123,168	124,500		124,500				124,500					
15	Motor Vehicle Fees	104,402				104,402	100,200	2,229	102,429				102,429					
16	Court Fine Revenue	7,832				7,832	8,100		8,100				8,100					
17	Miscellaneous Revenue Sub-Total	48,431				48,431	44,920	920	45,840				45,840					
18	UCRS DOS Fees	1,770				1,770	1,320		1,320				1,320					
19	Other	3,386				3,386	4,600	920	5,520				5,520					
20	Federal OH Billing	14,945				14,945	11,000		11,000				11,000					
21	ROW Property Sales	877				877	2,000		2,000				2,000					
22	I-95/1.6 mile Sale	26,035				26,035	26,000		26,000				26,000					
23	Retro Turnpike Toll Credits	1,418				1,418	-		-				-					
24	Bonds Authorized & Unissued			250,000	250,000	250,000												
25	<b>Total Additions</b>	<b>283,833</b>	<b>-</b>	<b>250,000</b>	<b>250,000</b>	<b>533,833</b>	<b>277,720</b>	<b>3,149</b>	<b>280,869</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>280,869</b>	<b>-</b>				
26																		
27	<b>Net Appropriations:</b>																	
28	Appropriations DOT Net of Estimated Revenues	(178,695)				(178,695)	(171,162)		(171,162)				(171,162)					
29	Appropriations - GARVEE Bond Proceeds	-		(114,995)	(114,995)	(114,995)												
30	Municipal Aid (Block Grant, SAB, SAC)	(34,538)	(9,720)		(9,720)	(44,258)	(30,250)		(30,250)	(8,500)		(8,500)	(38,750)					
31	DOT Debt Service	(11,835)				(11,835)	(12,325)		(12,325)				(12,325)					
32	Appropriations Safety & Other Net of Estimated Revenues	(77,770)				(77,770)	(80,874)		(80,874)				(80,874)					
33	Section DOT Budget Reductions in Appropriations	13,374				13,374	13,831		13,831				13,831					
34	Section DOS Reductions in Appropriations	1,065				1,065	975		975				975					
35	Retiree Health Savings Ch 224:202 L2011	773				773	1,331		1,331				1,331					
36	Retirement System Savings 5-7% Employ Incr Ch 224:202 L2011	2,084				2,084	3,900	(1,836)	2,064				2,064					
37	Other - Estimated Health Savings Reductions Ch 224:202, L2011	5,781				5,781	3,000		3,000				3,000					
38	Losses DOT	10,979	485		485	11,464	3,814		3,814				3,814					

**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

MICHAEL A. DELANEY  
ATTORNEY GENERAL

ANN M. RICE  
DEPUTY ATTORNEY GENERAL



January 8, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

Her Excellency Governor Margaret Wood Hassan  
And the Honorable Council  
State House  
Concord, NH 03301

REQUESTED ACTION

Pursuant to RSA 124:15, authorize the Department of Justice (DOJ) to create four (4) new positions within class 059 (Full-Time Temporary) to consist of an Attorney (unclassified), an Investigator (unclassified), a Managing Analyst-Financial (unclassified) and a Paralegal II (classified); also to create one (1) classified Part-Time Legal Secretary III, (20 hours per week) in class 050, all for the purpose of increasing law enforcement resources within DOJ to investigate and prosecute financial fraud, including banking, mortgage and securities fraud, effective upon the approval of the Fiscal Committee and the Governor and Council through June 30, 2013. 100% Other Funds (Mortgage Settlement).

Funding is available in account #02-20-20-200510-3310, Department of Justice, Public Protection, entitled "Mortgage Settlement."

EXPLANATION

Funding for these positions was previously approved by the Governor and Council on September 19, 2012, item #1A, and the Fiscal Committee of the General Court on November 8, 2012, item #1 of FIS 12-304. The Fiscal Committee tabled item #2 of FIS 12-304, which would have established the positions now being requested.

The funds to support this request were received as part of a Nationwide settlement with the nation's five largest banks for claims of unfair and deceptive mortgage servicing, origination and foreclosure practices. New Hampshire was among the 49 states that signed an agreement with these banks; Bank of America, Citibank, Wells Fargo, J.P. Morgan Chase, and GMAC/Aily. Nationally, the

banks agreed to provide \$25 billion to consumers and the states, with \$20 billion in direct benefits to borrowers. The New Hampshire share of the settlement was approximately \$44 million, with approximately \$34 million in direct relief to New Hampshire borrowers in the form of interest rate and principal reductions, short sale facilitations, forgiveness of deficiency balances, and benefits to members of the military. The State of New Hampshire received direct payments in the amount of \$10,575,447 (\$9,575,447 to DOJ and \$1,000,000 to the Banking Department).

The largest portion of these funds, \$4,626,875, is being used to provide services to homeowners experiencing the negative effects of the housing crisis. Specifically, \$1,126,875 has been awarded to the New Hampshire Legal Assistance, Legal Advice Referral Center, and the New Hampshire Bar Association Legal Services (Pro Bono Referral Program) for the first nine months of the contract which was approved by the Governor and Council with the option to renew for two subsequent years. This contract will provide varying levels of legal advice and assistance to homeowners who are at risk of losing their primary residences due to foreclosure; individuals who have been harmed by unfair or deceptive business practices of banks, mortgage brokers and mortgage servicers in their mortgage and foreclosure practices; and individuals who have lost their primary residences due to foreclosure and who need assistance in finding new housing. \$2,500,000 has been awarded to the New Hampshire Housing Finance Authority, which will be coordinating the distribution of these funds through sub-grants to provide statewide access to pre-foreclosure intervention and counseling, post-foreclosure counseling, and statewide public information and outreach to New Hampshire borrowers.

The remaining funds requested by DOJ will be used to fund three new full-time unclassified positions, one new full-time classified position, and one new part-time classified legal secretary position, equipment to support the new positions, current expense, funding for the transfer to the Division of Information Technology as well as funds for in-state and out-of-state travel. Funding is also budgeted for any additional litigation costs to support this program.

The positions and funding for this program has been submitted in the FY 2014/2015 biennial budget.

The following information is provided in accordance with the Comptrollers' instructional memorandum dated September 21, 1981 related to the creation of positions/consultants:

1. List of personnel involved:

Attorney position (unclassified) Minimum \$45,000; Maximum \$65,000  
Investigator Position (unclassified) Labor Grade BB, \$50,668-67,192  
Managing Analyst – Financial (unclassified) Labor Grade DD, \$55,822-\$74,060  
Paralegal II – (classified) Labor Grade 19, \$34,866-\$46,410  
Part-time Legal Secretary III (classified) Labor Grade 13, \$27,515-\$36,290

2. Nature, need, duration:

It is anticipated that these positions will be funded through Fiscal Year 2013 and budgeted in the FY 2014/2015 biennial budget.

3. Relationship to existing programs:

These positions are for a new program within the Consumer Protection and Antitrust

Bureau that would enhance and strengthen the activities of the Bureau.

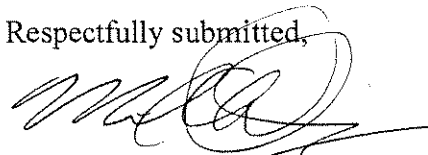
4. Has a similar program been requested of the legislature and denied?  
No other similar program has been requested or denied.
5. Why wasn't funding included in the agency's budget?  
These funds have just recently been awarded to States as part of a National Mortgage Settlement.
6. Can portions of the grant funds be utilized?  
They can only be used as outlined.
7. Estimate the funds required to continue this position(s).  
Attorney – \$53,234 (Salary & Benefits)  
Investigator - \$42,783 (Salary & Benefits)  
Managing Analyst – Financial – \$51,039 (Salary & Benefits)  
Paralegal II - \$32,640 (Salary & Benefits)  
Part-time Legal Secretary III – \$7,898 (Salary & Benefits)

In the event that these funds become unavailable, general funds will not be used to support this program.

Please let me know if you have any questions concerning this request.

Your consideration is greatly appreciated.

Respectfully submitted,



Michael A. Delaney  
Attorney General

MAD/k  
#851204



FIS 12-304

JEFFRY A. PATTISON  
Legislative Budget Assistant  
(603) 271-3161

MICHAEL W. KANE, MPA  
Deputy Legislative Budget Assistant  
(603) 271-3161

State of New Hampshire  
OFFICE OF LEGISLATIVE BUDGET ASSISTANT  
State House, Room 102  
Concord, New Hampshire 03301

RICHARD J. MAHONEY, CPA  
Director, Audit Division  
(603) 271-2785

November 8, 2012

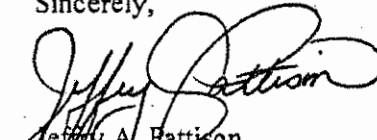
Michael A. Delaney, Attorney General  
Department of Justice  
33 Capitol Street  
Concord, New Hampshire 03301

Dear Attorney General Delaney,

The Fiscal Committee, on November 8, 2012, amended and approved the request of the Department of Justice, by approving item #1 only, of a request pursuant to the provisions of RSA 14:30-a, VI, to accept and expend funds in the amount of \$6,540,769 from the National Mortgage Settlement for the purposes of providing direct and indirect assistance to distressed homeowners through June 30, 2013, as specified in your letter dated September 17, 2012.

The Committee tabled item #2 to establish four (4) full-time temporary positions to consist of; an unclassified Attorney, an unclassified Investigator, an unclassified Managing Analyst-Financial, and a classified Paralegal II, and also establish one (1) part-time classified Legal Secretary III position through June 30, 2013.


Sincerely,

  
Jeffrey A. Pattison  
Legislative Budget Assistant

JAP/pe  
Attachment

Cc: Ann Rice, Deputy Attorney General, Department of Justice

**ATTORNEY GENERAL**  
**DEPARTMENT OF JUSTICE**

FIS 12 304 

33 CAPITOL STREET  
 CONCORD, NEW HAMPSHIRE 03301-6397

MICHAEL A. DELANEY  
 ATTORNEY GENERAL



ANN M. RICE  
 DEPUTY ATTORNEY GENERAL

September 17, 2012

<b>FISCAL COMMITTEE</b>	
Received	<i>9/20/12</i>
Rec'd Corrected	<i>9/25/12</i>
Filing Date	

Representative Ken Weyler, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, NH 03301

His Excellency Governor John H. Lynch  
 And the Honorable Council  
 State House  
 Concord, NH 03301

REQUESTED ACTION

1. Pursuant to RSA 14:30-a, VI, authorize the Department of Justice (DOJ) to accept and expend funds in the amount of \$6,504,769 from the National Mortgage Settlement for the purposes of providing direct and indirect assistance to distressed homeowners and for increased law enforcement resources within DOJ related to the investigation and prosecution of financial fraud effective with the approvals of the Fiscal Committee and the Governor and Council through June 30, 2013. 100% Other Funds (Mortgage Settlement).

Funds are to be budgeted in a new account #02-20-20-200510-3310, Department of Justice, Public Protection, Mortgage Settlement, as follows:

<b>02-20-20-200510-3310</b>				
<b>Mortgage Settlement</b>				
Class	Description	Budget	This Request	New Budget
020-500200	Current Expense	0	\$2,500	\$2,500
027-500290	Transfer to DOIT	0	\$12,800	\$12,800
030-500301	Equipment	0	\$7,500	\$7,500
037-500173	PC Desktop	0	\$7,500	\$7,500
038-500177	Desktop Software	0	\$6,000	\$6,000
042-500620	Post-Retirement	0	\$24,647	\$24,647
050-500109	Personal Service-Temp	0	\$11,288	\$11,288
059-500123	Full Time Temporary	0	\$216,015	\$216,015
060-500601	Benefits	0	\$109,519	\$109,519
070-500704	In-State Travel	0	\$2,000	\$2,000

072-500575	Grants to non-profits	0	\$6,000,000	\$6,000,000
080-500714	Out-of-State Travel	0	\$5,000	\$5,000
233-500774	Litigation	0	\$100,000	\$100,000
	Total		\$6,504,769	\$6,504,769
Revenue				
009-407079	Agency Income	0	\$6,504,769	\$6,504,769
	Mortgage Settlement			

2. Pursuant to RSA 124:15, and contingent upon the approval of Requested Action number one, authorize DOJ to create four (4) new positions within class 059 (Full-Time Temporary) to consist of an Attorney (unclassified), an Investigator (unclassified), a Managing Analyst-Financial (unclassified) and a Paralegal II (classified); also to create one (1) classified Part-Time Legal Secretary III, (20 hours per week) in class 050, created for the purpose of increasing law enforcement resources within DOJ to investigate and prosecute financial fraud, including banking, mortgage and securities fraud, effective upon the approval of the Fiscal Committee and the Governor and Council through June 30, 2013. 100% Other Funds (Mortgage Settlement).

Funding is available in account #02-20-20-200510-3310, Department of Justice, Public Protection, entitled "Mortgage Settlement."

#### EXPLANATION

New Hampshire was among the 49 states that signed an agreement with the five largest banks in the country, Bank of America, Citibank, Wells Fargo, J.P. Morgan Chase, and GMAC/Ally, to settle claims against those banks involving their mortgage servicing, origination and foreclosure practices. Nationally, the banks agreed to provide \$25 billion to consumers and the states, with \$20 billion in direct benefits to borrowers. The New Hampshire share of the settlement will be approximately \$44 million, with approximately \$34 million in direct relief to New Hampshire borrowers in the form of interest rate and principal reductions, short sale facilitations, forgiveness of deficiency balances, and benefits to members of the military. The State of New Hampshire received direct payments in the amount of \$10,575,447 (\$9,575,447 to DOJ and \$1,000,000 to the Banking Department). This request relates to the portion to be budgeted for DOJ for Fiscal Year 2013. The remainder of the funds received by DOJ are planned to be included in the State Fiscal Years (SFY) 2014-2016 budget requests.

The largest portion of these funds, \$6,000,000, is to be used to provide services to homeowners experiencing the negative effects of the housing crisis. Specifically, \$3,500,000 will be awarded to the New Hampshire Legal Assistance, Legal Advice Referral Center, and the New Hampshire Bar Association Legal Services (Pro Bono Referral Program) to provide varying levels of legal advice and assistance to homeowners who are at risk of losing their primary residences due to foreclosure; individuals who have been harmed by unfair or deceptive business practices of banks, mortgage brokers and mortgage servicers in their mortgage and foreclosure practices; and individuals who have lost their primary residences due to foreclosure and who need assistance in finding new housing. \$2,500,000 is to be awarded to the New Hampshire Housing Finance Authority, which will be coordinating the distribution of these funds through sub-grants to provide statewide access for to pre-foreclosure intervention and counseling, post-foreclosure counseling, and statewide public information and outreach to New Hampshire borrowers.



The remaining funds requested by DOJ will be used to fund three new full-time unclassified positions, one new full-time classified position, and one new part-time classified legal secretary position, equipment to support the new positions, current expense, funding for the transfer to the Division of Information Technology as well as funds for in-state and out-of-state travel. In addition, funding is budgeted for any additional litigation costs to support this program.

Specifically, the funds requested are detailed below. Class 020 - Current Expense funds in the amount of \$2,500 are needed to cover the cost of office supplies and paper which are required. Class 027 - Transfer to DOIT funds in the amount of \$12,800 are needed to cover the cost of adding the new positions to receive services from DOIT which is required. Class 030 - Equipment funds in the amount of \$7,500 are needed to cover the cost of necessary equipment, including law enforcement equipment needed for a criminal investigator. Class 037 - PC Desktop and Class 038 - Desktop Software funds in the amount of \$7,500 and \$6,000 respectively are needed to cover the cost of desktop computers and necessary software licenses for the employees. Class 042 - Post Retirement used to reimburse the general fund for retirees' health insurance. Class 050 - Personal Service funds in the amount of \$11,288 are needed to cover the cost of a part-time legal secretary to manage and organize all documents, including the filings of claims by individuals with problem mortgages that are already being received due to the national settlement. This function, using these funds, is required to manage the mortgage settlement funds. Class 059 - Full-Time Temporary funds in the amount of \$216,015 are needed to cover the cost of an attorney, an investigator, a paralegal, and a financial analyst to review, analyze, and bring any necessary litigation or other action based on financial frauds. These functions, using these funds, are required to manage the mortgage settlement funds. Class 060 - Benefits funds in the amount of \$190,519 are needed to cover the State approved benefits for the positions and are required. Class 070 - In-State Travel funds in the amount of \$2,000 are needed to cover the cost of in-state travel for the employees of the unit in order to attend court hearings and to perform investigative reviews and interviews. Class 072 - Grants to non-profits funds in the amount of \$6,000,000 are for: the grant to the New Hampshire Housing Finance Authority of \$2,500,000 for sub-grants to provide services related to foreclosure preventing, credit and debt counseling, and post-foreclosure issues; and the grants to New Hampshire Legal Assistance of \$1,558,084, Legal Advice Referral Center of \$1,172,407, and the New Hampshire Bar Association Legal Services (Pro Bono Referral Program) of \$769,509 all for providing greater access to legal services for homeowners facing foreclosures. Class 080 - Out-of-State Travel funds in the amount of \$5,000 are needed to cover the cost of travel for trainings and meetings on financial fraud issues and investigations and possible multi-state collaborations. Class 233 - Litigation funds in the amount of \$100,000 are needed to cover the costs of additional potential cases related to mortgage issues, including securitization issues and issues relating to the Mortgage Electronic Registration System (MERS). Class 040 (Indirect Costs) and Class 041 (Audit Fund Set Aside) are not budgeted because these are not federal funds.

The positions and funding for this program are planned to be budgeted in the FY 2014/2015 biennial budget.

The following information is provided in accordance with the Comptrollers' instructional memorandum dated September 21, 1981 related to the creation of positions/consultants:

1. List of personnel involved:

Attorney position (unclassified) Minimum \$45,000; Maximum \$65,000

Investigator Position (unclassified) Labor Grade BB

Managing Analyst - Financial (unclassified) Labor Grade DD

Paralegal II – (classified) Labor Grade 19  
Part-time Legal Secretary III (classified) Labor Grade 13

2. Nature, need, duration:  
It is anticipated that these positions will be funded through Fiscal Year 2013 and budgeted in the FY 2014/2015 biennial budget.
3. Relationship to existing programs:  
These positions are for a new program within the Consumer Protection and Antitrust Bureau that would enhance and strengthen the activities of the Bureau.
4. Has a similar program been requested of the legislature and denied?  
No other similar program has been requested or denied.
5. Why wasn't funding included in the agency's budget?  
These funds have just recently been awarded to States as part of a National Mortgage Settlement.
6. Can portions of the grant funds be utilized?  
They can only be used as outlined.
7. Estimate the funds required to continue this position(s).  
Attorney – \$100,000 (Salary & Benefits)  
Investigator - \$85,000 (Salary & Benefits)  
Managing Analyst – Financial – \$95,000 (Salary & Benefits)  
Paralegal II - \$62,000 (Salary & Benefits)  
Part-time Legal Secretary III – \$12,152 (Salary & Benefits)

In the event that these funds become unavailable, general funds will not be used to support this program.

Please let me know if you have any questions concerning this request.

Your consideration is greatly appreciated.

Respectfully submitted,



Michael A. Delaney  
Attorney General

## DISTRIBUTION OF FUNDS

1. Any amount of the Direct Payment Settlement Amount that is not distributed pursuant to Paragraph 2 shall be distributed as follows.
  - a. *Federal Payment Settlement Amount.* The Escrow Agent shall distribute \$911,777,917.00 (the "Federal Payment Settlement Amount") to the United States in accordance with instructions to be provided by the United States.
    - i. Of the Federal Payment Settlement Amount, \$684,090,417.00 shall, following payment of any amounts owed as a result of resolutions pursuant to 31 U.S.C. § 3730(d), and subject to 28 U.S.C. § 527 (Note), be deposited for losses incurred into FHA's Capital Reserve Account, the Veterans Housing Benefit Program Fund (pursuant to 38 U.S.C. § 3722) or as otherwise directed by the Department of Veterans Affairs, and as directed by Rural Housing Service, Department of Agriculture, in accordance with instructions from the United States. The United States intends that such deposits conform with the Miscellaneous Receipts Act and other law.
    - ii. The Federal Payment Settlement Amount includes resolution of the following qui tam actions: (i) \$75,000,000 from the claims in [SEALED]; (ii) \$45,000,000 from those claims in [SEALED] that are expressly released by the United States in this litigation; (iii) \$95,000,000 from those claims in [SEALED] and [SEALED] that are expressly released by the United States in this litigation; (iv) \$6,500,000 from the claims in [SEALED] (E.D.N.Y.); and (v) \$6,187,500 from the claims in [SEALED]. Following payment of

any amounts owed as a result of resolutions pursuant to 31 U.S.C. § 3730(d), and subject to 28 U.S.C. § 527 (Note), these amounts shall be deposited into FHA's Capital Reserve Account and the Veterans Housing Benefit Program Fund (pursuant to 38 U.S.C. § 3722) or as otherwise directed by the Department of Veterans Affairs, in accordance with instructions from the United States. The United States intends that such deposits conform with the Miscellaneous Receipts Act and other law.

- b. *State Payment Settlement Amounts.* In accordance with written instructions from each State Attorney General, the Escrow Agent shall distribute cash payments in the total amounts set forth in the attached Exhibit B-1.
  - i. Each State Attorney General shall designate the uses of the funds set forth in the attached Exhibit B-1. To the extent practicable, such funds shall be used for purposes intended to avoid preventable foreclosures, to ameliorate the effects of the foreclosure crisis, to enhance law enforcement efforts to prevent and prosecute financial fraud, or unfair or deceptive acts or practices and to compensate the States for costs resulting from the alleged unlawful conduct of the Defendants. Such permissible purposes for allocation of the funds include, but are not limited to, supplementing the amounts paid to state homeowners under the Borrower Payment Fund, funding for housing counselors, state and local foreclosure assistance hotlines, state and local foreclosure

mediation programs, legal assistance, housing remediation and anti-blight projects, funding for training and staffing of financial fraud or consumer protection enforcement efforts, and civil penalties. Accordingly, each Attorney General has set forth general instructions for the funds in the attached Exhibit B-2.

- ii. No more than ten percent of the aggregate amount paid to the State Parties under this paragraph 1(b) may be designated as a civil penalty, fine, or similar payment. The remainder of the payments is intended to remediate the harms to the States and their communities resulting from the alleged unlawful conduct of the Defendant and to facilitate the implementation of the Borrower Payment Fund and consumer relief.

2. Of the Direct Payment Settlement Amount, \$1,579,813,925.00 shall be distributed as follows:

- a. In accordance with written instructions from the State members of the Monitoring Committee, the Escrow Agent shall make available \$1,489,813,925.00 to the Administrator to provide cash payments to borrowers whose homes were finally sold or taken in foreclosure between and including January 1, 2008 and December 31, 2011; who submit claims arising from the Covered Conduct; and who otherwise meet criteria set forth by the State members of the Monitoring Committee. Any amounts made available hereunder remain a part of

the Qualified Settlement Fund until distributed to borrowers and shall be administered in accordance with the terms set forth in Exhibit C.

- b. In accordance with written instructions from the State members of the Monitoring Committee, the Escrow Agent shall distribute \$15,000,000.00 to the National Association of Attorneys General (NAAG) to create and administer the "Financial Services and Consumer Protection Enforcement, Education and Training Fund." Such Fund shall be used to pay for expenses and training relating to the investigation and prosecution of cases involving fraud, unfair and deceptive acts and practices, and other illegal conduct related to financial services or state consumer protection laws. Illustrative examples include, but are not limited to, travel costs associated with investigation, litigation, or settlement of financial services or consumer protection cases; expert witness and consulting fees, training programs, NAAG Consumer Protection Conferences, information exchanges, public education campaigns, and other uses. The State members of the Monitoring Committee shall develop rules and regulations governing the Financial Services and Consumer Protection Enforcement, Education and Training Fund in a separate memorandum of understanding after this Consent Judgment has been entered.
- c. In accordance with written instructions from the State members of the Monitoring Committee, the Escrow Agent shall distribute a total of \$10,000,000.00 to the members of the Executive Committee and the

Ameriquest Financial Services Fund ("AMFSF") for reimbursement of costs and attorneys fees incurred during the investigation of this case and the settlement negotiations and for subsequent expenditures as authorized by each Attorney General. Such payments shall be made as designated by the Iowa Attorney General as the Chairman of the Executive Committee, and shall be made to the State Attorneys General of Arizona, California, Colorado, Connecticut, Delaware, Florida, Illinois, Iowa, Massachusetts, North Carolina, Ohio, Tennessee, Texas, and Washington and the Maryland Department of Labor, Licensing and Regulation and the Ameriquest Financial Services Fund. The authorized representatives of each state attorney general, the Maryland Department of Labor, Licensing and Regulation and the AMFSF will provide a letter to the Escrow Agent directing how each separate payment should be made.

- d. In accordance with written instructions from the State members of the Monitoring Committee, the Escrow Agent shall distribute \$65,000,000.00 to the Conference of State Bank Supervisors (CSBS). CSBS shall use \$15,000,000 to establish the "State Financial Regulation Fund," a fund to be managed and used by CSBS to support and improve state financial regulation and supervision. From the balance, CSBS shall transfer \$1,000,000 per state to the state financial regulators who have signed this Consent Judgment. Where multiple agencies within a single state claim regulatory jurisdiction, CSBS shall

transfer that state's funds as provided in an agreement between or among those regulatory agencies. In addition, state financial regulators may, at their discretion, enter into an agreement with CSBS for the management and disbursement of all or a portion of the funds paid to them. If, for any reason, a state financial regulator elects to forego receipt of their transfer payment or in the case of a participating state where the state financial regulator declines to sign this Consent Judgment, such funds shall revert to the State Financial Regulation Fund.

3. Any interest earned on funds held by the Escrow Agent may be used, at the discretion of the State members of the Monitoring Committee, to pay the costs and expenses of the escrow or the costs and expenses of administration, including taxes, or for any other housing related purpose.



## EXHIBIT B1

STATE	DOLLAR ALLOCATION
AK	\$3,286,839
AL	\$25,305,692
AR	\$12,830,241
AZ	\$97,784,204
CA	\$410,576,996
CO	\$50,170,188
CT	\$26,102,142
DC	\$4,433,081
DE	\$7,913,923
FL	\$334,073,974
GA	\$99,365,105
HI	\$7,911,883
IA	\$14,651,922
ID	\$13,305,209
IL	\$105,806,405
IN	\$43,803,419
KS	\$13,778,401
KY	\$19,198,220
LA	\$21,741,560
MA	\$44,450,668
MD	\$59,697,470
ME	\$6,907,023
MI	\$97,209,465
MN	\$41,536,169
MO	\$39,583,212

STATE	DOLLAR ALLOCATION
MS	\$13,580,374
MT	\$4,858,276
NC	\$60,852,159
ND	\$1,947,666
NE	\$8,422,528
NH	\$9,575,447
NJ	\$72,110,727
NM	\$11,174,579
NV	\$57,368,430
NY	\$107,642,490
OH	\$92,783,033
OK	\$0
OR	\$29,253,190
PA	\$66,527,978
RI	\$8,500,755
SC	\$31,344,349
SD	\$2,886,824
TN	\$41,207,810
TX	\$134,628,489
UT	\$21,951,641
VA	\$66,525,233
VT	\$2,552,240
WA	\$54,242,749
WI	\$30,191,806
WV	\$5,748,915
WY	\$2,614,515

ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

MICHAEL A. DELANEY  
ATTORNEY GENERAL



ANN M. RICE  
DEPUTY ATTORNEY GENERAL

Karen Hutchins, Director  
Division of Personnel  
25 Capital Street  
Concord, NH 03301

March 22, 2012

APPROVED *Karen D. Hutchins*

APR 02 2012

DIRECTOR OF PERSONNEL

BY *Deanne J. Elberfeld*

Re: Request To Establish A Temporary Full-Time Paralegal II Position

Dear Director Hutchins:

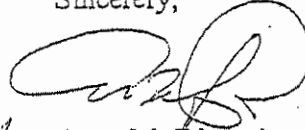
Please accept this letter as a request to establish a temporary full-time Paralegal II position, Labor Grade 19 at the Department of Justice. This position will be funded by 100% "Agency Income" specifically, the Mortgage Servicing Settlement on Foreclosure Wrongs. Upon your authorization we will be submitting this request to the Fiscal Committee of the General Court.

This Paralegal II position will be assigned to the Public Protection Division, Consumer Protection Bureau, and will be responsible for providing assistance to attorneys and investigators working in that Bureau, with a concentration in the Financial Fraud Unit which focuses on home mortgage and banking issues. The primary responsibility of the position will be responding to the consumer hotline calls, making appropriate referrals, and forwarding consumer complaints or concerns to the appropriate governmental agency or private institution. In addition the paralegal will be gathering and reviewing information from law enforcement officials, other state agencies, and other sources, to discern whether allegations against a business merit further investigation and possible enforcement action. Another component of the position will be engaging in outreach activities on consumer issues to civic groups, law enforcement, and other community or student groups. The paralegal will also be responsible for implementing and maintaining a file management and tracking system to ensure that consumer complaints are tracked and responded to in a timely manner.

The Department requests your authorization to establish the temporary full-time Paralegal II position to commence as soon as possible. As required, the pertinent organization chart and a proposed supplemental job description are enclosed.

Thank you for your consideration.

Sincerely,



*for* Anne M. Edwards  
Chief of Staff  
(603) 271-1119

Enc.

#730541

ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE

23 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6897

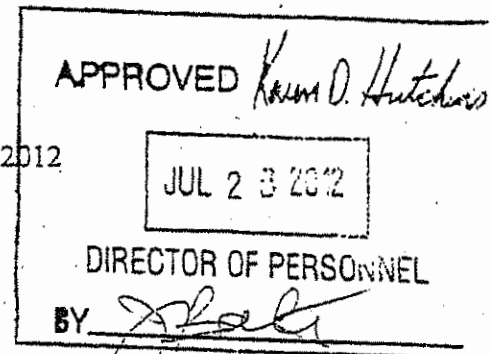
MICHAEL A. DELANEY  
ATTORNEY GENERAL



ANN M. RICE  
DEPUTY ATTORNEY GENERAL

July 19, 2012

Karen Hutchins, Director  
Division of Personnel  
25 Capital Street  
Concord, NH 03301



Re: Request to Establish a Temporary Part-Time Legal Secretary III Position

Dear Director Hutchins:

Please accept this letter as a request to establish a temporary part-time Legal Secretary III position, Labor Grade 13 at the Department of Justice. This position will be funded by 100% "Agency Income" specifically, the National Mortgage Servicing Settlement. Upon your authorization we will be submitting this request to the Fiscal Committee of the General Court.

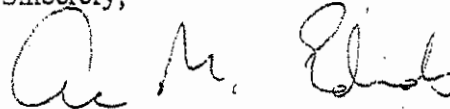
This part-time Legal Secretary III position will be assigned to the Public Protection Division, Consumer Bureau, Financial Fraud Unit. This position will be responsible for providing support and assistance to the paralegals, attorneys and investigators working in the Consumer Protection Bureau, with a concentration in the Financial Fraud Unit. The primary responsibility of the position will be assisting the paralegals and attorneys in typing and managing consumer complaint correspondence and forwarding consumer complaints to the appropriate governmental agency or private institution and maintaining the consumer compliant data base. The legal secretary will help maintain a file management and tracking system to ensure that the complaints are tracked and responded to in a timely manner.

The Department requests your authorization to establish the temporary part-time position to commence as soon as possible. As required, the pertinent organization chart and a proposed supplemental job description are enclosed.

This requested part-time Legal Secretary III position, labor grade 13, will be working a 20 hour week that will cost approximately \$282.20 per week funded by the Mortgage Settlement Funds.

Thank you for your consideration.

Sincerely,



Anne M. Edwards  
Associate Attorney General  
Chief of Staff

AME/p  
Enc.

#783474

SEARCHED  
SERIALIZED  
INDEXED  
MAY 13 1976



**THE STATE OF NEW HAMPSHIRE**  
DEPARTMENT OF TRANSPORTATION



**CHRISTOPHER D. CLEMENT, SR.**  
COMMISSIONER

**JEFF BRILLHART, P.E.**  
ASSISTANT COMMISSIONER

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

Bureau of Mechanical Services  
December 21, 2012

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

Pursuant to RSA 228:12, authorize the Department of Transportation to transfer \$1,455,332 from Highway Surplus to fund vehicle maintenance, fuel and increased insurance costs effective upon Fiscal Committee and Governor and Council approval through June 30, 2013. 100% Highway Funds.

Funds are to be budgeted as follows:

**FROM:** 04-096-096-960015-363615-0000 Highway Surplus Account \$1,455,332

04-096-096-960515-3005	Current Budget	Requested Change	Revised Budget
<b>Mechanical Services Bureau</b>			
<b>Expenses:</b>			
010 500100 Personal Services – Permanent	\$3,469,350	\$0	\$3,469,350
017 500147 FT Employees Special Pay	27,500	0	27,500
018 500106 Overtime	50,000	0	50,000
019 500105 Holiday Pay	1,800	0	1,800
020 500235 Current Expense	6,308,374	1,455,332	7,763,706
022 500255 Rents-Leases Other than State	28,472	0	28,472
023 500291 Heat, Electricity, Water	42,000	0	42,000
024 500225 Maint. Other than Bldg-Grnds	103,447	0	103,447
025 506467 State Owned Equipment Usage	536,433	0	536,433
028 500292 Transfer to General Services	328,750	0	328,750
030 500311 Equipment	4,005,643	0	4,005,643
047 500240 Own Forces Maint Bldgs & Grnds	20,357	0	20,357
048 500226 Contractual Maint Bldgs & Grnds	9,104	0	9,104
060 500601 Benefits	2,069,942	0	2,069,942
070 500704 In-State Travel	1,500	0	1,500
<b>Total</b>	<b>\$17,002,672</b>	<b>1,455,332</b>	<b>\$18,458,004</b>

Source of Funds			
<b>Revenue:</b>			
001-405741 Transfers from Other Agency	\$570,374	\$0	\$570,374
003-402159 Revolving Funds	16,432,298	0	16,432,298
000-000015 Highway Fund	0	1,455,332	1,455,332
Total	\$17,002,672	\$1,455,332	\$18,458,004

### EXPLANATION

The Department, in part, requests authorization to transfer from the Highway Surplus Account, costs attributable to vehicle parts and maintenance. Due to the age and condition of the Department's Bureau of Mechanical Services fleet, the amount of repair and maintenance work in order to keep the fleet operational and in compliance with current inspection requirements has increased. Also contributing to the budget shortfall are increases in the costs of parts, repair services, and materials. Hydraulic oil is up 42% from FY11, LED warning systems are up 18% from FY10, plow lights are up 11% from FY10 and the volume of steel stock to repair rust damage on fleet vehicles is up 513% from FY11, and many other consumables needed for vehicle maintenance and repair have increased significantly beyond the original budget estimates. For FY13 vehicle maintenance expenditures were assumed at \$1,598,000. Based on expenditures to date and a projection of costs for the balance of the fiscal year, it is anticipated that vehicle maintenance expenses will result in a shortfall of \$1,176,376.

In addition, the Bureau of Mechanical Services' budget absorbs all fuel costs for the Department's fleet. Expected FY13 usage of unleaded fuel oil is 3.3 % higher than budgeted. The FY13 budget assumed a total road fuel budget of \$4,264,909. This estimate was significantly lower than the historic 3 year average, and has resulted in a projected shortfall of \$255,376 based on past usage amounts. Actual fuel use could vary significantly based on the severity of the coming winter.

Lastly, the cost for fleet insurance also exceeded budgeted amounts by \$23,580.

In summary, the Bureau of Mechanical Services is requesting a transfer of funds from the Highway Surplus Fund to cover the anticipated shortfall in class 20 in the total amount of \$1,455,332.

Please see attached schedule for the operating balance in the Highway Fund surplus account.

Your approval of this resolution is respectfully requested.

Sincerely,

Christopher D. Clement, Sr.  
Commissioner

ATTACHMENT

**Highway Fund**  
**Comparative Statement of Operating and Capital Undesignated Surplus**  
**Department of Transportation**

	A	T	U	V	W	X	Y	Z	AA	AB	AC	AD	AE	AF	
1	<b>Highway Fund</b>														
2	<b>Comparative Statement of Operating and Capital Undesignated Surplus</b>														
3	<b>Department of Transportation</b>														
4	Division of Finance														
5	(000'S)														
6	<b>JUNE 30, 2012 AUDITED</b>					<b>FY 2012 ACTUAL</b>					<b>FY 2013 Budget</b>				
7		<b>AUDITED</b>	<b>STATE</b>	<b>FHWA</b>	<b>TOTAL</b>		<b>HIGHWAY</b>		<b>REVISED</b>	<b>STATE</b>	<b>FHWA</b>	<b>TOTAL</b>			
8		<b>HIGHWAY</b>	<b>FUNDED</b>	<b>TRUST</b>	<b>HIGHWAY</b>		<b>OPERATING</b>	<b>CHANGE</b>	<b>HIGHWAY</b>	<b>FUNDED</b>	<b>TRUST</b>	<b>HIGHWAY</b>	<b>TOTAL</b>		
9		<b>OPERATING</b>	<b>CAPITAL</b>	<b>FUND</b>	<b>CAPITAL</b>	<b>TOTAL</b>	<b>OPERATING</b>		<b>OPERATING</b>	<b>CAPITAL</b>	<b>FUND</b>	<b>CAPITAL</b>	<b>TOTAL</b>		
10	Balance, July 1 (Budgetary)	58,721	(17,883)	164,314	146,431	205,152	50,269		50,269	803	296,126	296,929	347,198		
11															
12	<b>Additions:</b>														
13	Unrestricted Revenue:														
14	Gasoline Road Toll	123,168				123,168	124,500		124,500					124,500	
15	Motor Vehicle Fees	104,402				104,402	100,200	2,229	102,429					102,429	
16	Court Fine Revenue	7,832				7,832	8,100		8,100					8,100	
17	Miscellaneous Revenue Sub-Total	48,431				48,431	44,920	920	45,840					45,840	
18	UCRS DOS Fees	1,770				1,770	1,320		1,320					1,320	
19	Other	3,386				3,386	4,600	920	5,520					5,520	
20	Federal OH Billing	14,945				14,945	11,000		11,000					11,000	
21	ROW Property Sales	877				877	2,000		2,000					2,000	
22	I-95/16 mile Sale	26,035				26,035	26,000		26,000					26,000	
23	Retro Turnpike Toll Credits	1,418				1,418	-		-					-	
24	Bonds Authorized & Unissued			250,000	250,000	250,000									
25	<b>Total Additions</b>	<b>283,833</b>		<b>250,000</b>	<b>250,000</b>	<b>533,833</b>	<b>277,720</b>	<b>3,149</b>	<b>280,869</b>					<b>280,869</b>	
26															
27	<b>Net Appropriations:</b>														
28	Appropriations DOT Net of Estimated Revenues	(178,695)				(178,695)	(171,162)		(171,162)					(171,162)	
29	Appropriations - GARVEE Bond Proceeds	-		(114,995)	(114,995)	(114,995)	-		-					-	
30	Municipal Aid (Block Grant, SAB, SAC)	(34,538)	(9,720)		(9,720)	(44,258)	(30,250)		(30,250)	(8,500)		(8,500)		(38,750)	
31	DOT Debt Service	(11,835)			-	(11,835)	(12,325)		(12,325)					(12,325)	
32	Appropriations Safety & Other Net of Estimated Revenues	(77,770)				(77,770)	(80,874)		(80,874)					(80,874)	
33	Section DOT Budget Reductions in Appropriations	13,374				13,374	13,831		13,831					13,831	
34	Section DOS Reductions in Appropriations	1,065				1,065	975		975					975	
35	Retiree Health Savings Ch 224:202 L2011	773				773	1,331		1,331					1,331	
36	Retirement System Savings 5-7% Employ Incr Ch 224:202 L2011	2,084				2,084	3,900	(1,836)	2,064					2,064	
37	Other - Estimated Health Savings Reductions Ch 224:202 L2011	5,781				5,781	3,000		3,000					3,000	
	<b>TOTAL</b>	<b>40,870</b>	<b>485</b>	<b>485</b>	<b>485</b>	<b>44,464</b>	<b>3,814</b>		<b>3,814</b>					<b>3,814</b>	





**PUBLIC UTILITIES COMMISSION**

21 S. Fruit Street, Suite 10  
Concord, N.H. 03301-2429

CHAIRMAN  
Amy L. Ignatius

COMMISSIONERS  
Michael D. Harrington  
Robert R. Scott

EXECUTIVE DIRECTOR  
Debra A. Howland

January 10, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, NH 03301

Your Excellency and Honorable Councilors:

**REQUESTED ACTION**

Pursuant to RSA 14:30-a, VI authorize the Public Utilities Commission to budget and expend prior year carry forward funds from the Renewable Energy Fund (REF) created by RSA 362-F:10, I. The requested amount of \$2,663,089 will be used to fund electric or thermal renewable energy projects in New Hampshire through grant and rebate programs, effective upon Joint Fiscal Committee and Governor and Council approval through June 30, 2013. Funding is 100% REF.

These funds should be budgeted as follows:

<b>02-81-81-811510-54540000 Renewable Energy Fund 362-F:10</b>				
<b>SFY2013</b>				
<b>Source of Funds</b>				
<b>Class</b>	<b>Description</b>	<b>Current Budget</b>	<b>Increase (Decrease)</b>	<b>Modified Budget</b>
009-403292	Agency Income	5,667,120	2,663,089	8,330,209
Totals		5,667,120	2,663,089	8,330,209

<b>Class</b>	<b>Description</b>	<b>Current Budget</b>	<b>Increase (Decrease)</b>	<b>Modified Budget</b>
20-500200	Current Expenses	4,513		4,513
26-500251	Organizational Dues	500		500
27-502799	Transfers to OIT	21,235		21,235
28-500292	Transfers to General Services	15,888		15,888

40-500800	Indirect Costs	4,860		4,860
46-500464	Consultants	25,000		25,000
49-500294	Transfer to Other State Agen	22,763		22,763
70-500704	In-State Travel	300		300
73-500582	Grants-Non Federal	5,572,061	2,663,089	8,235,150
80-500710	Out-of-State Travel			
Totals		5,667,120	2,663,089	8,330,209

### EXPLANATION

The Renewable Energy Fund (REF) is a dedicated, non-lapsing fund whose purpose is to support thermal and electrical renewable energy initiatives in New Hampshire. RSA 362-F:10, I. The fund derives its revenues solely from payments by electric utilities and electricity suppliers that are required to obtain a portion of the electricity they sell from renewable sources, pursuant to the state's Renewable Portfolio Standard (RPS) law, RSA 362-F. These electricity suppliers must either obtain renewable energy certificates (RECs) for each of four classes of renewable energy, or make alternative compliance payments (ACPs) instead. In 2012, there was a substantial shortfall of RECs in three of the four renewable energy classes.

Since its inception in 2009, the REF has awarded more than 1,200 rebates for renewable energy systems, and provided New Hampshire homeowners, businesses, schools, towns, non-profit organizations and other eligible entities with more than \$5 million in funding towards these systems. In addition the Commission's competitive grant program has provided close to \$2 million in funding for renewable projects featuring technologies from biomass heating systems to hydroelectricity upgrades to photovoltaic, solar hot air, and landfill gas to energy, among others. These funds have been leveraged with over \$23 million in private investment, providing a boost to the state's economy and creating jobs for electricians, plumbers, and alternative energy businesses.

The Commission seeks to carry forward \$2,663,089 in unspent FY 2012 REF funds. These funds accumulated because certain rebate programs were undersubscribed and funds for the commercial and industrial grant program were not fully obligated.

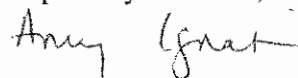
The \$2,663,089 in unspent funds will be budgeted in part to bolster residential and commercial rebate programs. Specifically, a total of \$971,620 will be added to the residential solar and wind rebate program and the commercial and industrial solar rebate program. The remaining funds will be added to the commercial and industrial competitive RFP grant program. RSA 362-F:10, XI requires the Commission to issue a Request for Proposals for grant projects each year by March 1. The program this year will fund projects that will generate substantial quantities of RECs in New Hampshire, thereby lowering REC prices and reducing the need for ACPs. As a result, RPS compliance costs for electric utilities and electricity suppliers should be reduced.

The Commission is requesting authorization to budget and expend \$2,663,089 in the Renewable Energy Fund and to budget the monies as follows:

Class 073-500582 Grants-Non Federal will be used to increase funding for the competitive RFP grant program and to increase funding for both the residential and commercial solar and wind energy rebate programs.

Accordingly, your consideration of our request is appreciated.

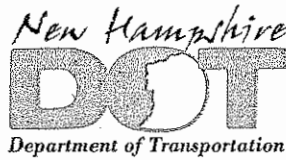
Respectfully submitted,



Amy L. Ignatius  
Chairman

**FISCAL SITUATION**

2012-2013 Appropriation	\$	5,667,120
Budget & Expend Request	\$	2,663,089
Modified 2012-2013 Appropriation	\$	<hr/> 8,330,209



**THE STATE OF NEW HAMPSHIRE**  
DEPARTMENT OF TRANSPORTATION



**CHRISTOPHER D. CLEMENT, SR.**  
COMMISSIONER

**JEFF BRILLHART, P.E.**  
ASSISTANT COMMISSIONER

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

January 10, 2013

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

1. Pursuant to RSA 124:15-I, authorize the Department of Transportation to establish a Consultant to complete required environmental and ground survey as part of the corridor widening study effective upon Fiscal Committee and Governor and Council approval through June 30, 2013.
2. Pursuant to RSA 228:12, authorize the Department of Transportation to transfer \$37,363 from Highway Surplus to fund increases in various accounting units effective upon Fiscal Committee and Governor and Council approval through June 30, 2013.

Funds are to be budgeted as follows:

**FROM:** 04-096-096-960015-363615-0000 Highway Surplus Account \$37,363

04-096-096-962015-3037	Current Budget	Requested Change	Revised Budget
<b>State Aid Construction</b>			
<b>Expenses:</b>			
018 500106 Overtime	\$10,000	\$0	\$10,000
046 500463 Consulting	0	37,095	37,095
060 500601 Benefits	1,784	0	1,784
073 500580 Grants Non Federal	3,278,983	0	3,278,983
400 500870 Construction-Repairs & Materials	4,493,477	0	4,493,477
Total	\$7,784,244	\$37,095	\$7,821,339

Source of Funds			
<b>Revenue:</b>			
000-000015 Highway Funds	\$7,784,244	\$37,095	\$7,821,339
Total	\$7,784,244	\$37,095	\$7,821,339

04-096-096-962015-3025	Current Budget	Requested Change	Revised Budget
<b>Bureau of Highway Design</b>			
<b>Expenses:</b>			
010 500100 Personal Services – Perm	\$6,478,083	\$0	\$6,478,083
018 500106 Overtime	241,000	0	241,000
019 500105 Holiday Pay	0	268	268
020 500200 Current Expense	65,000	0	65,000
022 500255 Rents-Leases Other than State	7,941	0	7,941
024 500225 Contract Repairs: Machine, Equip.	11,605	0	11,605
025 506468 State Owned Equipment Usage	262,148	0	262,148
060 500601 Benefits	3,160,288	0	3,160,288
070 500704 In-State Travel Reimbursement	3,500	0	3,500
405 500881 Lilac Program	219,500	0	219,500
Total	\$10,449,065	\$268	\$10,449,333

<u>Source of Funds</u>			
<b>Revenue:</b>			
000-400338 Federal Funds	\$4,343,775	\$0	\$4,343,775
008-405368 Agency Income	(23,993)	0	(23,993)
000-000015 Highway Funds	6,129,283	268	6,129,551
Total	\$10,449,065	\$268	\$10,449,333

Please see attached schedule for the operating balance in the Highway Fund surplus account.

**EXPLANATION**

1) Create a non-budgeted Class 046 (Consultants) in Accounting Unit 3037 (State Aid Construction) for additional required environmental and ground survey as part of the corridor widening study for the Town of Loudon and NH Motor Speedway (approved by G&C #182 on 12/8/10).

2) **State Aid Construction (3037) 100% Highway Funds**

Increase Class 46 Consulting by \$37,095 for additional required environmental and ground survey as part of the corridor widening study for the Town of Loudon and NH Motor Speedway (approved by G&C #182 on 12/8/10). This request will properly classify this expense.

**Bureau of Highway Design (3025) 58.5% Highway Funds, 41.5% Federal Funds**

Increase Class 019 Holiday pay for overtime worked on a holiday but wasn't funded.

The following information is provided in accordance with the Comptroller's instructional memorandum dated September 21, 1981.

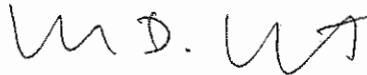
Consultant:

1. List of personnel involved: Consultant

2. Nature, Need, and Duration: The consulting would be to perform required environmental and ground survey as part of the corridor widening study completed in Fiscal Year 2013.
3. Relationship to existing agency programs: The existing program in State Aid Construction will fund the use of consultants to provide required surveys.
4. Has a similar program been requested of the legislature and denied? No, a similar program has not been requested and denied.
5. Why wasn't funding included in the agency's budget request? The additional surveys were not part of the original project cost but were determined to be required upon the receipt of additional information.
6. Can portions of the grant fund be utilized? Not applicable, these are not grant funds.
7. Estimate the funds required to continue this position(s): Not applicable, there is not a new position.

Your approval of this resolution is respectfully requested.

Sincerely,



Christopher D. Clement, Sr.  
Commissioner

ATTACHMENT

**Highway Fund**

**Comparative Statement of Operating and Capital Undesignated Surplus  
Department of Transportation**

Division of Finance  
(000'S)

JUNE 30, 2012 AUDITED						FY 2012 ACTUAL						FY 2013 Budget					
	AUDITED HIGHWAY OPERATING	STATE FUNDED CAPITAL	FHWA TRUST FUND	TOTAL HIGHWAY CAPITAL	TOTAL	HIGHWAY OPERATING	CHANGE	REVISED HIGHWAY OPERATING	STATE FUNDED CAPITAL	FHWA TRUST FUND	TOTAL HIGHWAY CAPITAL	TOTAL					
10	Balance, July 1 (Budgetary)	58,721	(17,883)	164,314	146,431	205,152	50,269		50,269	803	296,126	296,929	347,198				
11																	
12	<b>Additions:</b>																
13	Unrestricted Revenue:																
14	Gasoline Road Toll	123,168				123,168	124,500		124,500				124,500				
15	Motor Vehicle Fees	104,402				104,402	100,200	2,229	102,429				102,429				
16	Court Fine Revenue	7,832				7,832	8,100		8,100				8,100				
17	Miscellaneous Revenue Sub-Total	48,431				48,431	44,920	920	45,840				45,840				
18	UCRS DOS Fees	1,770				1,770	1,320		1,320				1,320				
19	Other	3,386				3,386	4,600	920	5,520				5,520				
20	Federal OH Billing	14,945				14,945	11,000		11,000				11,000				
21	ROW Property Sales	877				877	2,000		2,000				2,000				
22	I-95/1.6 mile Sale	26,035				26,035	26,000		26,000				26,000				
23	Retro Turnpike Toll Credits	1,418				1,418											
24	Bonds Authorized & Unissued			250,000	250,000	250,000											
25	<b>Total Additions</b>	<b>283,833</b>	<b>-</b>	<b>250,000</b>	<b>250,000</b>	<b>533,833</b>	<b>277,720</b>	<b>3,149</b>	<b>280,869</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>280,869</b>				
26																	
27	<b>Net Appropriations:</b>																
28	Appropriations DOT Net of Estimated Revenues	(178,695)				(178,695)	(171,162)		(171,162)				(171,162)				
29	Appropriations - GARVEE Bond Proceeds			(114,995)	(114,995)	(114,995)											
30	Municipal Aid (Block Grant, SAB, SAC)	(34,538)	(9,720)		(9,720)	(44,258)	(30,250)		(30,250)	(8,500)		(8,500)	(38,750)				
31	DOT Debt Service	(11,835)				(11,835)	(12,325)		(12,325)				(12,325)				
32	Appropriations Safety & Other Net of Estimated Revenues	(77,770)				(77,770)	(80,874)		(80,874)				(80,874)				
33	Section DOT Budget Reductions in Appropriations	13,374				13,374	13,831		13,831				13,831				
34	Section DOS Reductions in Appropriations	1,065				1,065	975		975				975				
35	Retiree Health Savings Ch 224:202 L2011	773				773	1,331		1,331				1,331				
36	Retirement System Savings 5-7% Employ Incr Ch 224:202 L2011	2,084				2,084	3,900	(1,836)	2,064				2,064				
37	Other - Estimated Health Savings Reductions Ch 224:202, L2011	5,781				5,781	3,000		3,000				3,000				
38	Transfers DOT	10,979	485		485	11,464	3,814		3,814				3,814				



# State of New Hampshire

FIS 13 081

HOUSE OF REPRESENTATIVES

CONCORD

February 27, 2013

Fiscal Committee of the General Court  
The Honorable Mary Jane Wallner, Chairman  
State House  
Concord, NH 03301

Dear Representative Wallner and Members of the Committee,

RSA 14:30-a, III requires the Fiscal Committee to consider recommendations proposed to it by the Legislative Performance Audit and Oversight Committee.

At its February 22, 2013 meeting, the Legislative Performance Audit and Oversight Committee voted to recommend six new performance audit topics for the Office of Legislative Budget Assistant, Audit Division. The new topics are:

1. Department of Corrections, Division of Community Corrections.
2. Department of Health and Human Services, Health Facilities Administration, Assisted Living and Nursing Facility Inspections.
3. Department of Health and Human Services, Electronic Benefit Transfer Cards.
4. Department of Resources and Economic Development, Economic Development Programs.
5. Police Standards and Training Council, The Council in Performance of its Charter.
6. Community Development Finance Authority, Program Results.

I respectfully request the Fiscal Committee's approval of these topics at its next meeting.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. Weber".

Representative Lucy McVitty Weber, Chairman  
Joint Legislative Performance Audit  
and Oversight Committee



New Hampshire  
 Department of Agriculture,  
 Markets & Food

Lorraine S. Merrill, Commissioner

January 17, 2013

The Honorable Mary Jane Wallner, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, New Hampshire 03301

Her Excellency, Governor Margaret Wood Hassan  
 and the Honorable Council  
 State House  
 Concord, New Hampshire 03301

Dear Governor Hassan and Honorable Council:

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI the New Hampshire Department of Agriculture, Markets & Food, Division of Agricultural Development (DAMF) respectfully requests authorization to accept and expend grant funds from the United States Department of Agriculture (USDA) Agricultural Marketing Service (AMS) in the amount of \$238,572.00 for the period of Fiscal Committee and Governor and Council approval through June 30, 2013. 100% Federal Funds.

Funds to be budgeted into account as follows:

**02-18-18-185010-33460000 SPEC CROP BLK GRANT #12-25-B-1475**

## OBJECT

<u>CLASS</u>	<u>ACCOUNT</u>	<u>FY2013</u>
040-500800	Indirect costs	\$ 23,630.94
041-500801	Audit Fund Set aside	215.00
072-500575	Grants Other State Agen.	<u>214,726.06</u>
	Total	\$238,572.00
<u>Revenue</u>		
000-405583	Federal Funds	\$238,572.00

EXPLANATION

The New Hampshire Department of Agriculture, Markets & Food, Division of Agricultural Development (DAMF) has been awarded a grant from the United States Department of Agriculture (USDA) Agricultural Marketing Service (AMS) Specialty Crop Block Grant Program to fund eight specific projects. The projects were solicited through the RFP process and submitted for review by USDA, Agricultural Marketing Service as part of a New Hampshire state application. USDA, AMS approved the NH State Plan and all of the included projects.

The funds from this grant will be utilized as follows:

Object Class – 040 – Indirect Cost \$23,630.94. Funds budgeted at the 10% maximum allowed by USDA AMS.

Object Class – 041 – Audit Set Aside \$215.00. Funds budgeted covering the required rate.

Object Class – 072 – Grants \$214,726.06. Funds for conducting agricultural specialty crop program projects as approved by USDA, AMS.

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

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "L. Merrill", is written in black ink.

Lorraine S. Merrill  
Commissioner

3346

United States Department of Agriculture  
Agricultural Marketing Service  
AGREEMENT FACE SHEET

1. Accounting Code: 12122501DB62FVDCS100RFV01NH	2. Vendor I.D. (EIN): 02-6000618	3. DUNS Number: 176836583
4. Agreement Number: 12-25-B-1475	Amendment Number:	5. Type of Instrument: Grant
6. CFDA Number: 10.170		
7. Title of Agreement: New Hampshire Department of Agriculture, Markets and Food Specialty Crop Block Grant Program – Farm Bill Activities.		
8. Objective: To enhance the competitiveness of New Hampshire specialty crops.		
9. Statement of Work: This agreement shall be carried out by the organizational units or officials of the Federal Agency and the Grantee in the manner and subject to the conditions provided in the Specialty Crop Block Grant Program – Farm Bill Terms and Conditions attached hereto and made a part of this agreement.		
10. Legal Authority: Section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note) of Public Law 108-465; amended by Section 10109 of the Food, Conservation, and Energy Act of 2008, Public Law 110-246; 7 CFR Part 1291 (published March 27, 2009; 74 FR 13313); and Section 713 of Title VII (General Provisions) of Division A of Public Law 108-7.		
11. Federal Agency (Name and Address): Specialty Crop Block Grant Program – Farm Bill Agricultural Marketing Service United States Department of Agriculture Washington, DC 20250		12. Grantee: New Hampshire Department of Agriculture, Markets and Food Concord, NH 03302
13. Federal Agency Project Manager: Trista Etzig, Project Manager Telephone: (202) 690-4942 Email: Trista.Etzig@ams.usda.gov		14. Grantee Project Coordinator: Gail McWilliam-Jellie, Director Telephone: (603) 271-3788 Email: gail.mcwilliam.jellie@agr.nh.gov
15. Period of Performance: 9/30/2015 through 9/29/2015	16. Federal Agency Funding Amount: \$238,572.00	Non-Federal Matching Amount: N/A

PROVISIONS

This Grant Award incorporates the following:

1. The referenced State Plan and any amendments thereto – incorporated by reference
2. \$112.65 is reallocated to the State Agency and shall be expended on projects in the referenced State Plan. The reallocated amount is reflected in block 16. Federal Agency Funding Amount. The State Agency shall submit to the Federal Agency a request to amend the Grant Agreement if the reallocated funding results in a change that requires prior approval in accordance with award term 6, "Changes Requiring Prior Approval" in the Specialty Crop Block Grant Program-Farm Bill Terms and Conditions (11/2011).
3. The State Agency will complete activities outlined in the approved State Plan hereby entitled New Hampshire Department of Agriculture, Markets and Food Fiscal Year 2012 Specialty Crop Block Grant Program – Farm Bill Application dated, 7/6/2012
4. Specialty Crop Block Grant Program – Farm Bill Terms and Conditions (11/2011) – incorporated by reference and can be found at:  
<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STFLPRDCS095522>
5. 7 CFR Part 3015, 7 CFR Part 3016, 7 CFR Part 3019, and 7 CFR 3052 – incorporated by reference
6. The Approved Award Budget
7. Grant funds received under this award shall supplement the expenditure of State funds in support of specialty crops grown in that State, rather than replace State funds.
8. The obligation of funds may be terminated without further cause unless the grantee commences the timely drawdown of funds; initial drawdown must be made within the first year of the grant period.

FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE

This agreement, subject to the provisions above, shall constitute an obligation of funds on behalf of the Government, unless amended or terminated by mutual consent of the parties in writing, or terminated by either party upon 60 days' notice in writing.

<p>17. Federal Agency Representative Approval:</p> <div style="display: flex; align-items: center;"> <div> <p><b>ROBERT KEENEY</b></p> <p style="font-size: small;">Digitally signed by ROBERT KEENEY DN: c=US, o=U.S. Government, ou=Department of Agriculture, cn=ROBERT KEENEY, 0.9.2342.19200300.100.1.1=12001000111993 Date: 2012.09.12 10:59:10 -04'00'</p> </div> </div> <p>Deputy Administrator Fruit and Vegetable Program</p>	<p>18. Grantee Representative Approval (Please Print):</p> <p>Name: <i>LORRAINE S. MERRILL</i></p> <p>Title: <i>COMMISSIONER</i></p>
<p>19. Grantee Representative Approval Signature:</p>	<p>Date: <i>10-29-12</i></p>

**Paperwork Burden Statement**

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is 0581-0248. Public reporting burden for this collection of information is estimated to average 2 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0581-0248), Washington, DC 20503.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

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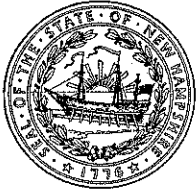
**From:** Miklozek, John - AMS [mailto:John.Miklozek@ams.usda.gov]  
**Sent:** Monday, January 14, 2013 5:49 PM  
**To:** McWilliam Jellie, Gail  
**Cc:** Etzig, Trista - AMS  
**Subject:** RE: 2012 SCBG

Hi Gail,

Sorry about the confusion associated with AMS agreement 12-25-B-1475. That was a typo on our part. Item number 15 (Period of Performance) should state 9/30/2012 to 9/29/2015.

Please let me know if you need anything else. I'll be more than happy to help.

John Miklozek  
Specialty Crop Block Grant Program  
USDA, Agricultural Marketing Service  
Telephone: 202-720-1403  
Fax: 202-720-0016  
Email: [John.Miklozek@usda.gov](mailto:John.Miklozek@usda.gov)



**STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF CORRECTIONS**  
**DIVISION OF ADMINISTRATION**

P.O. BOX 1806  
 CONCORD, NH 03302-1806

603-271-5610 FAX: 603-271-5639  
 TDD Access: 1-800-735-2964

William L. Wrenn  
 Commissioner

Bob Mullen  
 Director

February 13, 2013

The Honorable Mary Jane Wallner, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, NH 03301

Her Excellency, Governor Margaret Wood Hassan  
 and the Honorable Executive Council  
 State House  
 Concord, New Hampshire 03301

**REQUESTED ACTION**

Pursuant to RSA 14:30-a, VI, authorize the NH Department of Corrections to amend a Justice Reinvestment Intensive Technical Assistance to States sub grant received from The Council of State Governments, a nonprofit organization, by extending the end date only, with no increase in funding, from the amended end date of May 31, 2013 (Amendment #1), to a new end date of June 30, 2013. The Justice Reinvestment Initiative grant funds are made available through the U.S. Department of Justice, Bureau of Justice Assistance, and will provide technical assistance and training for parole board members, Parole/Probation staff and Community Corrections staff in the latest effective approaches to manage re-entering offenders and upgrade data gathering capabilities, effective upon Fiscal Committee and Governor and Executive Council approval, through June 30, 2013. 100% Agency Income, (federal funds at origin).

**EXPLANATION**

The New Hampshire Department of Corrections has been awarded a sub grant from the Council of State Governments, a nonprofit agency, providing Justice Reinvestment Technical Assistance for State Governments.

The original Justice Reinvestment sub grant was approved by Fiscal Committee on May 21, 2012, FIS 12-182, and Governor and Executive Council on June 6, 2012, Item #87. The Justice Reinvestment sub grant Amendment #1, approved by Fiscal Committee on November 8, 2012, FIS 12-344, and Governor and Executive Council on November 14, 2012, Item #62, extended the grant project end date, with no increase in funding, from the original end date of February 20, 2013 to an amended end date of May 31, 2013.

In 2010 criminal justice legislation (SB500) was enacted which was designed to increase public safety and reduce correctional costs. The supporting principles for the policy changes will require the correctional staff to be trained in strategies that will increase offender supervision compliance and program participation during confinement. The NH Department of Corrections (NHDOC) will utilize the Justice Reinvestment grant funding, in part, for training sessions for correctional staff. Additionally, funds will be implemented to upgrade and refine the NHDOC offender database which will enable the collection of reliable data and develop additional reporting capabilities.

To carry out the purpose of the grant, the NH Department of Corrections contracted with the University of Cincinnati to provide training in the latest effective approaches to manage re-entering offenders. Due to administrative delays in the execution of the contract, several prearranged training sessions were postponed. The NH Department of Corrections is requesting to extend the Justice Reinvestment sub grant to allow the additional time necessary to coordinate and complete the remaining training sessions, in addition to finalizing the offender database upgrade.

In the event that these grant funds no longer become available state general funds will not be requested to support this program.

Respectfully Submitted,



William L. Wrenn  
Commissioner



January 16, 2013

New Hampshire Department of Corrections  
Attn: Janet Belben, Grant Program Coordinator  
P.O. Box 1806, Concord, NH 03302

RE: Letter of Intent to Establish a First Amendment to the Subaward Agreement No. 12-SA-161-1904

Dear Ms. Belben:


The Council of State Governments is a nonprofit organization headquartered in Lexington, Kentucky, that has been granted financial assistance by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance cooperative agreement number 2010-RR-BX-K071.

It is the intent of the Council of State Governments Justice Center to enter into a formal First Amendment with you to extend the Term to allow for additional time to perform services of the Subaward Agreement No. 12-SA-161-1904 for the Justice Reinvestment Technical Assistance for State Governments Project. The new proposed period of performance is February 21, 2012 - August 31, 2013, effective upon approval from the NH Governor and Executive Council.

The terms and conditions of the Council of State Governments Subaward Agreement No. 12-SA-161-1904 and First Amendment to this Subaward Agreement will take precedence over this Letter of Intent.

The appropriate programmatic and administrative personnel of each or involved in this application are aware of the pertinent Federal regulations and policies, and will establish the necessary contractual agreement(s) consistent with that policy.

THE COUNCIL OF STATE GOVERNMENTS

By:   
Name: \_\_\_\_\_  
Title: Wade S. Littrell, CPA  
Chief Financial Officer  
The Council of State Governments

The Council of State Governments National Headquarters

2760 Research Park Drive • Lexington, KY 40511-8482 • (859) 244-8000 • Fax (859) 244-8001 • www.csg.org

Eastern Office New York (212) 482-2320 www.csgeast.org	Midwestern Office Lombard, Ill. (630) 925-1922 www.csgmidwest.org	Southern Office Atlanta (404) 633-1866 www.slcallanta.org	Western Office Sacramento, Calif. (916) 553-4423 www.csgwest.org	Washington Office Washington, D.C. (202) 624-5460 www.csg.org
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Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

Cooperative Agreement

PAGE 1 OF 7

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) The Council of State Governments 2760 Research Park Drive Lexington, KY 40511-8482		4. AWARD NUMBER: 2010-RR-BX-K071	
		5. PROJECT PERIOD: FROM 10/01/2010 TO 03/31/2014 BUDGET PERIOD: FROM 10/01/2010 TO 03/31/2014	
		6. AWARD DATE 08/22/2012	7 ACTION
1A. GRANTEE IRS/VENDOR NO. 366000818		8 SUPPLEMENT NUMBER 02	Supplemental
		9. PREVIOUS AWARD AMOUNT \$ 3,473,540	
3. PROJECT TITLE Justice Reinvestment: Intensive Technical Assistance to States		10. AMOUNT OF THIS AWARD \$ 4,494,649	
		11. TOTAL AWARD \$ 7,968,189	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S)			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY12(BIA - Justice Reinvestment) Pub. L. No 112-55, 125 Stat. 552, 615			
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Mary Lou Leary Acting Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Wade S. Littrell Controller	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A DATE 8/24/12
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR FUND CODE BUD. ACT. OFC. DIV. REG. SUB. POMS AMOUNT X B ZB 80 00 00 4494649		21. JZBUOT1545	





STATE OF NEW HAMPSHIRE  
 DEPARTMENT OF CORRECTIONS  
 DIVISION OF ADMINISTRATION

P.O. BOX 1806  
 CONCORD, NH 03302-1806

603-271-5610 FAX: 603-271-5639  
 TDD Access: 1-800-735-2964

William L. Wrenn  
 Commissioner

Bob Mullen  
 Director

FISCAL COMMITTEE  
 PENDING  
 APPROVED Nov. 8, 2012  
 ITEM # FIS 12-344

October 17, 2012

Representative Ken Weyler, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, NH 03301

His Excellency, Governor John H. Lynch  
 and the Honorable Executive Council  
 State House  
 Concord, New Hampshire 03301

Pending G & C  
 Approved Nov. 14, 2012  
 Item # #62

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI, authorize the NH Department of Corrections an amendment to FIS 12-182, approved by the Fiscal Committee on May 21, 2012 and Governor and Executive Council on June 6, 2012, Item #87, by extending the end date only, with no increase in funding, of the sub grant received from The Council of State Governments, a nonprofit organization, from the original end date of February 20, 2013, to a new end date of May 31, 2013. These funds are made available through the U.S. Department of Justice, Bureau of Justice Assistance, and will provide technical assistance and training for parole board members, Parole/Probation and Community Corrections staff in the latest effective approaches to manage re-entering offenders and upgrade data gathering capabilities, effective upon Fiscal Committee and Governor and Executive Council approval, through May 31, 2013. 100% Agency Income, (federal funds at origin).

EXPLANATION

The New Hampshire Department of Corrections has been awarded a sub grant from the Council of State Governments, a nonprofit agency, providing Justice Reinvestment Technical Assistance for State Governments.

In 2010 criminal justice legislation (SB500) was enacted which was designed to increase public safety and reduce correctional costs. The supporting principles for the policy changes will require the correctional staff to be trained in strategies that will increase offender supervision compliance and program participation during confinement. The NH Department of Corrections (NHDOC) will utilize the Justice Reinvestment grant funding, in part, for training sessions for correctional staff. Additionally, funds will be implemented to upgrade and refine the NHDOC offender database which will enable the collection of reliable data and develop additional reporting capabilities.

In the event that these grant funds no longer become available state general funds will not be requested to support this program.

Respectfully Submitted,

William L. Wrenn  
 Commissioner



STATE OF NEW HAMPSHIRE  
 DEPARTMENT OF CORRECTIONS  
 DIVISION OF ADMINISTRATION

P.O. BOX 1806  
 CONCORD, NH 03302-1806

603-271-5610 FAX: 603-271-5639  
 TDD Access: 1-800-735-2964

William L. Wrenn  
 Commissioner

Bob Mullen  
 Director

FISCAL COMMITTEE  
 PENDING  
 APPROVED May 21, 2012  
 ITEM # FIS 92-182

April 20, 2012

Representative Ken Weyler, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, NH 03301

His Excellency, Governor John H. Lynch  
 and the Honorable Executive Council  
 State House  
 Concord, New Hampshire 03301

G & C  
 Pending  
 Approved June 6, 2012  
 Item # # 87

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI, authorize the NH Department of Corrections to accept and expend a sub grant in the amount of \$237,736.00 from The Council of State Governments, a nonprofit organization. These funds are made available through the U.S. Department of Justice, Bureau of Justice Assistance, and will provide technical assistance and training for parole board members, Parole/Probation and Community Corrections staff in the latest effective approaches to manage re-entering offenders and upgrade data gathering capabilities, effective July 1, 2012 through February 20, 2013. 100% Agency Income, (federal funds at origin).

Funds are to be budgeted in an account, Justice Reinvestment Phase II, Accounting Unit 02-46-46-460510-33070000 Department of Corrections, Corrections Grants, Justice Reinvestment Phase II, as follows:

Grant Title: Justice Reinvestment Phase II Grant #12-SA-161-1904

Account:	Description:	SFY 2013 CURRENT	SFY 2013 FUNDING	SFY 2013 TOTAL
102-500731	Contracts for Program Services	-	237,736.00	237,736.00
Appropriations		-	\$ 237,736.00	\$ 237,736.00
Source of Funds: 009-407685				
Agency Income		-	237,736.00	237,736.00

EXPLANATION

The New Hampshire Department of Corrections has been awarded a sub grant from the Council of State Governments, a nonprofit agency, providing Justice Reinvestment Technical Assistance for State Governments.

Phase II of the federal Justice Reinvestment Initiative focuses on implementation issues. Thus, parole board members and the NH Department of Corrections (NHDOC) staff will be trained in evidence-based strategies to increase reentering offender's compliance with supervision conditions, specific interactional techniques such as Motivational Interviewing, and the use of the Ohio Risk Assessment System (ORAS) instruments.

In 2010 criminal justice legislation (SB500) was enacted which was designed to increase public safety and reduce correctional costs. The supporting principles for the policy changes will require the correctional staff to be trained in strategies that will increase offender supervision compliance and program participation during confinement. The NH Department of Corrections will utilize the Justice Reinvestment grant funding, in part, for training sessions for correctional staff in Effective Practices in Community Supervision and the Ohio Risk Assessment System.

The Effective Practices in Community Supervision (EPICS) training sessions will include topics such as assisting offenders in identifying criminal thinking and building social skills, and training staff on how to implement swift and certain sanctions and incentives. Correctional staff will also attend training on the Ohio Risk Assessment System which is a data-driven risk assessment tool aimed at determining the level of offender recidivism probability. Additionally, funds will be implemented to upgrade and refine the NHDOC offender database which will enable the collection of reliable data and develop additional reporting capabilities.

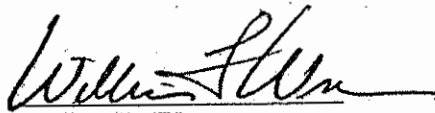
Sub grant funds will be expended as follow:

Class 102 – Contracts for Program Services - \$237,736.00	
• Contract-NHDOC staff training on changing offender behaviors, offender assessment, and database upgrade	237,736.00
<b>Total Class 102</b>	<b>237,736.00</b>

Source of Funds: 100% Agency Income.

In the event that these grant funds no longer become available state general funds will not be requested to support this program.

Respectfully Submitted,



William L. Wrenn  
Commissioner



MARGARET WOOD HASSAN  
GOVERNOR

**STATE OF NEW HAMPSHIRE**  
**OFFICE OF ENERGY AND PLANNING**  
107 Pleasant Street, Johnson Hall  
Concord, NH 03301-3834  
Telephone: (603) 271-2155  
Fax: (603) 271-2615

FIS 13 050  
**OEP**  
www.nh.gov/oep

February 13, 2013



The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

Pursuant to RSA 14:30-a, VI, the Office of Energy and Planning (OEP) respectfully requests authorization to **RETROACTIVELY** amend Fiscal Item #12-256 approved by the Legislative Fiscal Committee on July 23, 2012 and Governor and Council on August 8, 2012, Item #7, by reallocating American Recovery and Reinvestment Act (ARRA) funding for State Energy Programs between expenditure classes in the amount of \$16,575.00, and to extend the completion date from September 30, 2012 to September 30, 2013, effective upon Joint Fiscal Committee and Governor and Council approval through September 30, 2013. 100% Federal Funds (ARRA-State Energy Programs).

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified:

01-02-02-029910-08500000 FY 2013 State Energy Programs				
Source of Funds	Description	Current Appropriation w/FY12 Balance Forward	Incr/(Decr)	Modified Budget
000-403218	Federal Funds	2,062,312.22	0.00	2,062,312.22
Totals		2,062,312.22	0.00	2,062,312.22

Class-Accounts	Description	Current Appropriation w/FY12 Balance Forward	Incr/(Decr)	Modified Budget
016-500141	Personal Serv.-Non-Classified	14,274.65	8,700.00	22,974.65

020-500236	Current Expenses	2,572.43	500.00	3,072.43
022-500215	Rent & Leases-Other Than State	233.44	3,100.00	3,333.44
026-500251	Organizational Dues	2,000.00		2,000.00
040-500800	Indirect Costs	156,128.91		156,128.91
041-500801	Audit Fund Set Aside	1,828.96		1,828.96
042-500620	Additional Fringe Benefits	2,497.76		2,497.76
048-500293	Contractual Maint Build-Grounds	0.00		0.00
049-500420	Transfers to Other State Agencies	0.32		0.32
050-500109	Personal Serv.-Temp/Appointee	0.00	3,275.00	3,275.00
060-500601	Benefits	10,778.99	1,000.00	11,778.99
070-500704	In-State Travel Reimbursement	979.87	-800.00	179.87
072-500574	Grants Federal	0.00		0.00
080-500710	Out-of-State Travel Reimb	173.59	-173.00	0.59
102-500731	Contracts for Program Services	1,870,842.89	-15,602.00	1,855,240.89
103-502664	Contracts for Operational Services	0.00		0.00
216-502675	Prior Year Control Balance	0.41		0.41
Totals		2,062,312.22	0.00	2,062,312.22

### EXPLANATION

The US Department of Energy (DOE) has approved the ARRA SEP grant extension to support state strategies to mitigate or adapt to the effects of severe weather events and other trends that are adversely affecting states. The extension in time will allow OEP to use ARRA SEP funds for a joint project with it's long-standing partner agency, the NH Department of Environmental Services (NH DES), to develop tools and data to help the state address both local and statewide impacts of several weather events and to increase resiliency. OEP and NH DES will assist other agencies in integrating mitigation and adaptation throughout state government operations, where appropriate. Outcomes will include increased preparedness and resiliency in severe weather events and increased flooding, and preventing threats to energy supplies.

Funds are requested for the following purpose:

- |   |   |
|---|---|
| Class 016 - Personal Services Non-Class | To fund projected salary expenses associated with existing staff performing work on this grant  |
| Class 020 - Current Expenses            | To fund projected current expenses associated with existing staff performing work on this grant |
| Class 022 - Rent                        | To fund projected rent expenses associated with existing staff performing work on this grant    |
| Class 050 - Personal Services Temp      | To fund projected salary expenses associated with existing staff performing work on this grant  |
| Class 060 - Benefits                    | To fund projected benefits associated with existing staff performing work on this grant         |
| Class 070 - Out-of-State Travel         | Funding is available as projected in-state travel cost is less than budgeted amount             |
| Class 080 - In-State Travel             | Funding is available as projected out-of-state travel cost is less than budgeted amount         |

Class 102 - Contracts for Program Services

Funding is available as projected contractual expenses are less than budgeted amount

All administrative class line modifications to the budget directly relate to existing staff. No new positions will be created with these funds.

This request is retroactive due to OEP not receiving documentation of the grant extension from DOE until January 29, 2013.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this initiative.

Respectfully Submitted,



Meredith A. Hatfield  
Director

MAH/SDT/bss  
Enclosure

Fiscal 03/08/13

G&C 03/20/13



JOHN H. LYNCH  
GOVERNOR

STATE OF NEW HAMPSHIRE  
OFFICE OF ENERGY AND PLANNING  
107 Pleasant Street, Johnson Hall  
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FIS 12 256 YB  
**OEP** 7  
www.nh.gov/oep

AUG 08 2012

4-2

*D. Patton*  
Approved by Fiscal Committee Date 7/23/12

July 3, 2012

Representative Ken Weyler, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301



His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, NH 03301

ARRA  
FUNDS

**REQUESTED ACTION**

Pursuant to RSA 14:30-a, VI, the Office of Energy and Planning (OEP) respectfully requests authorization to amend Fiscal Item #12-164 approved by the Legislative Fiscal Committee on May 21, 2012 and Governor and Council on June 6, 2012 Item #9, by reallocating American Recovery and Reinvestment Act (ARRA) funding for State Energy Programs between expenditure classes in the amount of \$1,200.00, effective upon Joint Fiscal Committee and Governor and Council approval through September 30, 2012. 100% Federal Funds (ARRA-State Energy Programs).

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified:

01-02-02-029910-08500000 FY 2013 State Energy Programs				
Source of Funds				
Class	Description	Unexpended Prior Year Appropriation	Incr/(Decr)	Modified Budget
000-403218	Federal Funds	445,751.33	0.00	445,751.33
005-405665	Private/Local Funds	0.00	0.00	0.00
Totals		445,751.33	0.00	445,751.33

Class	Description	Unexpended Prior Year Appropriation	Incr/(Decr)	Modified Budget
016-500141	Personal Serv.-Non-Classified	14,274.65		14,274.65

020-500236	Current Expenses	3,737.46		3,737.46
022-500215	Rent & Leases-Other Than State	233.44	1,200.00	1,433.44
026-500251	Organizational Dues	2,000.00		2,000.00
040-500800	Indirect Costs	156,128.91		156,128.91
041-500801	Audit Fund Set Aside	6,327.95		6,327.95
042-500620	Additional Fringe Benefits	2,497.76		2,497.76
048-500293	Contractual Maint Build-Grounds	0.00		0.00
049-500420	Transfers to Other State Agencies	0.32		0.32
050-500109	Personal Serv.-Temp/Appointee	0.00		0.00
060-500601	Benefits	10,778.99	-1,200.00	9,578.99
070-500704	In-State Travel Reimbursement	979.87		979.87
072-500574	Grants Federal	0.00		0.00
080-500710	Out-of-State Travel Reimb	173.59		173.59
102-500731	Contracts for Program Services	248,617.98		248,617.98
103-502664	Contracts for Operational Services	0.00		0.00
216-502675	Prior Year Control Balance	0.41		0.41
Totals		445,751.33	0.00	445,751.33

### EXPLANATION

The Office of Energy and Planning is responsible for administering New Hampshire's ARRA State Energy Program grant, which includes funds to make energy improvements to state-owned buildings. As the grant approaches its end date, a review of expenditures incurred in the program indicates an anticipated shortfall in rent appropriation and a surplus in benefits. OEP is therefore respectfully requesting an adjustment to these appropriations to ensure completion of the grant's objectives.

Funds are requested for the following purpose:

Class 022 - Rent

To fund projected rent associated with the staff performing work on this grant

Class 060 - Benefits

Projected benefits cost is less than budgeted amount; surplus will cover anticipated shortfall in Rent

In the event that these funds become no longer available, General Funds will not be requested to support this initiative.

Respectfully Submitted,



Joanne L. Cassulo  
Interim Director

JLC/DMR:dmr  
Enclosure

Fiscal 07/23/12  
G&C 08/08/12





STATE OF NEW HAMPSHIRE  
OFFICE OF ENERGY AND PLANNING



107 Pleasant Street  
Johnson Hall

Concord, NH 03301

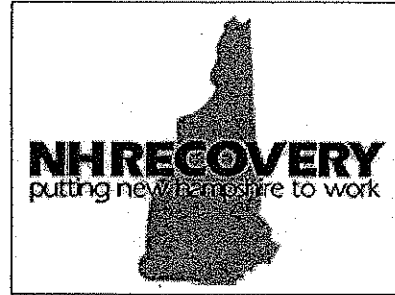
Telephone: (603) 271-2155

Fax (603) 271-2615

John H. Lynch  
Governor

April 20, 2012

Representative Ken Weyler, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301



*approved B+C  
6/6/12 #9  
Fiscal 5-21-12 #12-164*

His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

Pursuant to RSA 14:30-a, VI, the Office of Energy and Planning (OEP) respectfully requests authorization to amend Fiscal Item #12-132 approved by the Legislative Fiscal Committee on April 13, 2012 and Governor and Council on April 18, 2012, Item #8, by reallocating American Recovery and Reinvestment Act (ARRA) funding for the State Energy Programs between expenditure classes in the amount of \$4,850.00, effective upon Joint Fiscal Committee and Governor and Council approval through September 30, 2012. 100% Federal Funds (ARRA State Energy Programs).

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified:

01-02-02-029910-08500000 FY 2012 State Energy Programs					
Source of Funds					
Class	Description	Current Budget	Unexpended Prior Year Appropriation/Lapse	Incr/(Decr)	Modified Budget
000-403218	Federal Funds	496,562.00	15,832,041.34	0.00	16,328,603.34
005-405665	Private Local Funds	90,000.00	0.00	0.00	90,000.00
Totals		586,562.00	15,832,041.34	0.00	16,418,603.34

Class	Description	Current Budget	Unexpended Prior Year Appropriation/Lapse	Iner/(Decr)	Modified Budget
16-500141	Personal Serv.-Non-Classified	105,874.00	29,837.60	0.00	135,711.60
20-500236	Current Expenses	6,767.00	5,221.81	4,850.00	16,838.81
22-500248	Rents & Leases Other Than State	4,524.00	680.32	0.00	5,204.32
26-500251	Dues	0.00	2,000.00	0.00	2,000.00
30-500310	Equipment	1,000.00	1,729.51	0.00	2,729.51
40-500800	Indirect Costs	57,533.00	124,587.68	0.00	182,120.68
41-500801	Audit Fund Set-Aside	466.00	15,752.21	0.00	16,218.21
42-500620	Additional Fringe Benefits	9,879.00	5,075.04	0.00	14,954.04
48-500293	Contractual Maint-Build&Grounds	292.00	-292.00	0.00	0.00
49-500420	Transfers to Other State Agencies	71.00	-70.68	0.00	0.32
50-500109	Personal Service Temp Appoint	11,180.00	17,439.46	0.00	28,619.46
60-500601	Benefits	64,359.00	22,618.82	0.00	86,977.82
70-500704	In-State Travel	917.00	424.50	0.00	1,341.50
72-500574	Grants Federal	192,890.00	-192,890.00	0.00	0.00
80-500710	Out-of-State Travel	4,167.00	5,343.17	0.00	9,510.17
102-500731	Contracts for Program Services	36,643.00	15,794,583.49	-4,850.00	15,826,376.49
103-502664	Contracts for Operational Services	90,000.00	0.00	0.00	90,000.00
216-502675	Prior Year Control Balance	0.00	0.41	0.00	0.41
Totals		586,562.00	15,832,041.34	0.00	16,418,603.34

### EXPLANATION

The Office of Energy and Planning is responsible for administering New Hampshire's State Energy Programs (SEP) formula grant from the Department of Energy. These ARRA funds expanded significantly the existing SEP program at OEP, and have been used to enable energy efficiency and renewable energy investments in state facilities, businesses, non-profits, the University System, the Community College system and residential properties.

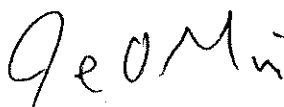
This grant was rescoped in April, 2012. However, part of that rescope was based upon an estimate for a Field Guide mailing that turned out to be \$3,300 more than the estimated cost. On April 19, 2012 the Business Office at Department of Administrative Services contacted OEP's fiscal department to inform them of the actual cost of the mailing. OEP is requesting a transfer of funds now to ensure that this account will properly close by the fiscal year end of June 30, 2012.

OEP also inadvertently did not include in its projected program costs the DoIT charges which are also paid from Class 020-Current Expenses, which it estimates to be \$1,550. Because stimulus funding was not a part of the regular FY12/13 biennial budget, there is no corresponding Cls 027-Transfers to DoIT budget line for associated DoIT costs. Instead, DoIT costs are budgeted in Cls 020-Current Expenses. In order to have adequate funding in the Class 020-Current Expenses line through FY 2012, OEP will need to transfer \$4,850 to this expenditure class from Class 102-Contracts for Program Services where additional funding is available.

The following changes in appropriation are being requested for the grant period and for the following purposes:

Class 020	Current Expenses	\$4,850.00	To allow for current expense needs anticipated through the grant's duration, including the production and mailing of a Field Guide and DoIT-related charges
Class 102	Contracts for Program Services	-\$4,850.00	Funding is available here as not all available funds have been contracted out
TOTAL		\$ .00	

Respectfully Submitted,



Joanne O. Morin  
Director

JOM/DMR:dmr  
Enclosure

Fiscal 05/18/12  
G&C 06/06/12

FISCAL SITUATION  
 State Energy Programs (SEP)  
 010-002-0850-000  
 FY 2012

04/20/12

<u>Funding Information</u>	<u>Source/ Grant Award</u>	<u>Grant Period</u>	<u>Award Amount</u>	<u>Expended thru FY11</u>	<u>Funding Authorization Remaining</u>	<u>Date of Notification</u>
State Energy Programs	DE-EE0000228	04/17/09 - 09/30/12	25,827,000.00	9,498,395.75	16,328,604.25	03/12/09
National Grid Rebate	Check #130361		30,000.00	0.00	30,000.00	08/02/11
National Grid Rebate	Check #130362		20,000.00	0.00	20,000.00	08/02/11
National Grid Rebate	Check #130363		20,000.00	0.00	20,000.00	08/02/11
National Grid Rebate	Check #130364		20,000.00	0.00	20,000.00	08/02/11
Total			25,917,000.00	9,498,395.75	16,418,604.25	
less: FY12 Budget Authorization					586,562.00	
less: FY12 Bal Forward					15,835,908.25	
plus: FY12 Lapse					3,866.00	
Available for Budgeting					0.00	
Requested Action					0.00	
Balance to be Budgeted at a later time					0.00	



**STATE OF NEW HAMPSHIRE  
OFFICE OF ENERGY AND PLANNING**

107 Pleasant Street  
Johnson Hall

Concord, NH 03301  
Telephone: (603) 271-2155  
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John H. Lynch  
Governor

March 22, 2012

Representative Ken Weyler, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301



His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, NH 03301

Approval by the Governor  
and Council on 04-18-12  
Agenda Item 8

**REQUESTED ACTION**

1) Pursuant to RSA 14:30-a, VI, the Office of Energy and Planning (OEP) respectfully requests authorization to amend Fiscal Item #11-309 approved by the Legislative Fiscal Committee on October 28, 2011 and Governor and Council on October 26, 2011, Item #13, by extending the performance period of the American Recovery and Reinvestment Act (ARRA) State Energy Programs grant by five months, from April 30, 2012 to September 30, 2012, effective upon Joint Fiscal Committee and Governor and Council approval through September 30, 2012. No additional funding is involved in this time extension. 100% Federal Funds (ARRA State Energy Programs).

2) Pursuant to RSA 14:30-a, VI, the Office of Energy and Planning (OEP) respectfully requests authorization to amend Fiscal Item #11-309 approved by the Legislative Fiscal Committee on October 28, 2011 and Governor and Council on October 26, 2011, Item #13, by reallocating American Recovery and Reinvestment Act (ARRA) funding for the State Energy Programs between expenditure classes in the amount of \$105,076.27, effective upon Joint Fiscal Committee and Governor and Council approval through September 30, 2012. 100% Federal Funds (ARRA State Energy Programs).

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified:

01-02-02-029910-08500000 FY 2012 State Energy Programs					
Source of Funds					
Class	Description	Current Budget	Unexpended Prior Year Appropriation/Lapse	Incr/(Decr)	Modified Budget
000-403218	Federal Funds	459,919.00	15,832,041.34	0.00	16,291,960.34

005-405665	Private Local Funds	90,000.00	0.00	0.00	90,000.00
Totals		549,919.00	15,832,041.34	0.00	16,381,960.34

Class	Description	Current Budget	Unexpended Prior Year Appropriation/Lapse	Incr/(Decr)	Modified Budget
16-500141	Personal Serv.-Non-Classified	105,874.00	51,018.60	-21,180.86	135,711.74
20-500236	Current Expenses	6,767.00	392.81	4,829.00	11,988.81
22-500248	Rents & Leases Other Than State	4,524.00	2,878.32	-2,197.62	5,204.70
26-500251	Dues	0.00	0.00	2,000.00	2,000.00
30-500310	Equipment	1,000.00	1,729.51	0.00	2,729.51
40-500800	Indirect Costs	57,533.00	158,372.68	-33,785.08	182,120.60
41-500801	Audit Fund Set-Aside	466.00	15,724.21	28.02	16,218.23
42-500620	Additional Fringe Benefits	9,879.00	6,477.04	-1,402.13	14,953.91
48-500293	Contractual Maint-Build&Grounds	292.00	701.00	-993.00	0.00
49-500420	Transfers to Other State Agencies	71.00	3.32	-74.00	0.32
50-500109	Personal Service Temp Appoint	11,180.00	3,928.46	13,511.00	28,619.46
60-500601	Benefits	64,359.00	66,982.82	-44,364.58	86,977.24
70-500704	In-State Travel	917.00	227.50	197.33	1,341.83
72-500574	Grants Federal	192,890.00	-192,890.00	0.00	0.00
80-500710	Out-of-State Travel	4,167.00	6,422.17	-1,079.00	9,510.17
102-500731	Contracts for Program Services	0.00	15,710,072.49	84,510.92	15,794,583.41
103-502664	Contracts for Operational Services	90,000.00	0.00	0.00	90,000.00
216-502675	Prior Year Control Balance	0.00	0.41	0.00	0.41
Totals		549,919.00	15,832,041.34	0.00	16,381,960.34

3) Pursuant to RSA 14:30-a, VI, the Office of Energy and Planning (OEP) respectfully requests authorization to accept and expend American Recovery and Reinvestment Act (ARRA) State Energy Programs funds in the amount of \$36,643.91 from the US Department of Energy (DOE), effective upon Joint Fiscal Committee and Governor and Council approval through September 30, 2012. 100% Federal ARRA Funds (ARRA State Energy Programs).

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified:

01-02-02-029910-08500000 FY 2012 State Energy Programs				
Source of Funds				
Class	Description	Modified Budget	Incr/(Decr)	Modified Budget
000-403218	Federal Funds	16,291,960.34	36,643.91	16,328,604.25

005-405665	Private Local Funds	90,000.00	0.00	90,000.00
Totals		16,381,960.34	36,643.91	16,418,604.25

Class	Description	Modified Budget	Incr/(Decr)	Modified Budget
16-500141	Personal Serv.-Non-Classified	135,711.74	0.00	135,711.74
20-500236	Current Expenses	11,988.81	0.00	11,988.81
22-500248	Rents & Leases Other Than State	5,204.70	0.00	5,204.70
26-500251	Dues	2,000.00	0.00	2,000.00
30-500310	Equipment	2,729.51	0.00	2,729.51
40-500800	Indirect Costs	182,120.60	0.00	182,120.60
41-500801	Audit Fund Set-Aside	16,218.23	0.00	16,218.23
42-500620	Additional Fringe Benefits	14,953.91	0.00	14,953.91
48-500293	Contractual Maint-Build&Grounds	0.00	0.00	0.00
49-500420	Transfers to Other State Agencies	0.32	0.00	0.32
50-500109	Personal Service Temp Appoint	28,619.46	0.00	28,619.46
60-500601	Benefits	86,977.24	0.00	86,977.24
70-500704	In-State Travel	1,341.83	0.00	1,341.83
72-500574	Grants Federal	0.00	0.00	0.00
80-500710	Out-of-State Travel	9,510.17	0.00	9,510.17
92-500731	Contracts for Program Services	15,794,583.41	36,643.91	15,831,227.32
103-502664	Contracts for Operational Services	90,000.00	0.00	90,000.00
216-502675	Prior Year Control Balance	0.41	0.00	0.41
Totals		16,381,960.34	36,643.91	16,418,604.25

### EXPLANATION

The Office of Energy and Planning is responsible for administering New Hampshire's State Energy Programs (SEP) formula grant from the Department of Energy. These ARRA funds expanded significantly the existing SEP program at OEP, and have been used to enable energy efficiency and renewable energy investments in state facilities, businesses, non-profits, the University System, the Community College system and residential properties.

This grant was due to expire on April 30, 2012. However, OEP requested and was granted by Department of Energy an extension of the grant award to September 30, 2012 in order to have adequate time to finalize initiatives and administration of programs that are currently approximately 95% complete under this award. Consequently, OEP has had to rescope its budget for this program to accommodate the extension of time and to efficiently spend the funds remaining in the grant. OEP is therefore respectfully requesting transfers of appropriation within this grant to accommodate anticipated spending through the grant's duration.

The following changes in appropriation outlined in Item #2 are being requested for the grant period and for the following purposes:

Class 016	Personal Serv.-Non-Classified	-\$21,180.86	To more accurately reflect staffing needs anticipated through the grant's duration
Class 020	Current Expenses	\$4,829.00	To allow for current expense needs anticipated through the grant's duration, including the production and mailing of a Field Guide
Class 022	Rent	-\$2,197.62	To allow for rent costs anticipated through the grant's duration, which are reduced due to relocation of OEP office to less costly space
Class 026	Dues	\$2,000.00	To allow for dues costs anticipated through the grant's duration (NASEO)
Class 040	Indirect Costs	-\$33,785.08	To allow for indirect costs anticipated through the grant's duration
Class 041	Audit Fund Set Aside	\$28.02	To more accurately reflect remaining ASA costs associated with this grant
Class 042	Additional Fringe Benefits	-\$1,402.13	To more accurately reflect remaining fringe benefits costs associated with this grant
Class 048	Contractual Maint-Bldg & Grnds	-\$993.00	To more accurate reflect maintenance costs anticipated through the grant's duration which are reduced due to relocation of OEP office to less expensive space
Class 049	Transfers to Other State Agencies	-\$74.00	To more accurately reflect remaining EAP (Employee Assistance Program) costs for staff associated with this grant
Class 050	Personal Serv.-Temporary	\$13,511.00	To more accurately reflect staffing needs, which are increased due to existing staff required to work an additional five months on the grant
Class 060	Benefits	-\$44,364.58	To more accurately reflect benefit costs anticipated through the grant's duration
Class 070	In-State Travel	\$197.33	To more accurately reflect additional in state travel costs associated with this grant
Class 080	Out-of-State Travel	-\$1,079.00	To more accurately reflect out of state travel costs associated with this grant
Class 102	Contracts for Program Services	\$84,510.92	To more accurately reflect funds remaining in the grant for contractual needs, which are anticipated to be used for the purchase of more State virtual servers for DoIT, as well as additional residential weatherization kits for NH Army and/or Air National Guard families
TOTAL		\$0.00	

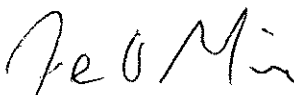


The following change in appropriation outlined in Item #3 is being requested for the grant period and for the following purpose:

Class 102	Contracts for Program Services	\$36,643.91	To more accurately reflect funds remaining in the grant for contractual needs, which are anticipated to be used for the purchase of more State virtual servers for DoIT, as well as additional residential weatherization kits for NH Army and/or Air National Guard families
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TOTAL		\$36,643.91	
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Respectfully Submitted,



Joanne O. Morin  
Director

JOM/DMR:dmr  
Enclosure

Fiscal 04/13/12  
G&C 04/18/12



JOHN W. LYNCH  
GOVERNOR

STATE OF NEW HAMPSHIRE  
OFFICE OF ENERGY AND PLANNING  
4 Chenell Drive  
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www.nh.gov/oep

October 7, 2011

Representative Ken Weyler, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, NH 03301



Approval by the Governor  
and Council on 10-26-11  
Agenda Item 13

**REQUESTED ACTION**

Pursuant to RSA 14:30-a, VI, the Office of Energy and Planning (OEP) respectfully requests authorization to accept and expend rebate funds from NationalGrid relating to energy efficient equipment installed in state buildings, using American Recovery and Reinvestment Act (ARRA) funds from the US Department of Energy (DOE), in the amount of \$90,000.00, effective upon Joint Fiscal Committee and Governor and Council approval through June 30, 2012. 100% Other Funds (Private/Local).

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified:

01-02-02-029910-08500000 FY 2012 State Energy Programs					
Source of Funds					
Class	Description	Current Budget	Transfers/Bal Forward from Prior Yr	Incr/(Decr)	Modified Budget
000-403218	Federal Funds	466,890.00	15,835,907.34	0.00	16,302,797.34
005-405665	Private/Local Funds	0.00	0.00	90,000.00	90,000.00
Totals		466,890.00	15,835,907.34	90,000.00	16,392,797.34

Class	Description	Current Budget	Transfers/Bal Forward from Prior Yr	Incr/(Decr)	Modified Budget
500141	Personal Serv.-Non-Classified	105,874.00	51,018.60		156,892.60
020-500236	Current Expenses	6,767.00	392.81		7,159.81
022-500215	Rent & Leases-Other Than State	4,524.00	2,878.32		7,402.32
030-500310	Equipment	1,000.00	1,729.51		2,729.51

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

040-500800	Indirect Costs	57,533.00	158,372.68		215,905.68
041-500801	Audit Fund Set Aside	466.00	15,724.21		16,190.21
042-500620	Additional Fringe Benefits	9,879.00	6,477.04		16,356.04
048-500293	Contractual Maint Build-Grounds	292.00	701.00		993.00
049-500420	Transfers to Other State Agencies	71.00	3.32		74.32
050-500109	Personal Serv.-Temp/Appointee	11,180.00	3,928.46		15,108.46
060-500601	Benefits	71,330.00	66,982.82		138,312.82
070-500704	In-State Travel Reimbursement	917.00	227.50		1,144.50
072-500574	Grants Federal	192,890.00	-192,890.00		0.00
080-500710	Out-of-State Travel Reimb	4,167.00	6,422.17		10,589.17
102-500731	Contracts for Program Services	0.00	15,710,072.49		15,710,072.49
103-502664	Contracts for Operational Services	0.00		90,000.00	90,000.00
216-502675	Prior Year Control Balance	0.00	3,866.41		3,866.41
Totals		466,890.00	15,835,907.34	90,000.00	16,392,797.34

### EXPLANATION

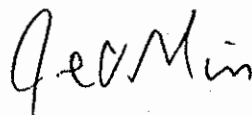
The Office of Energy and Planning is responsible for administering New Hampshire's ARRA State Energy Program grant, which includes funds to make energy improvements to state-owned buildings. As a result of these projects, New Hampshire became eligible for rebates from NationalGrid, the state's natural gas supplier. Per DOE rules, these rebate funds must be used for the same purpose as the original ARRA SEP funds, and thus will be used for energy efficiency or renewable energy improvements to state buildings to save both energy and money. OEP will work with NH Department of Administrative Services to identify the most cost-effective projects for investment through June 30, 2012, the performance period approved by the Department of Energy for use of these funds.

Funds are requested for the following purpose:

Class 103 - Contracts for Operational Services      To continue to fund energy efficiency or renewable energy improvements to state-owned buildings

In the event that these funds become no longer available, General Funds will not be requested to support this initiative.

Respectfully Submitted,



Joanne O. Morin  
Director

JOM/JC/DMR:dmr  
Enclosure

Fiscal 10/28/11  
G&C 11/09/11



JOHN LYNCH  
GOVERNOR

STATE OF NEW HAMPSHIRE  
OFFICE OF ENERGY AND PLANNING  
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Concord, NH 03301-8501  
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August 31, 2010

The Honorable Marjorie K. Smith, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301



His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, NH 03301

Approval by the Governor  
and Council on 10/6/10  
Agenda Item 6  
Amendment to #17A 6/23/10

**REQUESTED ACTION**

1) Pursuant to RSA 14:30-a, VI, OEP respectfully requests authorization to amend Fiscal Item #10-203 approved by the Legislative Fiscal Committee on June 17, 2010 and Governor and Council on June 23, 2010, Item #17A, by reallocating American Recovery and Reinvestment Act (ARRA) funding for the Retrofit Ramp-Up program between expenditure classes in the amount of \$11,277 in FY11 and \$17,256 in FY12, effective upon Joint Fiscal Committee and Governor and Council approval through June 30, 2012. 100% Federal ARRA Funds.

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified, and contingent upon continued appropriation availability for Fiscal Years 2011 and 2012:

01-02-02-029910-09240000 FY 2011 Retrofit Ramp-Up Program					
Source of Funds					
Class	Description	Current Budget	Unexpended Prior Year Appropriation	Incr/(Decr)	Modified Budget
000-407995	Federal Funds	9,616,302.00	6,401.81	0.00	9,622,703.81
Totals		9,616,302.00	6,401.81	0.00	9,622,703.81
Class	Description	Current Budget	Unexpended Prior Year Appropriation	Incr/(Decr)	Modified Budget
0-50Q141	Personal Serv.-Non-Classified	50,954.00	3,205.00	5,385.00	59,544.00
20-500236	Current Expenses	31,753.00	341.65	-11,277.00	20,817.65
22-500248	Rents & Leases Other Than State	2,183.00	136.00	272.00	2,591.00
30-500310	Equipment New/Replacement	3,257.00	0.00	284.00	3,541.00

40-500800	Indirect Costs	28,879.00	1,324.30	0.00	30,203.30
41-500801	Audit Fund Set-Aside	9,616.00	5.86	0.00	9,621.86
42-500620	Additional Fringe Benefits	4,301.00	271.00	454.00	5,026.00
48-500293	Contractual Maint-Build&Grounds	95.00	6.00	0.00	101.00
49-500420	Transfers to Other State Agencies	35.00	2.00	0.00	37.00
60-500601	Benefits	35,037.00	1,060.00	4,882.00	40,979.00
70-500704	In-State Travel	2,925.00	50.00	0.00	2,975.00
72-500573	Grants - Federal	936,535.00	0.00	0.00	936,535.00
80-500712	Out-of-State Travel	2,400.00	0.00	0.00	2,400.00
102-500731	Contracts for Program Services	8,508,332.00	0.00	0.00	8,508,332.00
Totals		9,616,302.00	6,401.81	0.00	9,622,703.81

**01-02-02-029910-09240000 FY 2012 Retrofit Ramp-Up Program**

**Source of Funds**

Class	Description	Current Budget	Unexpended Prior Year Appropriation (N/A)	Incr/(Decr)	Modified Budget
000-407995	Federal Funds	183,721.00	0.00	0.00	183,721.00
Totals		183,721.00	0.00	0.00	183,721.00

Class	Description	Current Budget	Unexpended Prior Year Appropriation (N/A)	Incr/(Decr)	Modified Budget
16-500141	Personal Serv.-Non-Classified	59,234.00	0.00	8,077.00	67,311.00
20-500236	Current Expenses	36,456.00	0.00	-17,256.00	19,200.00
22-500248	Rents & Leases Other Than State	2,249.00	0.00	358.00	2,607.00
30-500310	Equipment New/Replacement	0.00	0.00	0.00	0.00
40-500800	Indirect Costs	33,169.00	0.00	0.00	33,169.00
41-500801	Audit Fund Set-Aside	184.00	0.00	0.00	184.00
42-500620	Additional Fringe Benefits	4,999.00	0.00	922.00	5,921.00
48-500293	Contractual Maint-Build&Grounds	98.00	0.00	0.00	98.00
49-500420	Transfers to Other State Agencies	36.00	0.00	0.00	36.00
60-500601	Benefits	41,857.00	0.00	7,899.00	49,756.00
70-500704	In-State Travel	2,925.00	0.00	0.00	2,925.00
72-500573	Grants - Federal	0.00	0.00	0.00	0.00
80-500712	Out-of-State Travel	2,514.00	0.00	0.00	2,514.00
102-500731	Contracts for Program Services	0.00	0.00	0.00	0.00
Totals		183,721.00	0.00	0.00	183,721.00

2) Pursuant to RSA 14:30-a, VI, OEP respectfully requests authorization to amend Fiscal Item #10-156 approved by the Legislative Fiscal Committee on May 18, 2010 and Governor and Council on May 26, 2010, Item #10A, by reallocating American Recovery and Reinvestment Act (ARRA) funding for the State Energy Programs (SEP)

Program between expenditure classes in the amount of \$47,592 in FY11 and \$74,399 in FY12, effective upon Joint Fiscal Committee and Governor and Council approval through June 30, 2012. 100% Federal ARRA Funds.

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified, and contingent upon continued appropriation availability for Fiscal Years 2011 and 2012:

01-02-02-029910-08500000 FY 2011 State Energy Program					
Source of Funds					
Class	Description	Current Budget	Unexpended Prior Year Appropriation	Incr/(Decr)	Modified Budget
000-403218	Federal Funds	547,940.00	23,763,432.16	0.00	24,311,372.16
Totals		547,940.00	23,763,432.16	0.00	24,311,372.16
Class	Description	Current Budget	Unexpended Prior Year Appropriation	Incr/(Decr)	Modified Budget
16-500141	Personal Serv.-Non-Classified	127,048.00	15,970.51	18,615.00	161,633.51
20-500236	Current Expenses	8,120.00	664.10	0.00	8,784.10
22-500248	Rents & Leases Other Than State	5,430.00	961.03	952.00	7,343.03
30-500310	Equipment New/Replacement	1,000.00	4,273.01	426.00	5,699.01
40-500800	Indirect Costs	68,857.00	67,978.48	8,496.00	145,331.48
41-500801	Audit Fund Set-Aside	548.00	23,702.45	0.00	24,250.45
42-500620	Additional Fringe Benefits	11,811.00	4,903.24	1,571.00	18,285.24
48-500293	Contractual Maint-Build&Grounds	351.00	350.00	0.00	701.00
49-500420	Transfers to Other State Agencies	84.00	2.88	0.00	86.88
50-500109	Personnel - Temporary	12,893.00	4,338.27	0.00	17,231.27
60-500601	Benefits	85,493.00	13,584.52	17,532.00	116,609.52
70-500704	In-State Travel	1,100.00	653.50	0.00	1,753.50
72-500573	Grants - Federal	220,205.00	0.00	0.00	220,205.00
80-500712	Out-of-State Travel	5,000.00	4,288.89	0.00	9,288.89
102-500731	Contracts for Program Services	0.00	23,617,894.87	-47,592.00	23,570,302.87
216	Prior Year Control Balance	0.00	3,866.41	0.00	3,866.41
Totals		547,940.00	23,763,432.16	0.00	24,311,372.16

01-02-02-029910-08500000 FY 2012 State Energy Program					
Source of Funds					
Class	Description	Current Budget	Unexpended Prior Year Appropriation (N/A)	Incr/(Decr)	Modified Budget
000-403218	Federal Funds	466,891.00	0.00	0.00	466,891.00

Class	Description	Current Budget	Unexpended Prior Year Appropriation (N/A)	Incr/(Decr)	Modified Budget
Totals		466,891.00	0.00	0.00	466,891.00
16-500141	Personal Scr.-Non-Classified	105,874.00	0.00	26,992.00	132,866.00
20-500236	Current Expenses	6,767.00	0.00	0.00	6,767.00
22-500248	Rents & Leases Other Than State	4,525.00	0.00	1,254.00	5,779.00
30-500310	Equipment New/Replacement	1,000.00	0.00	0.00	1,000.00
40-500800	Indirect Costs	57,533.00	0.00	15,683.00	73,216.00
41-500801	Audit Fund Set-Aside	467.00	0.00	0.00	467.00
42-500620	Additional Fringe Benefits	9,879.00	0.00	3,079.00	12,958.00
48-500293	Contractual Maint-Build&Grounds	291.00	0.00	0.00	291.00
49-500420	Transfers to Other State Agencies	71.00	0.00	0.00	71.00
50-500109	Personnel - Temporary	11,180.00	0.00	0.00	11,180.00
60-500601	Benefits	71,330.00	0.00	27,391.00	98,721.00
70-500704	In-State Travel	917.00	0.00	0.00	917.00
72-500573	Grants - Federal	0.00	0.00	0.00	0.00
80-500712	Out-of-State Travel	4,167.00	0.00	0.00	4,167.00
102-500731	Contracts for Program Services	192,890.00	0.00	-74,399.00	118,491.00
216	Prior Year Control Balance	0.00	0.00	0.00	0.00
Totals		466,891.00	0.00	0.00	466,891.00

3) Pursuant to RSA 14:30-a, VI, OEP respectfully requests authorization to amend Fiscal Item #10-204 approved by the Legislative Fiscal Committee on June 17, 2010 and Governor and Council on June 23, 2010, Item #17B, by reallocating American Recovery and Reinvestment Act (ARRA) funding for the Weatherization program between expenditure classes in the amount of \$47,592 in FY11 and \$74,399 in FY12, effective upon Joint Fiscal Committee and Governor and Council approval through June 30, 2012. 100% Federal ARRA Funds.

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified, and contingent upon continued appropriation availability for Fiscal Years 2011 and 2012:

01-02-02-029910-08510000 FY 2011 Weatherization					
Source of Funds					
Class	Description	Current Budget	Unexpended Prior Year Appropriation	Incr/(Decr)	Modified Budget
000-403281	Federal Funds	1,396,888.00	7,203,654.67	0.00	8,581,927.67
Totals		1,396,888.00	7,203,654.67	0.00	8,581,927.67

Class	Description	Current Budget	Unexpended Prior Year Appropriation	Incr/(Decr)	Modified Budget
016-500141	Personal Serv.-Non-Classified	0.00	0.00	18,615.00	18,615.00
020-500236	Current Expenses	4,000.00	1,501.99	0.00	5,501.99
022-500215	Rent & Leases-Other Than State	3,849.00	1,777.27	952.00	6,578.27
026-500251	Organizational Dues	1,500.00	203.31	0.00	1,703.31
027-502799	Transfers to DOIT	9,630.00	0.00	0.00	9,630.00
030-500310	Equipment	1,500.00	9,411.52	426.00	11,337.52
040-500800	Indirect Costs	64,857.00	51,318.10	8,496.00	124,671.10
041-500801	Audit Fund Set Aside	1,403.00	7,886.79	0.00	9,289.79
042-500620	Additional Fringe Benefits	12,067.00	6,617.29	1,571.00	20,255.29
048-500293	Contractual Maint Build-Grounds	183.00	183.00	0.00	366.00
049-500420	Transfers to Other State Agencies	68.00	17.85	0.00	85.85
050-500109	Personal Serv.-Temp/Appointee	142,975.00	51,445.01	0.00	194,420.01
060-500601	Benefits	62,971.00	10,936.88	17,532.00	91,439.88
070-500704	In-State Travel Reimbursement	2,000.00	1,094.90	0.00	3,094.90
074-500587	Grants for Public Assist & Relief	1,086,885.00	7,060,460.76	-47,592.00	8,099,753.76
080-500710	Out-of-State Travel Reimbursement	3,000.00	800.00	0.00	3,800.00
<b>Totals</b>		<b>1,396,888.00</b>	<b>7,203,654.67</b>	<b>0.00</b>	<b>8,600,542.67</b>

**01-02-02-029910-08510000 FY 2012 Weatherization**

**Source of Funds**

Class	Description	Current Budget	Unexpended Prior Year Appropriation (N/A)	Incr/(Decr)	Modified Budget
000-403281	Federal Funds	4,929,007.00	0.00	0.00	4,929,007.00
<b>Totals</b>		<b>4,929,007.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,929,007.00</b>

Class	Description	Current Budget	Unexpended Prior Year Appropriation (N/A)	Incr/(Decr)	Modified Budget
016-500141	Personal Serv.-Non-Classified	0.00	0.00	26,992.00	26,992.00
020-500236	Current Expenses	4,000.00	0.00	0.00	4,000.00
022-500215	Rent & Leases-Other Than State	3,183.00	0.00	1,254.00	4,437.00
026-500251	Organizational Dues	1,500.00	0.00	0.00	1,500.00
027-502799	Transfers to DOIT	0.00	0.00	0.00	0.00
030-500310	Equipment	8,463.00	0.00	0.00	8,463.00
040-500800	Indirect Costs	49,187.00	0.00	15,683.00	64,870.00
041-500801	Audit Fund Set Aside	5,742.00	0.00	0.00	5,742.00
042-500620	Additional Fringe Benefits	9,277.00	0.00	3,079.00	12,356.00
048-500293	Contractual Maint Build-Grounds	152.00	0.00	0.00	152.00



049-500420	Transfers to Other State Agencies	57.00	0.00	0.00	57.00
050-500109	Personal Serv.-Temp/Appointee	109,912.00	0.00	0.00	109,912.00
060-500601	Benefits	48,409.00	0.00	27,391.00	75,800.00
070-500704	In-State Travel Reimbursement	1,000.00	0.00	0.00	1,000.00
074-500587	Grants for Public Assist & Relief	4,682,125.00	0.00	-74,399.00	4,607,726.00
080-500710	Out-of-State Travel Reimbursement	6,000.00	0.00	0.00	6,000.00
Totals		4,929,007.00	0.00	0.00	4,929,007.00

4) Pursuant to RSA 124:15, the Office of Energy and Planning (OEP) respectfully requests authorization to establish a full-time temporary ARRA Accountant position as detailed below, effective upon joint Fiscal Committee and Governor and Executive Council approval through April 30, 2012. 100% Federal ARRA funds.

Position Title: ARRA Accountant  
Position Class: Class 016 - Non-Classified  
Salary Range: Anticipated annual salary of \$35,000.00

5) Pursuant to RSA 124:15, OEP respectfully requests authorization to establish a full-time temporary ARRA Administrative Assistant position as detailed below, effective upon joint Fiscal Committee and Governor and Executive Council approval through April 30, 2012. 100% Federal ARRA funds.

Position Title: ARRA Administrative Assistant  
Position Class: Class 016 - Non-Classified  
Salary Range: Anticipated annual salary of \$32,233.50

### EXPLANATION

The Office of Energy and Planning is currently the recipient of six ARRA grants. When the stimulus initiative was first implemented by the President, it was not clear how many ARRA grants OEP would receive, nor were the administrative and reporting requirements, both financial and programmatic, well developed. OEP received its first ARRA grant on April 1, 2009, and since that time its small fiscal staff has been severely strained in meeting all the management requirements these grants impose. In recent separate federal monitorings of our ARRA Weatherization and ARRA SEP programs conducted by Department of Energy, it was identified as a concern that OEP was short-staffed in administering these grants. As a result, OEP is requesting two additional staff, to be fully funded with ARRA money, to help ease the burden caused by administering these grants.

The ARRA Accountant position will assist with tracking ARRA expenditures, drawing federal funds, and monthly 1512 reporting. It will be funded from the following ARRA grants:

Retrofit Ramp-Up	25.0%
State Energy Programs (SEP)	37.5%
Weatherization	<u>37.5%</u>
Total	100.0%

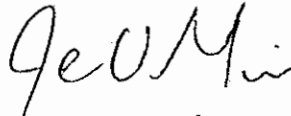
The ARRA Administrative Assistant position will assist with administrative duties of the SEP and Weatherization programs, both of which are sizeable in scope. It will be funded as follows:

State Energy Programs (SEP)	50.0%
Weatherization	<u>50.0%</u>
Total	100.0%

All other requested modifications to the budgets of these programs are directly related to the existence of these staff (rent, computer, indirect costs).

In the event that the Federal funds become no longer available, General Funds will not be requested to support this request.

Respectfully Submitted,



Joanne O. Morin  
Director

JOM/DMR:dmr  
Enclosure

Fiscal 09/21/10  
G&C 10/06/10



JOHN H. LYNCH  
GOVERNOR  
April 21, 2010

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F-10-156  
GR 710A



The Honorable Marjorie K. Smith, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

1) Pursuant to RSA 14:30-a, VI, the Office of Energy and Planning (OEP) respectfully requests authorization to amend Fiscal Item #09-182 approved by the Legislative Fiscal Committee on May 15, 2009 and Governor and Council on May 20, 2009, Item #3, by reallocating American Recovery and Reinvestment Act (ARRA) funds for the State Energy Programs (SEP) grant, by increasing in FY 2010 the amount of Personal Services Temporary Appointed funds by \$7,000.00 and decreasing in FY 2010 the amount of Contracts for Program Services funds by \$7,000.00 effective upon Joint Fiscal Committee and Governor and Council approval through June 30, 2010. 100% Federal Funds (ARRA SEP).

01-02-02-029910-08500000 Office of Energy & Planning, State Energy Program				
SFY 2010				
Class	Description	Current Budget	Increase (Decrease)	Modified Budget
016-500141	Personal Services Non-Classified	127,048.00		127,048.00
020-500236	Current Expenses	8,620.00		8,620.00
022-500215	Rent & Leases-Other Than State	5,430.00		5,430.00
030-500310	Equipment	5,100.00		5,100.00
040-500800	Indirect Costs	74,497.00		74,497.00
041-500801	Audit Fund Set Aside	24,765.00		24,765.00
042-500620	Additional Fringe Benefits	11,769.00		11,769.00
048-500293	Contractual Maint Build-Grounds	350.00		350.00
049-500420	Transfers to Other State Agencies	85.00		85.00
050-500109	Personal Serv.-Temp/Appointee	12,394.00	7,000.00	19,394.00
060-500601	Benefits	82,434.00		82,434.00
070-500704	In-State Travel Reimbursement	1,100.00		1,100.00
072-500576	Grants Federal	215,263.00		215,263.00
080-500710	Out-of-State Travel Reimbursement	5,000.00		5,000.00
102-500731	Contracts for Program Services	24,191,081.00	(7,000.00)	24,184,081.00
Totals		24,764,936.00	0.00	24,764,936.00

Source of Funds				
Class	Description	Current Budget	Increase (Decrease)	Modified Budget
000-403218	Federal Funds	24,764,936.00	0.00	24,764,936.00
Totals		24,764,936.00	0.00	24,764,936.00

2) Pursuant to RSA 14:30-a, VI, the Office of Energy and Planning (OEP) respectfully requests authorization to amend Fiscal Item #09-182 approved by the Legislative Fiscal Committee on May 15, 2009 and Governor and Council on May 20, 2009, Item #3, by reallocating American Recovery and Reinvestment Act (ARRA) funds for the State Energy Programs (SEP) grant, by increasing in the aggregate between FY's 2010, 2011 and 2012 the amount of Contracts for Program Services funds by \$628,359.00 and decreasing in the aggregate between FY's 2010, 2011, 2012 the amount of Grants Federal funds by \$628,359.00 effective upon Joint Fiscal Committee and Governor and Council approval through June 30, 2012. 100% Federal Funds (ARRA SEP).

01-02-02-029910-08500000 Office of Energy & Planning, State Energy Program SFY 2010				
Class	Description	Current Budget	Increase (Decrease)	Modified Budget
016-500141	Personal Services Non-Classified	127,048.00		127,048.00
020-500236	Current Expenses	8,620.00		8,620.00
022-500215	Rent & Leases-Other Than State	5,430.00		5,430.00
030-500310	Equipment	5,100.00		5,100.00
040-500800	Indirect Costs	74,497.00		74,497.00
041-500801	Audit Fund Set Aside	24,765.00		24,765.00
042-500620	Additional Fringe Benefits	11,769.00		11,769.00
048-500293	Contractual Maint Build-Grounds	350.00		350.00
049-500420	Transfers to Other State Agencies	85.00		85.00
050-500109	Personal Serv.-Temp/Appointee	19,394.00		19,394.00
060-500601	Benefits	82,434.00		82,434.00
070-500704	In-State Travel Reimbursement	1,100.00		1,100.00
072-500576	Grants Federal	215,263.00	(215,263.00)	0.00
080-500710	Out-of-State Travel Reimbursement	5,000.00		5,000.00
102-500731	Contracts for Program Services	24,184,081.00	215,263.00	24,399,344.00
Totals		24,764,936.00	0.00	24,764,936.00

Source of Funds				
Class	Description	Current Budget	Increase (Decrease)	Modified Budget
000-403218	Federal Funds	24,764,936.00	0.00	24,764,936.00
Totals		24,764,936.00	0.00	24,764,936.00

01-02-02-029910-08500000 Office of Energy & Planning, State Energy Program SFY 2011				
Class	Description	Current Budget	Increase (Decrease)	Modified Budget

016-500141	Personal Services Non-Classified	127,048.00		127,048.00
020-500236	Current Expenses	8,120.00		8,120.00
022-500215	Rent & Leases-Other Than State	5,430.00		5,430.00
030-500310	Equipment	1,000.00		1,000.00
040-500800	Indirect Costs	68,857.00		68,857.00
041-500801	Audit Fund Set Aside	548.00		548.00
042-500620	Additional Fringe Benefits	11,811.00		11,811.00
048-500293	Contractual Maint Build-Grounds	350.00		350.00
049-500420	Transfers to Other State Agencies	85.00		85.00
050-500109	Personal Serv.-Temp/Appointee	12,893.00		12,893.00
060-500601	Benefits	85,493.00		85,493.00
070-500704	In-State Travel Reimbursement	1,100.00		1,100.00
072-500576	Grants Federal	220,206.00	(220,206.00)	0.00
080-500710	Out-of-State Travel Reimbursement	5,000.00		5,000.00
102-500731	Contracts for Program Services	0.00	220,206.00	220,206.00
Totals		547,941.00	0.00	547,941.00

Source of Funds				
Class	Description	Current Budget	Increase (Decrease)	Modified Budget
000-403218	Federal Funds	547,941.00	0.00	547,941.00
Totals		547,941.00	0.00	547,941.00

01-02-02-029910-08500000 Office of Energy & Planning, State Energy Program SFY 2012				
Class	Description	Current Budget	Increase (Decrease)	Modified Budget
016-500141	Personal Services Non-Classified	105,874.00		105,874.00
020-500236	Current Expenses	6,767.00		6,767.00
022-500215	Rent & Leases-Other Than State	4,525.00		4,525.00
030-500310	Equipment	1,000.00		1,000.00
040-500800	Indirect Costs	57,533.00		57,533.00
041-500801	Audit Fund Set Aside	467.00		467.00
042-500620	Additional Fringe Benefits	9,879.00		9,879.00
048-500293	Contractual Maint Build-Grounds	291.00		291.00
049-500420	Transfers to Other State Agencies	71.00		71.00
050-500109	Personal Serv.-Temp/Appointee	11,180.00		11,180.00
060-500601	Benefits	71,330.00		71,330.00
070-500704	In-State Travel Reimbursement	917.00		917.00
072-500576	Grants Federal	192,890.00	(192,890.00)	0.00
080-500710	Out-of-State Travel Reimbursement	4,167.00		4,167.00
102-500731	Contracts for Program Services	0.00	192,890.00	192,890.00
Totals		466,891.00	0.00	466,891.00

Source of Funds				
Class	Description	Current Budget	Increase (Decrease)	Modified Budget
000-403218	Federal Funds	466,891.00	0.00	466,891.00
Totals		466,891.00	0.00	466,891.00

### EXPLANATION

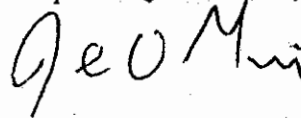
The Office of Energy and Planning is responsible for administering New Hampshire's SEP formula grant. These ARRA funds expand significantly the existing SEP program at OEP, and will be used to enable energy efficiency and renewable energy investments in state facilities, businesses, non-profits, the University System, the Community College system and residential properties.

Since the time the State budget for these funds was developed, work requirements for this program have slightly exceeded OEP's initial projections. In order to ensure that adequate appropriation is available to cover some staff costs, OEP is respectfully requesting that funds be reallocated to 01-02-02-029910-08500000 (State Energy Program ARRA) Class 50 - Personal Serv.-Temp/Appointee from 01-02-02-029910-08500000 (State Energy Program ARRA) Class 102 - Contracts for Program Services. Funding is available in 01-02-02-029910-08500000 (State Energy Program ARRA) Class 102 - Contracts for Program Services because the State budget was developed prior to the federal budget, and contains more appropriation than OEP plans to contract out since designing a detailed federal program budget.

OEP's second request pertaining to this program involves a contract between OEP and the Department of Administrative Services, for three Public Works positions, and is segregated into a separate action for purposes of clarity. This contract was approved by Governor and Council on July 15, 2009, Item #4 (Contract #1003157). The appropriation for this contract is in 01-02-02-029910-08500000 (State Energy Program ARRA) Class 72 - Grants Federal; however, the encumbrance was set up in 01-02-02-029910-08500000 (State Energy Program ARRA) Class 102 - Contracts for Program Services. In order to bring the two parts of this contract in line, OEP is respectfully requesting that the appropriation for this contract be transferred to 01-02-02-029910-08500000 (State Energy Program ARRA) Class 102 - Contracts for Program Services where the encumbrance resides. As this contract and funding spans three fiscal years, OEP is requesting a reallocation of appropriation for all three years to resolve the issue completely at this time. The amount by year is as follows:

01-02-02-029910-08500000	<u>Cls 72</u>	<u>Cls 80</u>
FY 2010	(215,263.00)	215,263.00
FY 2011	(220,206.00)	220,206.00
FY 2012	<u>(192,890.00)</u>	<u>192,890.00</u>
Total	(628,359.00)	628,359.00

Respectfully Submitted,



Joanne O. Morin  
Director



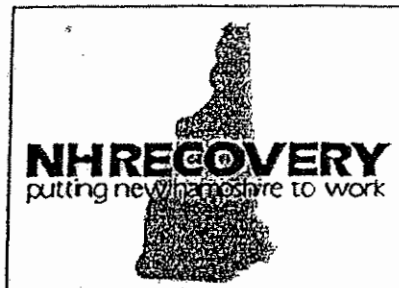
JOHN H. LYNCH  
GOVERNOR

May 15, 2009

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The Honorable Marjorie K. Smith, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

1) Pursuant to RSA 14:30-a, VI, the Office of Energy and Planning (OEP) respectfully requests authorization to **RETROACTIVELY** accept and expend American Recovery and Reinvestment Act (ARRA) funds in the amount of \$25,827,000.00 from the US Department of Energy (DOE), for the State Energy Programs (SEP) formula grant, effective May 1, 2009, contingent upon Joint Fiscal Committee and Governor and Council approval through April 30, 2012. 100% Federal ARRA Funds.

2) Pursuant to RSA 124:15, OEP respectfully requests authorization to **RETROACTIVELY** establish a full-time temporary ARRA Coordinator for SEP position for the period of May 1, 2009 through April 30, 2012; also to establish a full-time temporary ARRA Procurement and Contract Compliance Officer position for the period of May 22, 2009 through April 30, 2012, as detailed below effective upon Fiscal Committee Approval. 100% Federal ARRA funds.

Position Title: ARRA Coordinator for SEP  
Position Class: Class 016 - Non-Classified  
Salary Range: Anticipated annual salary of \$47,000

Position Title: ARRA Procurement and Contract Compliance Officer  
Position Class: Class 016 - Non-Classified  
Salary Range: Anticipated annual salary of \$50,000

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified, and contingent upon continued appropriation availability for Fiscal Years 2010, 2011 and 2012:

010-002-0850 FY 2009 State Energy Programs						
Class	Description	FY 09	FY 10	FY-11	FY 12	Total
016	Personal Serv.-Non-Classified	21,174.74	127,048.45	127,048.45	105,873.71	381,145.3
020	Current Expenses	1,166.67	8,620.00	8,120.00	6,766.67	24,673.34
022	Rents & Leases Other Than State	739.60	5,429.85	5,429.85	4,524.87	16,124.17
030	Equipment New/Replacement	1,000.00	5,100.00	1,000.00	1,000.00	8,100.00

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

040	Indirect Costs	9,269.36	74,497.15	68,856.90	57,532.63	210,156.04
	Audit Fund Set-Aside	47.23	24,764.94	547.94	466.89	25,827.00
042	Additional Fringe Benefits	1,787.15	11,768.96	11,811.09	9,879.33	35,246.53
048	Contractual Maint-Build&Grounds	47.76	350.64	350.64	292.20	1,041.24
049	Transfers to Other State Agencies	3.40	84.60	84.61	70.50	243.11
050	Personnel - Temporary	0.00	12,394.20	12,893.40	11,180.00	36,467.60
060	Benefits	11,812.68	82,434.06	85,493.10	71,330.35	251,070.19
070	In-State Travel	183.33	1,100.00	1,100.00	916.67	3,300.00
072	Grants - Federal	0.00	215,263.42	220,204.68	192,890.41	628,358.51
080	Out-of-State Travel	0.00	5,000.00	5,000.00	4,166.67	14,166.67
102	Contracts for Program Services	0.00	24,191,080.25	0.00	0.00	24,191,080.25
Totals		47,231.92	24,764,936.52	547,940.66	466,890.90	25,827,000.00

Source of Funds						
Class	Description	FY 09	FY 10	FY 11	FY 12	Total
000	Federal Funds	47,231.92	24,764,936.52	547,940.66	466,890.90	25,827,000.00
Totals		47,231.92	24,764,936.52	547,940.66	466,890.90	25,827,000.00

### EXPLANATION

The New Hampshire State Energy Program formula grant is funded by the U.S. Department of Energy (DOE) with supplemental one-time funding provided by ARRA through DOE beginning in SFY2009 for a duration of three years. The Recovery Act is intended to preserve and create jobs, promote the nation's economic recovery, and assist those most impacted by the recession.

Funds are requested for the following purposes:

- Class 016 - Personal Serv.-Non-Classified      For 100% of funding of a new ARRA Coordinator for SEP, 50% of funding of a new ARRA Procurement and Contract Compliance Officer, 70% of funding of an existing Energy Efficiency Specialist, and 30% of funding of an existing State Energy Programs Manager.
- Class 020 - Current Expenses                      To cover supplies costs such as telephone, postage, paper, as well as the state car, minor computer software
- Class 022 - Rents & Leases Other Than State      To cover proportionate share of office space rental costs and photocopier costs for related staff
- Class 030 - Equipment New/Replacement          For PCs and office seating for two new staff
- Class 040 - Indirect Costs                              To cover OEP's share of indirect costs based on its current Indirect Cost Rate
- Class 041 - Audit Fund Set-Aside                      To cover OEP's share of Audit Set-Aside costs (0.1% of total Federal funds)
- Class 042 - Additional Fringe Benefits              To cover OEP's share of post-retirement benefits costs for related staff
- Class 048 - Contractual Maint-Build&              To cover proportionate share of janitorial and cleaning costs for



Grounds	related staff
Class 049 - Transfers to Other State Agencies	To cover proportionate share of Employee Assistance program costs for related staff
Class 050 - Temporary Personnel	For 40% of funding of an existing Administrative Assistant position
Class 060 - Benefits	To cover proportionate share of benefits for related staff
Class 070 - In-State Travel	To cover anticipated in-state travel costs for related staff
Class 072 - Grants - Federal	To cover all costs related to three staff hired through Department of Administrative Services
Class 080 - Out-of-State Travel	To cover anticipated out-of-state travel costs for related staff
Class 102 - Contracts for Program Services	For funding of energy programs, to be determined once the State Energy Plan is finalized

The Office of Energy and Planning is responsible for administering New Hampshire's SEP formula grant. Please see the attached Supplement for additional information on the criteria, objectives and impact of the award.

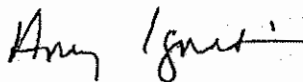
SEP is an existing program which is being significantly expanded with the acceptance of \$25,827,000 of ARRA funding necessitating the need for increased administrative personnel. Please see the attached Explanation in support of this request.

One of the critical milestones for granting this award to OEP is completion of a State Plan which outlines use of the \$25,827,000 allocated to NH. This Plan is due to the Department of Energy by May 12, 2009. In order to meet this deadline, OEP has hired an ARRA Coordinator for SEP, a non-classified position (Class 016), as of May 1, 2009 to perform this task. This request is retroactive to provide the funding required to support this position.

OEP's administrative costs are 3.9% of the total grant award for this program.

In the event that the Federal funds become no longer available, General Funds will not be requested to support this program.

Respectfully Submitted,



Amy Ignatius  
Director

AI/JC/DMR:dmr  
Enclosure

Fiscal 05/15/09  
G&C 05/20/09

NOT SPECIFIED /OTHER

ASSISTANCE AGREEMENT

wa EE0000228		2. Modification No.	3. Effective Date 04/17/2009	4. CFDA No. 81.041
warded To EXECUTIVE OFFICE OF THE STATE OF NEW HAMPSHIRE n: DONNA M. RAYMOND REGIONAL DRIVE CORD NH 033018518		6. Sponsoring Office NETL - Pittsburgh U.S. Department of Energy NETL 626 Cochrans Mill Road P.O. Box 10940 Pittsburgh PA 15236-0940		7. Period of Performance 04/17/2009 through 04/30/2012
Type of Agreement Grant Cooperative Agreement Other	9. Authority 31 USC 6304 - see page 2 10 USC 2358		10. Purchase Request or Funding Document No. 09EE000568	
Remittance Address EXECUTIVE OFFICE OF THE STATE OF NEW HAMPSHIRE n: DONNA M. RAYMOND REGIONAL DRIVE CORD NH 033018518		12. Total Amount Govt. Share: \$25,827,000.00 Cost Share : \$0.00 Total : \$25,827,000.00		13. Funds Obligated This action: \$2,582,700.00 Total : \$2,582,700.00
Principal Investigator Barbara Pherson 301-1-1098		15. Program Manager Teresa W. Jones Phone: 304-285-4057		16. Administrator NETL - Pittsburgh U.S. Department of Energy NETL 626 Cochrans Mill Road P.O. Box 10940 Pittsburgh PA 15236-0940
Submit Payment Requests To Direct Payment U.S. Dept of Treasury		18. Paying Office		19. Submit Reports To
Accounting and Appropriation Data				
Research Title and/or Description of Project RECOVERY - SEP FORMULA GRANTS UNDER THE AMERICAN RECOVERY AND INVESTMENT ACT (ARRA)				
For the Recipient		For the United States of America		
Signature of Person Authorized to Sign <i>Amy Ignatius</i>		25. Signature of Grants/Agreements Officer Signature on File		
Name and Title <i>Amy Ignatius, Director</i>		24. Date Signed 5/1/09	26. Name of Officer LISA A. KUZNIAR	27. Date Signed 04/17/2009

NOT SPECIFIED /OTHER

NAME OF OFFEROR OR CONTRACTOR  
EXECUTIVE OFFICE OF THE STATE OF NEW HAMPSHIRE

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>DUNS Number: 033099933                      Project Period: 4/17/09 - 4/30/12                      Budget Period: 4/17/09 - 4/30/12</p> <p>DOE Award Administrator:                      John Golovach                      john.golovach@netl.doe.gov                      (412) 386-4948</p> <p>Recipient Business Point of Contact:                      Meghan McPherson                      meghan.mcperson@nh.gov                      (617)626-7365</p> <p>Block 9. Authority:                      PL 95-91, DOE Organization Act and                      PL 111-5, American Recovery and Reinvestment Act                      of 2009                      PL 109-58, Energy Policy Act of 2005                      ASAP: Yes                      Delivery Location Code: 02605                      NETL - Morgantown                      US Department of Energy                      NETL                      ATTN: Receiving Dept.                      3610 Collins Ferry Road                      Morgantown WV 26507-0880</p> <p>Payment:                      OR for NETL (Morgantown)                      U.S. Department of Energy                      Oak Ridge Financial Service Center                      P.O. Box 4787                      Oak Ridge TN 37831</p> <p>Fund: 05798 Appr Year: 2009 Allottee: 31 Report                      Entity: 220540 Object Class: 41000 Program:                      1004901 Project: 2004370 WFO: 0000000 Local Use:                      0000000 TAS Agency: 89 TAS Account: 0331</p>				



MARGARET WOOD HASSAN  
GOVERNOR

**STATE OF NEW HAMPSHIRE**  
**OFFICE OF ENERGY AND PLANNING**  
107 Pleasant Street, Johnson Hall  
Concord, NH 03301-3834  
Telephone: (603) 271-2155  
Fax: (603) 271-2615



February 13, 2013



The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

Pursuant to RSA 14:30-a, VI, the Office of Energy and Planning (OEP) respectfully requests authorization to amend Fiscal Item #10-280(1) approved by the Legislative Fiscal Committee on September 21, 2010 and Governor and Council on October 6, 2010, Item #6(1), by reallocating American Recovery and Reinvestment Act-Retrofit Ramp-Up Program funding (ARRA RRRU) between expenditure classes in the amount of \$136,200.00, and to extend the completion date from May 31, 2013 to September 30, 2013, effective upon Joint Fiscal Committee and Governor and Council approval through September 30, 2013. 100% Federal ARRA Funds.

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified:

01-02-02-029910-09240000 FY 2013 ARRA Retrofit Ramp-Up				
Source of Funds	Description	Current Appropriation w/FY12 Balance Forward	Incr/(Decr)	Modified Budget
000-407995	Federal Funds	7,656,974.82	0.00	7,656,974.82
Totals		7,656,974.82	0.00	7,656,974.82

Class-Accounts	Description	Current Appropriation w/FY12 Balance Forward	Incr/(Decr)	Modified Budget
016-500141	Personal Serv.-Non-Classified	67,438.22		67,438.22

020-500236	Current Expenses	70,334.73	-65,000.00	5,334.73
022-500248	Rent & Leases-Other Than State	4,028.79	-2,000.00	2,028.79
030-500310	Equipment and Replacement	1,005.05	-1,000.00	5.05
040-500800	Indirect Costs	85,570.69		85,570.69
041-500801	Audit Fund Set Aside	7,633.07		7,633.07
042-500620	Additional Fringe Benefits	12,766.11		12,766.11
048-500293	Contractual Maint Build-Grounds	300.00		300.00
049-500420	Transfers to Other State Agencies	84.27		84.27
060-500601	Benefits	101,443.33	-60,000.00	41,443.33
070-500704	In-State Travel Reimbursement	8,126.93	-7,700.00	426.93
072-500573	Grants Federal	397,875.00		397,875.00
080-500712	Out-of-State Travel Reimb	3,822.72	-500.00	3,322.72
102-500731	Contracts for Program Services	6,896,545.91	136,200.00	7,032,745.91
Totals		7,656,974.82	0.00	7,656,974.82

### EXPLANATION

ARRA RRRU provides energy efficiency retrofits for commercial and residential buildings statewide through a combination of grants, rebates and low-interest loans. The program is on target to reduce energy usage by 15 to 30% in over 900 buildings through retrofits saving building owners over \$500,000.00 annually.

The US Department of Energy (DOE) has approved the extension of the ARRA RRRU grant to allow for full use of available funds and to provide sufficient time for completion of energy efficiency projects under this grant. This extension will also provide time for OEP and its primary sub-grantee, Community Development Finance Authority (CDFA), to prepare for this program's transition to a revolving loan fund at grant's end.

Funds are requested for the following purpose:

- |  |  |
|--|--|
| Class 020 - Current Expenses               | Funding is available as projected current expenses are less than budgeted amount             |
| Class 022 - Rent                           | Funding is available as projected rent expenses are less than budgeted amount                |
| Class 030 - Equipment and Replacement      | Funding is available as projected equipment expenses are less than budgeted amount           |
| Class 060 - Benefits                       | Funding is available as projected benefit expenses are less than budgeted amount             |
| Class 070 - Out-of-State Travel            | Funding is available as projected in-state travel expenses are less than budgeted amount     |
| Class 080 - In-State Travel                | Funding is available as projected out-of-state travel expenses are less than budgeted amount |
| Class 102 - Contracts for Program Services | To fund additional work necessary to manage the program                                      |

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully Submitted,



Meredith A. Hatfield  
Director

MAH/SDT/bss  
Enclosure

Fiscal 03/08/13

G&C 03/20/13

**ASSISTANCE AGREEMENT**

1. Award No. DE-EE0003576		2. Modification No. 002		3. Effective Date 06/01/2010		4. CFDA No. 81.128	
5. Awarded To EXECUTIVE OFFICE OF THE STATE OF NEW HAMPSHI Attn: WENDY P. GILMAN 107 PLEASANT STREET JOHNSON HALL CONCORD NH 033013852				6. Sponsoring Office Energy Effcy & Renewable Energy			7. Period of Performance 06/01/2010 through 09/30/2013
8. Type of Agreement <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Other		9. Authority PL 110-140, EISA 2007 PL 111-5, Recovery Act 2009			10. Purchase Request or Funding Document No. 13EE001254		
11. Remittance Address EXECUTIVE OFFICE OF THE STATE OF NEW HAMPSHI Attn: MEGHAN K. MCPHERSON 4 CHENELL DRIVE CONCORD NH 033018521				12. Total Amount Govt. Share: \$10,000,000.00  Cost Share : \$0.00  Total : \$10,000,000.00		13. Funds Obligated This action: \$0.00  Total : \$10,000,000.00	
14. Principal Investigator Ben Cramton Phone: 603-271-8341		15. Program Manager Stephen V. Dunn Phone: 303-275-4807			16. Administrator Golden Field Office U.S. Department of Energy Golden Field Office 1617 Cole Blvd. Golden CO 80401-3393		
17. Submit Payment Requests To			18. Paying Office OR for Golden U.S. Department of Energy Oak Ridge Financial Service Center P.O. Box 4517 Oak Ridge TN 37831			19. Submit Reports To See Attachment #3	
20. Accounting and Appropriation Data See Schedule							
21. Research Title and/or Description of Project RECOVERY ACT: EECBG- NEW HAMPSHIRE BEACON COMMUNITY PROJECT							
For the Recipient				For the United States of America			
22. Signature of Person Authorized to Sign				25. Signature of Grants/Agreements Officer  Signature on File			
23. Name and Title		24. Date Signed		26. Name of Officer Nicole L. Blackstone		27. Date Signed 01/23/2013	

**CONTINUATION SHEET**

REFERENCE NO. OF DOCUMENT BEING CONTINUED  
DE-EE0003576/002

PAGE OF  
2 | 2

NAME OF OFFEROR OR CONTRACTOR  
EXECUTIVE OFFICE OF THE STATE OF NEW HAMPSHIRE

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>DUNS Number: 033099933</p> <p>The purposes of this modification are to:</p> <p>1) Extend the Period of Performance from 05/31/2013 to 09/30/2013; and</p> <p>2) Update the DOE Project Officer and Recipient contacts as shown below.</p> <p>All other terms and conditions remain unchanged.</p> <p>DOE Award Administrator: Debbie Reynolds E-mail: debbie.reynolds@go.doe.gov Phone: 720-356-1764</p> <p>DOE Project Officer: Steve Dunn E-mail: steve.dunn@go.doe.gov Phone: 720-356-1603</p> <p>Recipient Business Officer: Susan Thorne E-mail: susan.thorne@nh.gov Phone: 603-271-1715</p> <p>Recipient Principal Investigator: Karen Cramton E-mail: karen.cramton@nh.gov Phone: 603-271-8341</p> <p>Electronic signature or signatures as used in this document means a method of signing an electronic message that--</p> <p>(A) Identifies and authenticates a particular person as the source of the electronic message;</p> <p>(B) Indicates such person's approval of the information contained in the electronic message; and,</p> <p>(C) Submission via FedConnect constitutes electronically signed documents.</p> <p>ASAP: Yes Extent Competed: NOT AVAIL FOR COMP Davis-Bacon Act: YES</p>				





STATE OF NEW HAMPSHIRE  
 OFFICE OF ENERGY AND PLANNING  
 4 Chenell Drive  
 Concord, NH 03301-8501  
 Telephone: (603) 271-2155  
 Fax: (603) 271-2615



JOHN H. LYNCH  
 GOVERNOR

F 10-280(1)  
 9.21.10

August 31, 2010

The Honorable Marjorie K. Smith, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, NH 03301



His Excellency, Governor John H. Lynch  
 and the Honorable Council  
 State House  
 Concord, NH 03301

Approval by the Governor  
 and Council on 10/6/10  
 Agenda Item 6

**REQUESTED ACTION**

Amendment to #17A 6/23/10

1) Pursuant to RSA 14:30-a, VI, OEP respectfully requests authorization to amend Fiscal Item #10-203 approved by the Legislative Fiscal Committee on June 17, 2010 and Governor and Council on June 23, 2010, Item #17A, by reallocating American Recovery and Reinvestment Act (ARRA) funding for the Retrofit Ramp-Up program between expenditure classes in the amount of \$11,277 in FY11 and \$17,256 in FY12, effective upon Joint Fiscal Committee and Governor and Council approval through June 30, 2012. 100% Federal ARRA Funds.

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified, and contingent upon continued appropriation availability for Fiscal Years 2011 and 2012:

01-02-02-029910-09240000 FY 2011 Retrofit Ramp-Up Program					
Source of Funds					
Class	Description	Current Budget	Unexpended Prior Year Appropriation	Incr/(Decr)	Modified Budget
000-407995	Federal Funds	9,616,302.00	6,401.81	0.00	9,622,703.81
Totals		9,616,302.00	6,401.81	0.00	9,622,703.81
Class	Description	Current Budget	Unexpended Prior Year Appropriation	Incr/(Decr)	Modified Budget
16-500141	Personal Serv.-Non-Classified	50,954.00	3,205.00	5,385.00	59,544.00
20-500236	Current Expenses	31,753.00	341.65	-11,277.00	20,817.65
22-500248	Rents & Leases Other Than State	2,183.00	136.00	272.00	2,591.00
30-500310	Equipment New/Replacement	3,257.00	0.00	284.00	3,541.00

40-500800	Indirect Costs	28,879.00	1,324.30	0.00	30,203.30
41-500801	Audit Fund Set-Aside	9,616.00	5.86	0.00	9,621.86
42-500620	Additional Fringe Benefits	4,301.00	271.00	454.00	5,026.00
48-500293	Contractual Maint-Build&Grounds	95.00	6.00	0.00	101.00
49-500420	Transfers to Other State Agencies	35.00	2.00	0.00	37.00
60-500601	Benefits	35,037.00	1,060.00	4,882.00	40,979.00
70-500704	In-State Travel	2,925.00	50.00	0.00	2,975.00
72-500573	Grants - Federal	936,535.00	0.00	0.00	936,535.00
80-500712	Out-of-State Travel	2,400.00	0.00	0.00	2,400.00
102-500731	Contracts for Program Services	8,508,332.00	0.00	0.00	8,508,332.00
Totals		9,616,302.00	6,401.81	0.00	9,622,703.81

**01-02-02-029910-09240000 FY 2012 Retrofit Ramp-Up Program**

**Source of Funds**

Class	Description	Current Budget	Unexpended Prior Year Appropriation (N/A)	Incr/(Deer)	Modified Budget
000-407995	Federal Funds	183,721.00	0.00	0.00	183,721.00
Totals		183,721.00	0.00	0.00	183,721.00

Class	Description	Current Budget	Unexpended Prior Year Appropriation (N/A)	Incr/(Deer)	Modified Budget
16-500141	Personal Serv.-Non-Classified	59,234.00	0.00	8,077.00	67,311.00
20-500236	Current Expenses	36,456.00	0.00	-17,256.00	19,200.00
22-500248	Rents & Leases Other Than State	2,249.00	0.00	358.00	2,607.00
30-500310	Equipment New/Replacement	0.00	0.00	0.00	0.00
40-500800	Indirect Costs	33,169.00	0.00	0.00	33,169.00
41-500801	Audit Fund Set-Aside	184.00	0.00	0.00	184.00
42-500620	Additional Fringe Benefits	4,999.00	0.00	922.00	5,921.00
48-500293	Contractual Maint-Build&Grounds	98.00	0.00	0.00	98.00
49-500420	Transfers to Other State Agencies	36.00	0.00	0.00	36.00
60-500601	Benefits	41,857.00	0.00	7,899.00	49,756.00
70-500704	In-State Travel	2,925.00	0.00	0.00	2,925.00
72-500573	Grants - Federal	0.00	0.00	0.00	0.00
80-500712	Out-of-State Travel	2,514.00	0.00	0.00	2,514.00
102-500731	Contracts for Program Services	0.00	0.00	0.00	0.00
Totals		183,721.00	0.00	0.00	183,721.00

2) Pursuant to RSA 14:30-a, VI, OEP respectfully requests authorization to amend Fiseal Item #10-156 approved by the Legislative Fiscal Committee on May 18, 2010 and Governor and Council on May 26, 2010, Item #10A, by reallocating American Recovery and Reinvestment Act (ARRA) funding for the State Energy Programs (SEP)

program between expenditure classes in the amount of \$47,592 in FY11 and \$74,399 in FY12, effective upon Joint Fiscal Committee and Governor and Council approval through June 30, 2012. 100% Federal ARRA Funds.

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified, and contingent upon continued appropriation availability for Fiscal Years 2011 and 2012:

01-02-02-029910-08500000 FY 2011 State Energy Program					
Source of Funds					
Class	Description	Current Budget	Unexpended Prior Year Appropriation	Incr/(Deer)	Modified Budget
000-403218	Federal Funds	547,940.00	23,763,432.16	0.00	24,311,372.16
Totals		547,940.00	23,763,432.16	0.00	24,311,372.16
Class	Description	Current Budget	Unexpended Prior Year Appropriation	Incr/(Deer)	Modified Budget
16-500141	Personal Serv.-Non-Classified	127,048.00	15,970.51	18,615.00	161,633.51
20-500236	Current Expenses	8,120.00	664.10	0.00	8,784.10
22-500248	Rents & Leases Other Than State	5,430.00	961.03	952.00	7,343.03
30-500310	Equipment New/Replacement	1,000.00	4,273.01	426.00	5,699.01
40-500800	Indirect Costs	68,857.00	67,978.48	8,496.00	145,331.48
41-500801	Audit Fund Set-Aside	548.00	23,702.45	0.00	24,250.45
42-500620	Additional Fringe Benefits	11,811.00	4,903.24	1,571.00	18,285.24
48-500293	Contractual Maint-Build&Grounds	351.00	350.00	0.00	701.00
49-500420	Transfers to Other State Agencies	84.00	2.88	0.00	86.88
50-500109	Personnel - Temporary	12,893.00	4,338.27	0.00	17,231.27
60-500601	Benefits	85,493.00	13,584.52	17,532.00	116,609.52
70-500704	In-State Travel	1,100.00	653.50	0.00	1,753.50
72-500573	Grants - Federal	220,205.00	0.00	0.00	220,205.00
80-500712	Out-of-State Travel	5,000.00	4,288.89	0.00	9,288.89
102-500731	Contracts for Program Services	0.00	23,617,894.87	-47,592.00	23,570,302.87
216	Prior Year Control Balance	0.00	3,866.41	0.00	3,866.41
Totals		547,940.00	23,763,432.16	0.00	24,311,372.16

01-02-02-029910-08500000 FY 2012 State Energy Program					
Source of Funds					
Class	Description	Current Budget	Unexpended Prior Year Appropriation (N/A)	Incr/(Deer)	Modified Budget
000-403218	Federal Funds	466,891.00	0.00	0.00	466,891.00

Class	Description	Current Budget	Unexpended Prior Year Appropriation (N/A)	Incr/(Decr)	Modified Budget
Totals		466,891.00	0.00	0.00	466,891.00
16-500141	Personal Serv.-Non-Classified	105,874.00	0.00	26,992.00	132,866.00
20-500236	Current Expenses	6,767.00	0.00	0.00	6,767.00
22-500248	Rents & Leases Other Than State	4,525.00	0.00	1,254.00	5,779.00
30-500310	Equipment New/Replacement	1,000.00	0.00	0.00	1,000.00
40-500800	Indirect Costs	57,533.00	0.00	15,683.00	73,216.00
41-500801	Audit Fund Set-Aside	467.00	0.00	0.00	467.00
42-500620	Additional Fringe Benefits	9,879.00	0.00	3,079.00	12,958.00
48-500293	Contractual Maint-Build&Grounds	291.00	0.00	0.00	291.00
49-500420	Transfers to Other State Agencies	71.00	0.00	0.00	71.00
50-500109	Personnel - Temporary	11,180.00	0.00	0.00	11,180.00
60-500601	Benefits	71,330.00	0.00	27,391.00	98,721.00
70-500704	In-State Travel	917.00	0.00	0.00	917.00
72-500573	Grants - Federal	0.00	0.00	0.00	0.00
80-500712	Out-of-State Travel	4,167.00	0.00	0.00	4,167.00
102-500731	Contracts for Program Services	192,890.00	0.00	-74,399.00	118,491.00
216	Prior Year Control Balance	0.00	0.00	0.00	0.00
Totals		466,891.00	0.00	0.00	466,891.00

3) Pursuant to RSA 14:30-a, VI, OEP respectfully requests authorization to amend Fiscal Item #10-204 approved by the Legislative Fiscal Committee on June 17, 2010 and Governor and Council on June 23, 2010, Item #17B, by reallocating American Recovery and Reinvestment Act (ARRA) funding for the Weatherization program between expenditure classes in the amount of \$47,592 in FY11 and \$74,399 in FY12, effective upon Joint Fiscal Committee and Governor and Council approval through June 30, 2012. 100% Federal ARRA Funds.

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified, and contingent upon continued appropriation availability for Fiscal Years 2011 and 2012:

01-02-02-029910-08510000 FY 2011 Weatherization					
Source of Funds					
Class	Description	Current Budget	Unexpended Prior Year Appropriation	Incr/(Decr)	Modified Budget
000-403281	Federal Funds	1,396,888.00	7,203,654.67	0.00	8,581,927.67
Totals		1,396,888.00	7,203,654.67	0.00	8,581,927.67

Class	Description	Current Budget	Unexpended Prior Year Appropriation	Incr/(Decr)	Modified Budget
016-500141	Personal Serv.-Non-Classified	0.00	0.00	18,615.00	18,615.00
020-500236	Current Expenses	4,000.00	1,501.99	0.00	5,501.99
022-500215	Rent & Leases-Other Than State	3,849.00	1,777.27	952.00	6,578.27
026-500251	Organizational Dues	1,500.00	203.31	0.00	1,703.31
027-502799	Transfers to DOIT	9,630.00	0.00	0.00	9,630.00
030-500310	Equipment	1,500.00	9,411.52	426.00	11,337.52
040-500800	Indirect Costs	64,857.00	51,318.10	8,496.00	124,671.10
041-500801	Audit Fund Set Aside	1,403.00	7,886.79	0.00	9,289.79
042-500620	Additional Fringe Benefits	12,067.00	6,617.29	1,571.00	20,255.29
048-500293	Contractual Maint Build-Grounds	183.00	183.00	0.00	366.00
049-500420	Transfers to Other State Agencies	68.00	17.85	0.00	85.85
050-500109	Personal Serv.-Temp/Appointee	142,975.00	51,445.01	0.00	194,420.01
060-500601	Benefits	62,971.00	10,936.88	17,532.00	91,439.88
070-500704	In-State Travel Reimbursement	2,000.00	1,094.90	0.00	3,094.90
074-500587	Grants for Public Assist & Relief	1,086,885.00	7,060,460.76	-47,592.00	8,099,753.76
080-500710	Out-of-State Travel Reimbursement	3,000.00	800.00	0.00	3,800.00
Totals		1,396,888.00	7,203,654.67	0.00	8,600,542.67

**01-02-02-029910-08510000 FY 2012 Weatherization**

**Source of Funds**

Class	Description	Current Budget	Unexpended Prior Year Appropriation (N/A)	Incr/(Decr)	Modified Budget
000-403281	Federal Funds	4,929,007.00	0.00	0.00	4,929,007.00
Totals		4,929,007.00	0.00	0.00	4,929,007.00

Class	Description	Current Budget	Unexpended Prior Year Appropriation (N/A)	Incr/(Decr)	Modified Budget
016-500141	Personal Serv.-Non-Classified	0.00	0.00	26,992.00	26,992.00
020-500236	Current Expenses	4,000.00	0.00	0.00	4,000.00
022-500215	Rent & Leases-Other Than State	3,183.00	0.00	1,254.00	4,437.00
026-500251	Organizational Dues	1,500.00	0.00	0.00	1,500.00
027-502799	Transfers to DOIT	0.00	0.00	0.00	0.00
030-500310	Equipment	8,463.00	0.00	0.00	8,463.00
040-500800	Indirect Costs	49,187.00	0.00	15,683.00	64,870.00
041-500801	Audit Fund Set Aside	5,742.00	0.00	0.00	5,742.00
042-500620	Additional Fringe Benefits	9,277.00	0.00	3,079.00	12,356.00
048-500293	Contractual Maint Build-Grounds	152.00	0.00	0.00	152.00

049-500420	Transfers to Other State Agencies	57.00	0.00	0.00	57.00
050-500109	Personal Serv.-Temp/Appointee	109,912.00	0.00	0.00	109,912.00
060-500601	Benefits	48,409.00	0.00	27,391.00	75,800.00
070-500704	In-State Travel Reimbursement	1,000.00	0.00	0.00	1,000.00
074-500587	Grants for Public Assist & Relief	4,682,125.00	0.00	-74,399.00	4,607,726.00
080-500710	Out-of-State Travel Reimbursement	6,000.00	0.00	0.00	6,000.00
Totals		4,929,007.00	0.00	0.00	4,929,007.00

4) Pursuant to RSA 124:15, the Office of Energy and Planning (OEP) respectfully requests authorization to establish a full-time temporary ARRA Accountant position as detailed below, effective upon joint Fiscal Committee and Governor and Executive Council approval through April 30, 2012. 100% Federal ARRA funds.

Position Title: ARRA Accountant  
Position Class: Class 016 - Non-Classified  
Salary Range: Anticipated annual salary of \$35,000.00

5) Pursuant to RSA 124:15, OEP respectfully requests authorization to establish a full-time temporary ARRA Administrative Assistant position as detailed below, effective upon joint Fiscal Committee and Governor and Executive Council approval through April 30, 2012. 100% Federal ARRA funds.

Position Title: ARRA Administrative Assistant  
Position Class: Class 016 - Non-Classified  
Salary Range: Anticipated annual salary of \$32,233.50

### EXPLANATION

The Office of Energy and Planning is currently the recipient of six ARRA grants. When the stimulus initiative was first implemented by the President, it was not clear how many ARRA grants OEP would receive, nor were the administrative and reporting requirements, both financial and programmatic, well developed. OEP received its first ARRA grant on April 1, 2009, and since that time its small fiscal staff has been severely strained in meeting all the management requirements these grants impose. In recent separate federal monitorings of our ARRA Weatherization and ARRA SEP programs conducted by Department of Energy, it was identified as a concern that OEP was short-staffed in administering these grants. As a result, OEP is requesting two additional staff, to be fully funded with ARRA money, to help ease the burden caused by administering these grants.

The ARRA Accountant position will assist with tracking ARRA expenditures, drawing federal funds, and monthly 1512 reporting. It will be funded from the following ARRA grants:

Retrofit Ramp-Up	25.0%
State Energy Programs (SEP)	37.5%
Weatherization	37.5%
Total	100.0%


The ARRA Administrative Assistant position will assist with administrative duties of the SEP and Weatherization programs, both of which are sizeable in scope. It will be funded as follows:

State Energy Programs (SEP)	50.0%
Weatherization	<u>50.0%</u>
Total	100.0%

All other requested modifications to the budgets of these programs are directly related to the existence of these staff (rent, computer, indirect costs).

In the event that the Federal funds become no longer available, General Funds will not be requested to support this request.

Respectfully Submitted,



Joanne O. Morin  
Director

JOM/DMR:dmr  
Enclosure

Fiscal 09/21/10  
G&C 10/06/10

## **Explanation – New Personnel Request**

The following information is provided in accordance with the Comptroller's instructional memorandum dated September 21, 1981:

**1. List of personnel involved:**

- ARRA Accountant within OEP, funded 100% with ARRA funds (25% ARRA-Retrofit Ramp-Up, 37.5% ARRA State Energy Program (SEP), 37.5% ARRA Weatherization)
- ARRA Administrative Assistant within OEP, funded 100% with ARRA funds (50% ARRA State Energy Program, 50% ARRA Weatherization)

**2. Nature, Need and Duration:** OEP needs additional administrative support to manage the financial and programmatic reporting requirements of the ARRA grants it oversees.

**3. Relationship to existing agency programs:** Retrofit Ramp-Up is a new program within OEP; SEP and Weatherization are existing programs within OEP that have been significantly expanded with ARRA funding.

**4. Has a similar program been requested of the legislature and denied?** No.

**5. Why wasn't funding included in the agency's budget request?** ARRA funding was not anticipated at the time the budget was created.

**6. Can portions of the grant funds be utilized?** Yes. Funding for these positions will be covered in their entirety through these grants.

**7. Estimate the funds required to continue this position(s):** There is no expectation of the ARRA-supported positions continuing beyond the period of funding of the ARRA grants.





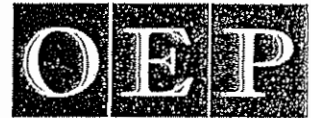
JOHN H. LYNCH  
GOVERNOR

June 3, 2010

The Honorable Marjorie K. Smith, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, NH 03301

STATE OF NEW HAMPSHIRE  
OFFICE OF ENERGY AND PLANNING  
4 Chenell Drive  
Concord, NH 03301-8501  
Telephone: (603) 271-2155  
Fax: (603) 271-2615



www.nh.gov/oep

F-10-203

etc #17A



Approval by the Governor  
and Council on 06.23.10

Agenda Item 17A  
Fiscal 6/17/10 #10-203

**REQUESTED ACTION**

1) Pursuant to RSA 14:30-a, VI, the Office of Energy and Planning (OEP) respectfully requests authorization to **RETROACTIVELY** accept and expend American Recovery and Reinvestment Act (ARRA) funds in the amount of \$10,000,000.00 from the US Department of Energy (DOE), for the competitive grant portion of the Energy Efficiency and Conservation Block Grant -- Retrofit Ramp-Up Program/NH Beacon Communities Project, effective March 30, 2010 through May 31, 2013, contingent upon Joint Fiscal Committee and Governor and Council approval. 100% Federal ARRA Funds.

2) Pursuant to RSA 124:15, OEP respectfully requests authorization to establish a full-time temporary ARRA Retrofit Ramp-Up Program Manager position effective upon Joint Fiscal Committee and Governor and Council approval through May 31, 2013, as detailed below. 100% Federal ARRA funds.

Position Title: ARRA Retrofit Ramp-Up Program Manager  
Position Class: Class 016 - Non-Classified  
Salary Range: Anticipated annual salary of \$45,000

These funds should be budgeted as follows, with the authority to adjust encumbrances and appropriations across State Fiscal years with Budget Office approval as needed and justified, and contingent upon continued appropriation availability for Fiscal Years 2011, 2012 and 2013:

01-02-02-029910-09240000 Retrofit Ramp-Up Program						
Class	Description	FY 10	FY 11	FY 12	FY 13	Total
16-500141	Personal Serv.-Non-Classified	3,205.00	50,954.00	59,234.00	61,513.00	174,906.00
20-500236	Current Expenses	364.00	31,753.00	36,456.00	37,912.00	106,485.00
22-500248	Rents & Leases Other Than State	136.00	2,183.00	2,249.00	2,316.00	6,884.00
30-500310	Equipment New/Replacement	0.00	3,257.00	0.00	0.00	3,257.00
40-500800	Indirect Costs	1,359.00	28,879.00	33,169.00	34,882.00	98,289.00
41-500801	Audit Fund Set-Aside	6.00	9,616.00	184.00	194.00	10,000.00
42-500620	Additional Fringe Benefits	271.00	4,301.00	4,999.00	5,192.00	14,763.00
48-500293	Contractual Maint-Build&Grounds	6.00	95.00	98.00	101.00	300.00

49-500420	Transfers to Other State Agencies	2.00	35.00	36.00	37.00	110.00
60-500601	Benefits	1,060.00	35,037.00	41,857.00	45,816.00	123,770.00
70-500704	In-State Travel	50.00	2,925.00	2,925.00	2,925.00	8,825.00
72-500573	Grants - Federal	0.00	936,535.00	0.00	0.00	936,535.00
80-500712	Out-of-State Travel	0.00	2,400.00	2,514.00	2,630.00	7,544.00
102-500731	Contracts for Program Services	0.00	8,508,332.00	0.00	0.00	8,508,332.00
Totals		6,459.00	9,616,302.00	183,721.00	193,518.00	10,000,000.00

Source of Funds						
Class	Description	FY 10	FY 11	FY 12	FY 13	Total
000-407995	Federal Funds	6,459.00	9,616,302.00	183,721.00	193,518.00	10,000,000.00
Totals		6,459.00	9,616,302.00	183,721.00	193,518.00	10,000,000.00

### EXPLANATION

The New Hampshire Retrofit Ramp-Up Program grant's funding is provided by ARRA through the U.S. Department of Energy (DOE) beginning in SFY2010 for a duration of three years. The Recovery Act is intended to preserve and create jobs, promote the nation's economic recovery, and assist those most impacted by the recession.

The Beacon Communities Project is a concept to hyper-invest resources into a community to accomplish lasting environmental, social and economic benefits across the entire community's infrastructure, with a goal of creating shining examples, or "beacons", of sustainability. The plan is to initiate this approach in three communities and then continue to expand the approach to other communities across the state over time as cost savings and benefits are demonstrated. The Department of Energy's Retrofit Ramp-up Program will serve to advance one goal of the Project which is to accomplish massive energy reductions within existing buildings by retrofitting them to be more energy efficient.

The Beacon Communities Project aims to augment existing programs with private capital, individual commitment, and future funding opportunities to encourage residences and the private sector to take greater action at improving the energy efficiency of their homes and businesses. The concept is to use a community-based approach in order to generate greater participation in these types of programs and to use that experience to replicate what is learned in other communities over time. The DOE Retrofit Ramp-up award will be a jumpstart to the overall Beacon Communities Project with our first three "beacon" communities.

This request is **RETROACTIVE** due to OEP not receiving the grant award until June 1, 2010 for which its staff has been required to provide work and for which the grant award allows for a "lookback" period commencing March 30, 2010.

Funds are requested for the following purposes:

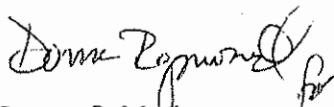
Class 016 - Personal Serv.-Non-Classified	For 100% of funding of a new Program Manager position totaling \$136,584
	For 5% of funding of an existing Director position totaling \$12,275
	For 10% of funding of an existing Energy Policy Analyst position totaling \$18,958
	For 5% of funding of an existing Grants Manager position

Class 020 - Current Expenses	totaling \$7,089 To cover supplies costs such as telephone, postage, paper, as well as the state car, OIT costs
Class 022 - Rents & Leases Other Than State	To cover proportionate share of office space rental costs and photocopier costs for related staff
Class 030 - Equipment New/Replacement	For PCs and office seating for staff
Class 040 - Indirect Costs	To cover OEP's share of indirect costs based on its current Indirect Cost Rate
Class 041 - Audit Fund Set-Aside	To cover OEP's share of Audit Set-Aside costs (0.1% of total Federal funds)
Class 042 - Additional Fringe Benefits	To cover OEP's share of post-retirement benefits costs for related staff
Class 048 - Contractual Maint-Build & Grounds	To cover proportionate share of janitorial and cleaning costs for related staff
Class 049 - Transfers to Other State Agencies	To cover proportionate share of Employee Assistance program costs for related staff
Class 060 - Benefits	To cover proportionate share of benefits for related staff
Class 070 - In-State Travel	To cover anticipated in-state travel costs for related staff
Class 072 - Grants - Federal	To cover grants to be distributed to towns which meet the program's criteria
Class 080 - Out-of-State Travel	To cover anticipated out-of-state travel costs for related staff
Class 102 - Contracts for Program Services	To cover a contract with Community Development Finance Authority per the terms of the grant award

The Office of Energy and Planning is responsible for administering New Hampshire's Retrofit Ramp-Up Program grant. Please see the attached Supplement for additional information on the criteria, objectives and impact of the award.

In the event that the Federal funds become no longer available, General Funds will not be requested to support this program.

Respectfully Submitted,

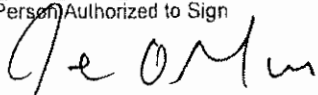


Joanne O. Morin  
Director

JOM/JC/DMR:dmr  
Enclosure

Fiscal 06/17/10  
G&C 06/23/10

**ASSISTANCE AGREEMENT**

1. Award No. DE-EE0003576		2. Modification No.	3. Effective Date 06/01/2010	4. CFDA No. 81.128
5. Awarded To EXECUTIVE OFFICE OF THE STATE OF NEW HAMPSHI Attn: MEGHAN K. MCPHERSON 4 CHENELL DRIVE CONCORD NH 033018521		6. Sponsoring Office Golden Field Office U.S. Department of Energy Golden Field Office 1617 Cole Blvd. Golden CO 80401		7. Period of Performance 06/01/2010 through 05/31/2013
8. Type of Agreement <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Other	9. Authority PL 110-140, EISA 2007 PL 111-5, Recovery Act 2009		10. Purchase Request or Funding Document No. 10EE004742	
11. Remittance Address EXECUTIVE OFFICE OF THE STATE OF NEW HAMPSHI Attn: MEGHAN K. MCPHERSON 4 CHENELL DRIVE CONCORD NH 033018521		12. Total Amount Govt. Share: \$10,000,000.00  Cost Share : \$0.00  Total : \$10,000,000.00		13. Funds Obligated This action: \$10,000,000.00  Total : \$10,000,000.00
4. Principal Investigator Eric Steltzer Phone: 603-271-1098		15. Program Manager Carolyn C. Elam Phone: 303-275-4953		16. Administrator Golden Field Office U.S. Department of Energy Golden Field Office 1617 Cole Blvd. Golden CO 80401-3393
17. Submit Payment Requests To		18. Paying Office OR for Golden U.S. Department of Energy Oak Ridge Financial Service Center P.O. Box 4517 Oak Ridge TN 37831		19. Submit Reports To See Attachment #3
20. Accounting and Appropriation Data				
21. Research Title and/or Description of Project RECOVERY ACT: EECBG- NEW HAMPSHIRE BEACON COMMUNITY PROJECT				
For the Recipient			For the United States of America	
22. Signature of Person Authorized to Sign 			25. Signature of Grants/Agreements Officer Signature on File	
23. Name and Title JOANNE O MORIN Director		24. Date Signed 6-1-10	26. Name of Officer Karen L. Bahan	
			27. Date Signed 06/01/2010	



# State of New Hampshire

DEPARTMENT OF SAFETY  
OFFICE OF THE COMMISSIONER  
33 HAZEN DR. CONCORD, NH 03305  
603/271-2791

JOHN J. BARTHELMES  
COMMISSIONER

January 14, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

## Requested Action

Pursuant to RSA 14:30-a, VI, authorize the Department of Safety (DOS), Division of State Police, to accept and expend a sub-grant from the New Hampshire Department of Justice in the amount of \$129,450.00 to purchase software enhancements to the existing Automated Fingerprint Identification System (AFIS). Effective upon Fiscal Committee and Governor and Council approval through June 30, 2013. Funding Source: 100% Agency Income.

Funds are to be budgeted in the following account:

02-23-23-234010-33450000 Dept. of Safety – Division of State Police – NHDOJ Grants  
RSRC: 407085  
Amount: \$129,450.00

<u>Class</u>	<u>Description</u>	<u>Current</u> <u>Appropriation</u>	<u>Requested Action</u>	<u>Revised Appropriation</u>
009	Agency Income	\$ -	\$ (129,450.00)	\$ (129,450.00)
030-500312	Equipment	\$ -	\$ 129,450.00	\$ 129,450.00
	Total	\$ -	\$ 129,450.00	\$ 129,450.00

## Explanation

In accordance to the 1983 Interstate Identification Index compliance granted by the Federal Bureau of Investigation, the New Hampshire State Police, specifically the Criminal Records Unit, is the sole submitting agency for all criminal and applicant tenprint impressions to the FBI. All tenprint impressions, submitted via inked or electronically by the state, county, local law enforcement agencies, and every correctional facility, are forwarded to the state police Criminal Records Unit for processing and submission to the FBI.

The Department of Safety's Automated Fingerprint Identification System (AFIS) is part of a tri-state system, comprised of the states of New Hampshire, Maine, and Vermont (Tri-State). New Hampshire is the host state for the system, housing the back end of the AFIS. Each state uses its own independent workflow.

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of The General Court

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council

January 14, 2013

Page 2 of 2

The current OmniTrak version of the Tri-State AFIS stores Tenprint, Unsolved Latent File (ULF), Palmprint File, and Unsolved Latent Palmprint File data and has the capability of unilaterally updating the state's Central Criminal History (CCH) database with an arrestee's demographic information when tenprint data is entered into the AFIS either electronically by livescan capture or by inked tenprint impressions digitally scanned into the system.

New Hampshire's AFIS interfaced with its CCH in March of 2011. Shortly thereafter, it was discovered that when scanning an inked tenprint card into AFIS, a new State Identification number (SID) was assigned to the images without checking the CCH for an existing SID. This required a manual check of the CCH for an existing SID and removing the new SID if one had already been assigned. This added step actually slowed the process beyond the normal data entry into criminal history before the interface. This workflow problem was not within the original interface design, and to correct it requires the added expense of an additional workflow change. This grant will be used to fund this workflow change.

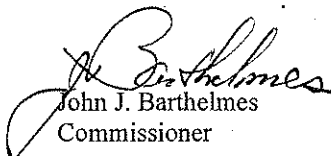
The FBI will soon no longer accept hard-copy (inked) tenprint cards or hard-copy biometrics such as palmprints. The FBI has suggested that agencies update their current processing of inked tenprint submittals. In 2011 New Hampshire received 13,583 inked criminal tenprint cards. Whereas mailing the inked hard-copy tenprint cards to the FBI assures timely submission, the FBI by ceasing the acceptance of inked hard-copy tenprint cards prevents New Hampshire's limited resources and current AFIS capability from the timely scanning and forwarding of tenprint data to the FBI for inclusion into their criminal history record information database. This seriously jeopardizes officer safety and potentially fosters an air of false security with respect to hiring, housing, and licensing on the civil side.

This plan is also consistent with another Department of Safety initiative, J-One, which will substantially improve our ability to track a particular offender from arrest/summons through completion of all requirements of a resulting sentence.


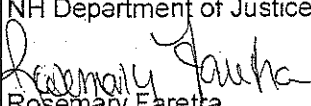
The 20% match requirement in the grant will be met with in-kind expenditures from Criminal Records.

In the event that funds are no longer available, General and/or Highway funds will not be requested to support this program.

Respectfully,



John J. Barthelmes  
Commissioner

STATE OF NEW HAMPSHIRE DEPARTMENT OF JUSTICE GRANT AWARD		
Agency Name: Department of Safety		Vendor No.: 177878B001
Program Name: AFIS Equipment		Amount: \$ 129,450.00
Grant Start Date: 12/5/2012	State Grant Number: 2012RU01	
Grant End Date: 9/30/2013	Federal Grant Number: 2012-RU-BX-K003	
Appropriation No.: 02-20-20-201510-2909-072-500576		
Head of Agency	Project Director	Fiscal Officer
John J. Barthelmes Commissioner 33 Hazen Drive Concord, NH 03305 271-2791	Jeffrey Kellett Chief Administrator  271-2791	John T. Beardmore Director of Administration  271-2589
Federal Grant Name:	Bureau of Justice Statistics	
Federal Agency:	United States Department of Justice	
Bureau/Office:	Office of Justice Programs	
CFDA Number:	16.554	
Purpose of Grant:	Purchase of AFIS Technology.	
Financial Requirements:	See signed Program Conditions and Guidelines.	
Match Requirements:	20% match requirement Match must be spent on program allowable activities.	
Reporting Requirements:	Monthly or quarterly Financial reports Annual performance report and audit Adherence to State and Federal guidelines and conditions	
Approval	Program Agency	NH Department of Justice
Name	 John J. Barthelmes	 Rosemary Faretra
Title	Commissioner	Director of Administration
Date		
All terms of this grant award are not valid unless signed by both authorized parties.		

# TITLE I

## THE STATE AND ITS GOVERNMENT

### CHAPTER 14

#### LEGISLATIVE OFFICERS AND PROCEEDINGS

#### Legislative Budget Assistant

##### Section 14:30-a

###### 14:30-a Fiscal Committee. –

I. There is hereby established a fiscal committee of the general court. Said committee shall consist of 10 members. Five shall be members of the house as follows: the chairperson of the finance committee and 2 other members of the committee, appointed by the chairperson; and 2 other house members appointed by the speaker of the house. Five members shall be members of the senate as follows: the chairperson of the finance committee and 2 other members of that committee, appointed by the chairperson; and 2 other senators appointed by the senate president. The chairperson of the house finance committee shall be the chairperson of the fiscal committee.

II. The committee shall, while the general court is in session and during the interim, consult with, assist, advise, and supervise the work of the legislative budget assistant, and may at its discretion investigate and consider any matter relative to the appropriations, expenditures, finances, revenues or any of the fiscal matters of the state. The members shall be paid the regular legislative mileage during the interim while engaged in their work as members of the committee.

III. The fiscal committee shall consider recommendations proposed to it by the legislative performance audit and oversight committee established under RSA 17-N:1. The fiscal committee shall adopt all recommendations proposed to it as provided in RSA 17-N:1, 1II by the performance audit and oversight committee unless the fiscal committee refuses by unanimous vote to adopt such recommendations.

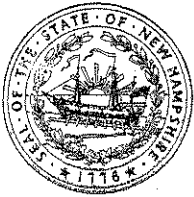
IV. [Repealed.]

V. [Repealed.]

VI. Any non-state funds in excess of \$50,000, whether public or private, including refunds of expenditures, federal aid, local funds, gifts, bequests, grants, and funds from any other non-state source, which under state law require the approval of governor and council for acceptance and expenditure, may be accepted and expended by the proper persons or agencies in the state government only with the prior approval of the fiscal committee.

**Source.** 1965, 239:19. 1987, 416:7. 1989, 396:13; 408:2. 1991, 346:18, I. 1995, 9:8, eff. June 11, 1995. 2005, 177:11, eff. July 1, 2005. 2006, 290:21, eff. June 15, 2006.





# State of New Hampshire

DEPARTMENT OF SAFETY  
 OFFICE OF THE COMMISSIONER  
 33 HAZEN DR. CONCORD, NH 03305  
 603/271-2791

JOHN J. BARTHELMES  
 COMMISSIONER

January 31, 2013

The Honorable Mary Jane Wallner, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, New Hampshire 03301

Her Excellency, Governor Margaret Wood Hassan  
 and the Honorable Council  
 State House  
 Concord, New Hampshire 03301

**Requested Actions**

1. Pursuant to RSA 14:30-a VI, the Department of Safety, Division of Homeland Security and Emergency Management, requests authorization to accept and expend Hazard Mitigation Grant Program (HMGP) funds from the Federal Emergency Management Agency (FEMA) in the amount of \$2,210,557.00 for the implementation of cost effective mitigation projects. Effective upon Fiscal Committee and Governor and Council approvals through June 30, 2013. Funding Source: 100% Federal Funds.

Funds will be budgeted in an account titled HMGP DR 4026 TS Irene:

02-23-23-236010-29200000      Dept. of Safety      HSEM      HMGP DR 4026 TS Irene

Class	Description	Current SFY 2013 Adjusted Authorized	Requested Action	Revised SFY 2013 Adjusted Authorized
000-404805	Federal Funds	(00.00)	(\$2,210,557.00)	(\$2,210,557.00)
018 - 500106	Overtime	0.00	5,000.00	5,000.00
020 - 500200	Current Expense	0.00	5,000.00	5,000.00
030 - 500311	Equipment New/Replacement	0.00	10,000.00	10,000.00
040 - 500800	Indirect Costs	0.00	11,430.00	11,430.00
041 - 500801	Audit Fund Set Aside	0.00	2,215.00	2,215.00
060 - 500602	Benefits	0.00	1,000.00	1,000.00
070 - 500704	In State Travel Reimbursement	0.00	1,000.00	1,000.00
072 - 500574	Grants Federal	0.00	2,107,500.00	2,107,500.00
080- 500710	Out of State Travel	0.00	2,500.00	2,500.00
246- 500792	Grantee Administrative Costs	0.00	64,912.00	64,912.00
	Org 2920 Totals	\$0.00	\$2,210,557.00	\$2,210,557.00

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council

January 31, 2013

Page 2 of 2

2. Subject to approval by Fiscal Committee and Governor and Council in item #1 and Pursuant to RSA 21-P:43, the Department of Safety, Division of Homeland Security and Emergency Management requests authorization to enter into a grant agreement with the Town of Conway (VC# 177377-B001), Conway, NH for a total amount of \$554,102.000 for implementation of projects identified through the evaluation of natural hazards, specifically projects within Transvale Acres. Effective upon Governor and Council approval through January 29, 2016. Funding source: 100% Federal Funds.

Funding is available in the SFY 2013 operating budget as follows:

02-23-23-236010-29200000	Dept. of Safety	HSEM	Hazard Mitigation Grant Program
072-500574 Grants-Federal – Grants to local Gov't – Federal			\$554,102.00

Explanation


With this grant, the town proposes to acquire residences located within Transvale Acres, demolish the homes and return the area into green space to eliminate the extensive and chronic flooding caused by properties being in the floodway of the Saco River.

The Hazard Mitigation Grant Program (HMGP) provides funding to states and communities (sub-applicants) for cost-effective hazard mitigation activities that complement a comprehensive mitigation program. FEMA provides HMGP funds to states that, in turn, provide sub-grants or contracts for a variety of mitigation activities, such as planning and the implementation of projects identified through the evaluation of natural hazards. The program cost share is 75% Federal funds and a 25% applicant soft-match. The sub-applicants will provide and document the program match requirements.

The State of New Hampshire solicits applications statewide. Notification of the availability of HMGP funds is made to every community by e-mail and by letters sent to the chief elected official of each community. The State of New Hampshire submits all applications received for program funding to the Federal Emergency Management Agency for their final approval. Applications that are determined to be cost effective and program eligible are then funded by FEMA in full; not every application submitted is determined to be program eligible. However, all applications that are determined to be eligible are funded at the requested dollar amount listed in their application, pending availability of adequate program funding.

There are no General Funds required with this request. In the event that HMGP funds become no longer available, General Funds and/or Highway Funds will not be requested to support this program

Respectfully submitted,

  
John J. Barthelmes  
Commissioner of Safety



**FEMA**

October 24, 2012

Mr. Christopher Pope, Director  
NH Department of Homeland Security and Emergency Management  
33 Hazen Drive  
Concord, New Hampshire 03301

Re: 12-Month Final Lock-In  
FEMA-4026-DR-NH  
Hazard Mitigation Grant Program (HMGP)

Dear Director Pope:

Under Section 404 of the Stafford Act, as amended, 75% Federal funding is authorized for hazard mitigation measures. As a condition of receiving Federal disaster assistance, measures must be cost-effective, environmentally acceptable and be consistent with the strategies and recommendations identified in your State Hazard Mitigation Plan. Funding for mitigation projects under the HMGP is based on 15% of the estimated aggregate amount of grants made under the Stafford Act. The 12-month final lock-in of \$2,107,500 in Federal funding is available for the HMGP under FEMA-4026-DR-NH. A breakdown of funding is listed below:

5% PROJECTS	\$ 105,375
7% PROJECTS	\$ 147,525
REGULAR PROJECTS	\$ 1,854,600
12-MONTH LOCK-IN	\$ 2,107,500
STATE MANAGEMENT COSTS	\$ 103,057

This calculation is based on the 12-month estimate as reported by the authorized disaster assistance programs. This is the final 12-month lock-in for FEMA-4026-DR-NH. Final applications or amendments for new mitigation projects must have been submitted to the FEMA Region 1 Hazard Mitigation Division by **September 3, 2012**. Please forward a SF-424 to cover the funding request. If you have any questions, please contact me.

Sincerely,

Dean J. Savramis  
Mitigation Division Director  
FEMA Region 1

Cc: Lance Harbour, HSEM

U.S. Department of Homeland Security  
Region I  
99 High Street, Sixth Floor  
Boston, MA 02110-2132



**FEMA**

January 29, 2013

Perry Plummer, Acting Director  
Homeland Security and Emergency Management  
33 Hazen Dr.  
Concord, NH 03305

Re: FEMA-4026-DR-NH  
Hazard Mitigation Grant Program (HMGP) Project # 3-R  
Transvale Acres Floodplain Acquisition, Conway, NH

Dear Director Plummer:

Enclosed please find the obligation reports for the following HMGP grant:

4026-3-R	Town of Conway, New Hampshire Transvale Acres Floodplain Acquisition	\$ 554,102
	<b>Total:</b>	<b>\$ 554,102</b>

The project performance period shall be three years from the date of this letter.

If you have any questions, please do not hesitate to call Stephanie Leydon with the FEMA Region I Mitigation Division at (617) 832-4766.

Sincerely,

Handwritten signature of Dean J. Savramis in cursive.

Dean J. Savramis  
Director, Mitigation Division  
FEMA Region I

Cc: Beth Peck, Acting SHMO, NH HSEM

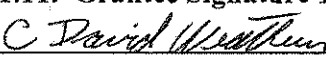
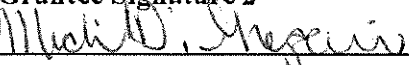
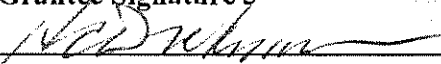

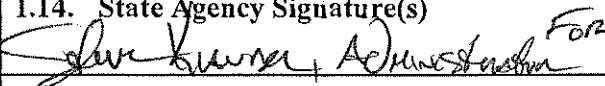
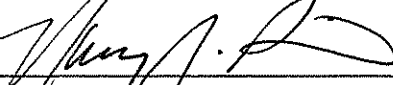
Enclosures

# GRANT AGREEMENT

The State of New Hampshire and the Grantee hereby mutually agree as follows:

## GENERAL PROVISIONS

### 1. Identification and Definitions.

<b>1.1. State Agency Name</b> NH Department of Safety, Homeland Security and Emergency Management		<b>1.2. State Agency Address</b> 33 Hazen Drive Concord, NH 03305	
<b>1.3. Grantee Name</b> Town of Conway		<b>1.4. Grantee Address</b> 1634 East Main Street, Center Conway, NH 03813	
<b>1.5. Effective Date</b> G&C Approval	<b>1.6. Completion Date</b> January 29, 2016	<b>1.7. Audit Date</b> N/A	<b>1.8. Grant Limitation</b> \$554,102.00
<b>1.9. Grant Officer for State Agency</b> Elizabeth R. Peck		<b>1.10. State Agency Telephone Number</b> (603) 223-3655	
"By signing this form we certify that we have complied with any public meeting requirement for acceptance of this grant, including if applicable RSA 31:95-b."			
<b>1.11. Grantee Signature 1</b> 		<b>1.12. Name &amp; Title of Grantee Signor 1</b> C. David Weathers, Chair / Selectman	
<b>Grantee Signature 2</b> 		<b>Name &amp; Title of Grantee Signor 2</b> Michael DiGregorio, Vice Chair/Selectman	
<b>Grantee Signature 3</b> 		<b>Name &amp; Title of Grantee Signor 3</b> Howard C. Dickinson, Selectman	
<b>1.13. Acknowledgment:</b> State of New Hampshire, County of Carroll, on 1/29/13, before the undersigned officer, personally appeared the person identified in block 1.12., known to me (or satisfactorily proven) to be the person whose name is signed in block 1.11., and acknowledged that he/she executed this document in the capacity indicated in block 1.12.			
<b>1.13.1. Signature of Notary Public or Justice of the Peace (Seal)</b> 		<b>KAREN J HALLOWELL,</b> NOTARY PUBLIC <small>My Commission Expires Sept 28, 2014</small>	
<b>1.13.2. Name &amp; Title of Notary Public or Justice of the Peace</b>			
<b>1.14. State Agency Signature(s)</b> 		<b>1.15. Name &amp; Title of State Agency Signor(s)</b> John T. Beardmore, Director of Administration	
<b>1.16. Approval by Attorney General (Form, Substance and Execution)</b>  By:  Assistant Attorney General, On: 1/31/2013			
<b>1.17. Approval by Governor and Council</b>  By: _____ On: 1/1/____			

**2. SCOPE OF WORK:** In exchange for grant funds provided by the State of New Hampshire, acting through the Agency identified in block 1.1 (hereinafter referred to as "the State"), pursuant to RSA 21-P:36, the Grantee identified in block 1.3 (hereinafter referred to as "the Grantee"), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT A (the scope of work being hereinafter referred to as "the Project").

Grantee Initials MDW Date 1-29-13  
 Page 1 of 6 HCT Date 1-29-13

3. AREA COVERED. Except as otherwise specifically provided for herein, the Grantee shall perform the Project in, and with respect to, the State of New Hampshire.
4. EFFECTIVE DATE: COMPLETION OF PROJECT.
- 4.1. This Agreement, and all obligations of the parties hereunder, shall become effective on the date in block 1.5 or on the date of approval of this Agreement by the Governor and Council of the State of New Hampshire whichever is later (hereinafter referred to as "the effective date").
- 4.2. Except as otherwise specifically provided herein, the Project, including all reports required by this Agreement, shall be completed in ITS entirety prior to the date in block 1.6 (hereinafter referred to as "the Completion Date").
5. GRANT AMOUNT: LIMITATION ON AMOUNT: VOUCHERS: PAYMENT.
- 5.1. The Grant Amount is identified and more particularly described in EXHIBIT B, attached hereto.
- 5.2. The manner of, and schedule of payment shall be as set forth in EXHIBIT B.
- 5.3. In accordance with the provisions set forth in EXHIBIT B, and in consideration of the satisfactory performance of the Project, as determined by the State, and as limited by subparagraph 5.5 of these general provisions, the State shall pay the Grantee the Grant Amount. The State shall withhold from the amount otherwise payable to the Grantee under this subparagraph 5.3 those sums required, or permitted, to be withheld pursuant to N.H. RSA 80:7 through 7-c.
- 5.4. The payment by the State of the Grant amount shall be the only, and the complete payment to the Grantee for all expenses, of whatever nature, incurred by the Grantee in the performance hereof, and shall be the only, and the complete, compensation to the Grantee for the Project. The State shall have no liabilities to the Grantee other than the Grant Amount.
- 5.5. Notwithstanding anything in this Agreement to the contrary, and notwithstanding unexpected circumstances, in no event shall the total of all payments authorized, or actually made, hereunder exceed the Grant limitation set forth in block 1.8 of these general provisions.
6. COMPLIANCE BY GRANTEE WITH LAWS AND REGULATIONS. In connection with the performance of the Project, the Grantee shall comply with all statutes, laws regulations, and orders of federal, state, county, or municipal authorities which shall impose any obligations or duty upon the Grantee, including the acquisition of any and all necessary permits.
7. RECORDS and ACCOUNTS.
- 7.1. Between the Effective Date and the date seven (7) years after the Completion Date the Grantee shall keep detailed accounts of all expenses incurred in connection with the Project, including, but not limited to, costs of administration, transportation, insurance, telephone calls, and clerical materials and services. Such accounts shall be supported by receipts, invoices, bills and other similar documents.
- 7.2. Between the Effective Date and the date seven (7) years after the Completion Date, at any time during the Grantee's normal business hours, and as often as the State shall demand, the Grantee shall make available to the State all records pertaining to matters covered by this Agreement. The Grantee shall permit the State to audit, examine, and reproduce such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, data (as that term is hereinafter defined), and other information relating to all matters covered by this Agreement. As used in this paragraph, "Grantee" includes all persons, natural or fictional, affiliated with, controlled by, or under common ownership with, the entity identified as the Grantee in block 1.3 of these general provisions.
8. PERSONNEL.
- 8.1. The Grantee shall, at its own expense, provide all personnel necessary to perform the Project. The Grantee warrants that all personnel engaged in the Project shall be qualified to perform such Project, and shall be properly licensed and authorized to perform such Project under all applicable laws.
- 8.2. The Grantee shall not hire, and it shall not permit any subcontractor, subgrantee, or other person, firm or corporation with whom it is engaged in a combined effort to perform the Project, to hire any person who has a contractual relationship with the State, or who is a State officer or employee, elected or appointed.
- 8.3. The Grant Officer shall be the representative of the State hereunder. In the event of any dispute hereunder, the interpretation of this Agreement by the Grant Officer, and his/her decision on any dispute, shall be final.
9. DATA: RETENTION OF DATA: ACCESS.
- 9.1. As used in this Agreement, the word "data" shall mean all information and things developed or obtained during the performance of, or acquired or developed by reason of, this Agreement, including, but not limited to, all studies, reports, files, formulae, surveys, maps, charts, sound recordings, video recordings, pictorial reproductions, drawings, analyses, graphic representations, computer programs, computer printouts, notes, letters, memoranda, paper, and documents, all whether finished or unfinished.
- 9.2. Between the Effective Date and the Completion Date the Grantee shall grant to the State, or any person designated by it, unrestricted access to all data examination, duplication, publication, translation, sale, disposal, or for any other purpose whatsoever.
- 9.3. No data shall be subject to copyright in the United States or any other country by anyone other than the State.
- 9.4. On and after the Effective Date all data, and any property which has been received from the State or purchased with funds provided for that purpose under this Agreement, shall be the property of the State, and shall be returned to the State upon demand or upon termination of this Agreement for any reason, whichever shall first occur.
- 9.5. The State, and anyone it shall designate, shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, all data.
10. CONDITIONAL NATURE OR AGREEMENT. Notwithstanding anything in this Agreement to the contrary, all obligations of the State hereunder, including, without limitation, the continuance of payments hereunder, are contingent upon the availability or continued appropriation of funds, and in no event shall the State be liable for any payments hereunder in excess of such available or appropriated funds. In the event of a reduction or termination of those funds, the State shall have the right to withhold payment until such funds become available, if ever, and shall have the right to terminate this Agreement immediately upon giving the Grantee notice of such termination.
11. EVENT OF DEFAULT: REMEDIES.
- 11.1. Any one or more of the following acts or omissions of the Grantee shall constitute an event of default hereunder (hereinafter referred to as "Events of Default"):
- 11.1.1 Failure to perform the Project satisfactorily or on schedule; or
- 11.1.2 Failure to submit any report required hereunder; or
- 11.1.3 Failure to maintain, or permit access to, the records required hereunder; or
- 11.1.4 Failure to perform any of the other covenants and conditions of this Agreement.
- 11.2. Upon the occurrence of any Event of Default, the State may take any one, or more, or all, of the following actions:
- 11.2.1 Give the Grantee a written notice specifying the Event of Default and requiring it to be remedied within, in the absence of a greater or lesser specification of time, thirty (30) days from the date of the notice; and if the Event of Default is not timely remedied, terminate this Agreement, effective two (2) days after giving the Grantee notice of termination; and
- 11.2.2 Give the Grantee a written notice specifying the Event of Default and suspend all payments to be made under this Agreement and ordering that the portion of Grant Amount which would otherwise accrue to the grantee during the period from the date of such notice until such time as the State determines that the Grantee has cured the Event of Default shall never be paid to the Grantee; and
- 11.2.3 Set off against any other obligation the State may owe to the Grantee any damages the State suffers by reason of any Event of Default; and
- 11.2.4 Treat the agreement as breached and pursue any of its remedies at law or in equity, or both.
12. TERMINATION.
- 12.1. In the event of any early termination of this Agreement for any reason other than the completion of the Project, the Grantee shall deliver to the Grant Officer, not later than fifteen (15) days after the date of termination, a report (hereinafter referred to as the "Termination Report") describing in detail all Project Work performed, and the Grant Amount earned, to and including the date of termination.
- 12.2. In the event of Termination under paragraphs 10 or 12.4 of these general provisions, the approval of such a Termination Report by the State shall entitle the Grantee to receive that portion of the Grant amount earned to and including the date of termination.
- 12.3. In the event of Termination under paragraphs 10 or 12.4 of these general provisions, the approval of such a Termination Report by the State shall in no event relieve the Grantee from any and all liability for damages sustained or incurred by the State as a result of the Grantee's breach of its obligations hereunder.
- 12.4. Notwithstanding anything in this Agreement to the contrary, either the State or, except where notice default has been given to the Grantee hereunder, the Grantee, may terminate this Agreement without cause upon thirty (30) days written notice.
13. CONFLICT OF INTEREST. No officer, member of employee of the Grantee, and no representative, officer or employee of the State of New Hampshire or of the governing body of the locality or localities in which the Project is to be performed, who exercises any functions or responsibilities in the review or

- approval of the undertaking or carrying out of such Project, shall participate in any decision relating to this Agreement which affects his or her personal interest or the interest of any corporation, partnership, or association in which he or she is directly or indirectly interested, nor shall he or she have any personal or pecuniary interest, direct or indirect, in this Agreement or the proceeds thereof.
14. GRANTEE'S RELATION TO THE STATE. In the performance of this Agreement the Grantee, its employees, and any subcontractor or subgrantee of the Grantee are in all respects independent contractors, and are neither agents nor employees of the State. Neither the Grantee nor any of its officers, employees, agents, members, subcontractors or subgrantees, shall have authority to bind the State nor are they entitled to any of the benefits, workmen's compensation or emoluments provided by the State to its employees.
  15. ASSIGNMENT AND SUBCONTRACTS. The Grantee shall not assign, or otherwise transfer any interest in this Agreement without the prior written consent of the State. None of the Project Work shall be subcontracted or subgranted by the Grantee other than as set forth in Exhibit A without the prior written consent of the State.
  16. INDEMNIFICATION. The Grantee shall defend, indemnify and hold harmless the State, its officers and employees, from and against any and all losses suffered by the State, its officers and employees, and any and all claims, liabilities or penalties asserted against the State, its officers and employees, by or on behalf of any person, on account of, based on, resulting from, arising out of (or which may be claimed to arise out of) the acts or omissions of the Grantee or Subcontractor, or subgrantee or other agent of the Grantee. Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is hereby reserved to the State. This covenant shall survive the termination of this agreement.
  17. INSURANCE AND BOND.
    - 17.1 The Grantee shall, at its own expense, obtain and maintain in force, or shall require any subcontractor, subgrantee or assignee performing Project work to obtain and maintain in force, both for the benefit of the State, the following insurance:
      - 17.1.1 Statutory workmen's compensation and employees liability insurance for all employees engaged in the performance of the Project, and
      - 17.1.2 Comprehensive public liability insurance against all claims of bodily injuries, death or property damage, in amounts not less than \$2,000,000 for bodily injury or death any one incident, and \$500,000 for property damage in any one incident; and
    - 17.2 The policies described in subparagraph 17.1 of this paragraph shall be the standard form employed in the State of New Hampshire, issued by underwriters acceptable to the State, and authorized to do business in the State of New Hampshire. Each policy shall contain a clause prohibiting cancellation or modification of the policy earlier than ten (10) days after written notice thereof has been received by the State.
  18. WAIVER OF BREACH. No failure by the State to enforce any provisions hereof after any Event of Default shall be deemed a waiver of its rights with regard to that Event, or any subsequent Event. No express waiver of any Event of Default shall be deemed a waiver of any provisions hereof. No such failure of waiver shall be deemed a waiver of the right of the State to enforce each and all of the provisions hereof upon any further or other default on the part of the Grantee.
  19. NOTICE. Any notice by a party hereto to the other party shall be deemed to have been duly delivered or given at the time of mailing by certified mail, postage prepaid, in a United States Post Office addressed to the parties at the addresses first above given.
  20. AMENDMENT. This Agreement may be amended, waived or discharged only by an instrument in writing signed by the parties hereto and only after approval of such amendment, waiver or discharge by the Governor and Council of the State of New Hampshire.
  21. CONSTRUCTION OF AGREEMENT AND TERMS. This Agreement shall be construed in accordance with the law of the State of New Hampshire, and is binding upon and inures to the benefit of the parties and their respective successors and assignees. The captions and contents of the "subject" blank are used only as a matter of convenience, and are not to be considered a part of this Agreement or to be used in determining the intent of the parties hereto.
  22. THIRD PARTIES. The parties hereto do not intend to benefit any third parties and this Agreement shall not be construed to confer any such benefit.
  23. ENTIRE AGREEMENT. This Agreement, which may be executed in a number of counterparts, each of which shall be deemed an original, constitutes the entire agreement and understanding between the parties, and supersedes all prior agreements and understandings relating hereto.
  24. SPECIAL PROVISIONS. The additional provisions set forth in Exhibit C hereto are incorporated as part of this agreement.

**EXHIBIT A**  
**SCOPE OF WORK**

**I. WORK TASKS**

The Town of Conway is being provided a hazard mitigation grant in the amount of \$554,102.00 to acquire and demolish properties within Transvale Acres.

The town proposes to acquire residences located within Transvale Acres, demolish the homes and return the area into green space to eliminate the extensive and chronic flooding caused by properties being in the floodway of the Saco River.

All work and the closeout of this project will be completed by January 29, 2016.

**II. PROJECT REVIEW and CONDITIONS**

The Town of Conway shall comply with the project review and conditions as identified by the Federal Emergency Management Agency (FEMA). The FEMA Record of Environmental Consideration is attached to this agreement.

The Town of Conway shall submit quarterly progress reports starting with the quarter ending April 17, 2013. These reports shall continue until the project is closed out.

The Town of Conway is responsible for the 25% cost share, which is \$184,701.00. The Town of Conway shall clearly identify and document the cost share and retain all associated records for a period of seven years from the date of project closeout.



## EXHIBIT B

### GRANT AMOUNT AND METHOD OF PAYMENT

#### I. GRANT AMOUNT

4026 HMGP

	Applicant Share	Grant (Federal Funds)	Cost Totals
Project Cost	\$184,701.00	\$554,102.00	\$ 738,803.00
Column Totals	\$184,701.00	\$554,102.00	\$ 738,803.00
The Project Cost is 75% Federal Funds, 25% Applicant Share			
The Administrative Cost Allowance is 100% Federal Funds			

#### II. FEE SCHEDULE

- a. An initial advance will be made to the Town of Conway based on expenditures necessary to start the project. Additional advances may be requested contingent upon documented expenditure of previous advances.
- b. A request for an advance of funds must be submitted in writing to the State Hazard Mitigation Officer. The request must be made using the request for funds form. Request for funds should be made at least 4 – 6 weeks prior to the identified need, and should be expended within thirty (30) days of receipt.

EXHIBIT C

SPECIAL PROVISIONS

- I. This grant agreement may be terminated upon thirty (30) days written notice by either party.
- II. Any funds advanced to the grantee must be returned to Homeland Security and Emergency Management if the grant agreement is terminated for any reason other than completion of the project.
- III. The Town of Conway agrees to have an audit conducted in compliance with OMB Circular A-133, if applicable. If a compliance audit is not required, at the end of each audit period the Town of Conway will certify in writing that they have not expended the amount of federal funds that would require a compliance audit (\$500,000). If required, they will forward for review and clearance a copy of the completed audit(s) to the Department of Safety, Division of Homeland Security and Emergency Management.

Additionally, they have notified or will notify their auditor of the above requirements prior to performance of the audit. They will also ensure that, if required, the entire grant period will be covered by a compliance audit, which in some cases will mean more than one audit must be submitted. They will advise the auditor to cite specifically that the audit was done in accordance with OMB Circular A-133. They will also ensure that all records concerning this grant will be kept on file for a minimum of 7 years from the end of this audit period.

Grantee Initials

Date

HCD CDRO

1-29-13

1-29-13

MD 1-29-13

**Minutes of Meeting**  
**CONWAY BOARD OF SELECTMEN**  
January 29, 2013

The Selectmen's Meeting convened at 4:18 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Michael DiGregorio, Howard C. Dickinson, Mary Carey Seavey and Stacy Sand, Town Manager, Earl W. Sires and Recording Secretary, Karen Hallowell.

**EXCERPT FROM THE DRAFT MINUTES**

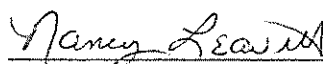
**APPROVAL OF FEMA GRANT: TRANSVALE BUYOUT**

Mr. Sires advised that we have received good news regarding the FEMA grant for the Transvale Buyout. We had a snag in the process recently and FEMA had advised an historic review needed to be done. The State of New Hampshire's Historic Preservation office has done a good job of getting this information turned around timely. If the Board approves this FEMA grant tonight, officials will pick up the paperwork tomorrow and , hopefully, get this on the next Governor and Council agenda.

Mr. Sires next advised that a meeting was held last Thursday with Transvale people who are signed up for this program. This meeting was to let them know the timing of the project and to answer questions. Some property owners do still have some things to do to get themselves ready to go. When the grant funds are received, we will need to balance the fact that some folks are in a critical living situation and that some need help sooner than others. There are fourteen homes to purchase this year and so we are going to try to get to those in need the most first. Some properties do have encumbrances and this may slow down the process. Mr. Sires further reviewed that during the taking process, the town will have to go through its regular process of getting recommendations from the Conservation Commission and Planning Board, etc.

Mr. Sires next reviewed the information for the grant with the Board. Mr. Sires stated if the Board chooses to approve this grant a motion should be made for same. **Ms. Sand moved, seconded by Mr. Dickinson, that we approve the hazard mitigation grant agreement with the NH Department of Safety, Homeland Security and Emergency management for the Transvale Acres Buy out project. The purpose of this project is to acquire and demolish properties that are located in the floodplain and floodway. Project funding totals \$738,803 with \$554,102 coming from the NH HSEM grant and a local match of \$184,701 which is the proceeds from the award of a Community Development Block Grant. The motion carried unanimously.**

True copy attest of an excerpt of the draft minutes  
of the 1/29/13 Conway Board of Selectmen meeting



Nancy Leavitt, Deputy Town Clerk

## CERTIFICATE OF COVERAGE

This certificate evidences the limits of liability in effect at the inception of the Member Agreement(s) described below. This certificate is issued as a matter of information only and confers no rights on the certificate holder and does not amend, extend or alter the coverage afforded by the Member Agreement(s); except to the extent provided in the additional covered party box or loss payee box below, if checked.

THIS IS TO CERTIFY THAT THE MEMBER NAMED BELOW IS A PARTICIPATING MEMBER OF EITHER OR BOTH OF THE COMPANIES AND THAT A MEMBER AGREEMENT(S) HAS BEEN ISSUED TO THE MEMBER FOR THE AGREEMENT TERM(S) INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE COVERAGE AFFORDED BY THE MEMBER AGREEMENT(S) IS SUBJECT TO ALL THE EXCLUSIONS, EXTENSIONS, TERMS AND CONDITIONS OF SUCH MEMBER AGREEMENT(S). AGGREGATE LIMITS MAY HAVE BEEN REDUCED BY PAID CLAIMS.

<b>Participating Member:</b> All Members List Attached		<b>Companies Affording Coverage (the "Companies"):</b> Company A: Local Government Center Property-Liability Trust, LLC Company B: Local Government Center Workers' Compensation Trust, LLC P.O. Box 617, Concord, NH 03302-0617		
<b>Coverage (Occurrence basis only):</b>	<b>Effective Date (mm/dd/yy):</b>	<b>Expiration Date (mm/dd/yy):</b>	<b>Limits</b> <i>(subject to applicable NH statutory limits)</i>	
<input checked="" type="checkbox"/> General Liability (Member Agreement Section III.A)	7/1/2012	6/30/2013	Each Occurrence	\$5,000,000
			General Aggregate	\$
			Personal & Adv Injury	\$
			Med Exp (any one person)	\$
			Products - Comp/Op Agg	\$
<input checked="" type="checkbox"/> Automobile Liability (Member Agreement Section III.A) <input type="checkbox"/> Any Auto <input type="checkbox"/> All Owned Autos <input type="checkbox"/> Scheduled Autos <input type="checkbox"/> Hired Autos <input type="checkbox"/> Non-Owned Autos <input type="checkbox"/> Other _____	7/1/2012	6/30/2013	Each Occurrence	\$5,000,000
			Bodily Injury (per person)	\$
			Bodily Injury (per accident)	\$
			Property Damage (per accident)	\$
<input type="checkbox"/> Excess Liability			Each Occurrence	\$ N/A
			Aggregate	\$ N/A
<input checked="" type="checkbox"/> Property (All Risk including Theft) (Member Agreement Section I) Deductible: \$1,000	7/1/2012	6/30/2013		\$Per scheduled limits and Member Agreement
<input type="checkbox"/> Workers Compensation (Coverage A) Employers' Liability (Coverage B)			<input type="checkbox"/> Statutory / Cov. A	
			Each Accident / Cov. B	\$ 2,000,000
			Disease - Each Employee	\$ 2,000,000
			Disease - Policy Limit	\$ 2,000,000
<b>Description:</b> Proof of Coverage.				

**CANCELLATION:** If any of the above coverages under the Member Agreement are cancelled before the expiration date, the Company will endeavor to mail 30 days written notice to the Certificate Holder named below, but failure to mail such notice shall impose no obligation or liability of any kind upon the Company.

	<input type="checkbox"/> Additional Covered Party	<input type="checkbox"/> Loss Payee, as his, her or its interests appear
<p><i>Coverage for the Additional Covered Party is limited to "bodily injury" or "property damage" caused by, and only to the extent of, the sole negligence of the "Member," and no protection is available for the negligence of others, including the Additional Covered Party and its directors, officers, employees or agents. Available limits of coverage are shared between the "Member" and the Additional Covered Party.*</i></p>		
<b>Certificate Holder:</b>  State of New Hampshire Department of Safety 33 Hazen Drive Concord, NH 03301	<b>Companies</b>  By: <u>Debra A. Lewis</u> Authorized Representative Date Issued: <u>7/1/2012</u>	<b>Please direct inquiries to:</b>  Debra A. Lewis 603.226.4481

\*Terms in quotes are defined in the Member Agreement.

Somersworth School District
Souhegan Regional Landfill District
Southeast Regional Refuse Disposal
Southeastern NH Hazardous Materials Mutual Aid District
Southern NH Planning Commission
Southern NH Special Operations Unit
Spofford Fire District
Strafford Regional Planning
Stratham School District
Strong Foundations Charter School
Surry Village Charter School
Swains Lake Village Water
SWNH Fire Mutual Aid
Thornton School District
Tilton-Northfield Fire Department
Town of Acworth
Town of Albany
Town of Alexandria
Town of Allentown
Town of Alton
Town of Andover
Town of Antrim
Town of Atkinson
Town of Barnstead
Town of Barrington
Town of Bartlett
Town of Bath
Town of Bennington
Town of Benton
Town of Bethlehem
Town of Bradford
Town of Brentwood
Town of Brookfield
Town of Brookline
Town of Campton
Town of Canterbury
Town of Carroll
Town of Center Harbor
Town of Charlestown
Town of Chatham
Town of Chester
Town of Chesterfield
Town of Chichester
Town of Clarksville
Town of Colebrook
Town of Columbia
*Town of Conway*

## CERTIFICATE OF COVERAGE

This certificate evidences the limits of liability in effect at the inception of the Member Agreement(s) described below. This certificate is issued as a matter of information only and confers no rights on the certificate holder and does not amend, extend or alter the coverage afforded by the Member Agreement(s); except to the extent provided in the additional covered party box or loss payee box below, if checked.

THIS IS TO CERTIFY THAT THE MEMBER NAMED BELOW IS A PARTICIPATING MEMBER OF COMPANY A AND THAT A MEMBER AGREEMENT(S) HAS BEEN ISSUED TO THE MEMBER FOR THE AGREEMENT TERM(S) INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE COVERAGE AFFORDED BY THE MEMBER AGREEMENT(S) IS SUBJECT TO ALL THE EXCLUSIONS, EXTENSIONS, TERMS AND CONDITIONS OF SUCH MEMBER AGREEMENT(S). AGGREGATE LIMITS MAY HAVE BEEN REDUCED BY PAID CLAIMS.

<b>Participating Member:</b> Town of Conway <b>Member Number:</b> 147-122887 - 13		<b>Company Affording Coverage (the "Company"):</b>  Local Government Center Property-Liability Trust, LLC P.O. Box 617, Concord, NH 03302-0617	
Coverage (Occurrence basis only):	Effective Date (mm/dd/yy)	Expiration Date (mm/dd/yy)	Limits (subject to applicable NH statutory limits)
<input type="checkbox"/> General Liability (Member Agreement Section III.A)			Each Occurrence \$ 5,000,000
			General Aggregate \$
			Personal & Adv Injury \$
			Med Exp (any one person) \$
			Products -Comp/Op Agg \$
<input type="checkbox"/> Automobile Liability (Member Agreement Section III.A) <input type="checkbox"/> Any Auto <input type="checkbox"/> All Owned Autos <input type="checkbox"/> Scheduled Autos <input type="checkbox"/> Hired Autos <input type="checkbox"/> Non-Owned Autos <input type="checkbox"/> Other _____			Each Occurrence \$ 5,000,000
			Bodily Injury (per person) \$
			Bodily Injury (per accident) \$
			Property Damage (per accident) \$
<input type="checkbox"/> Excess Liability			Each Occurrence \$ N/A
			Aggregate \$ N/A
<input type="checkbox"/> Property (All Risk including Theft) (Member Agreement Section I) Deductible: \$1,000			\$Per scheduled limits and Member Agreement
<input checked="" type="checkbox"/> Workers' Compensation (Coverage A) Employers' Liability (Coverage B)	1/1/2013	12/31/2013	Coverage A: Statutory
			Cov. B: Each Accident \$ 2,000,000
			Disease - Each Employee \$ 2,000,000
			Disease - Policy Limit \$ 2,000,000
<b>Description:</b> Proof of Coverage			

**CANCELLATION:** If any of the above coverages under the Member Agreement are cancelled before the expiration date, the Company will endeavor to mail 30 days written notice to the Certificate Holder named below, but failure to mail such notice shall impose no obligation or liability of any kind upon the Company.

<input type="checkbox"/> Additional Covered Party	<input type="checkbox"/> Loss Payee, as his, her or its interests appear
Coverage for the Additional Covered Party is limited to "bodily injury" or "property damage" caused by, and only to the extent of, the sole negligence of the "Member," and no protection is available for the negligence of others, including the Additional Covered Party and its directors, officers, employees or agents. Available limits of coverage are shared between the "Member" and the Additional Covered Party.*	
<b>Certificate Holder:</b> State Hazard Mitigation Planner  33 Hazen Drive  Concord NH 03301	<b>Companies</b>  <b>By:</b> <u>Debra A. Lewis</u> Authorized Representative  <b>Date Issued:</b> <u>1/29/2013</u>
<b>Please direct inquiries to:</b>  Debra A. Lewis 603.224.7447 x3332	

\*Terms in quotes are defined in the Member Agreement.

Somersworth School District
Souhegan Regional Landfill District
Southeast Regional Refuse Disposal
Southeastern NH Hazardous Materials Mutual Aid District
Southern NH Planning Commission
Southern NH Special Operations Unit
Spofford Fire District
Strafford Regional Planning
Stratham School District
Strong Foundations Charter School
Surry Village Charter School
Swains Lake Village Water
SWNH Fire Mutual Aid
Thornton School District
Tilton-Northfield Fire Department
Town of Acworth
Town of Albany
Town of Alexandria
Town of Allenstown
Town of Alton
Town of Andover
Town of Antrim
Town of Atkinson
Town of Barnstead
Town of Barrington
Town of Bartlett
Town of Bath
Town of Bennington
Town of Benton
Town of Bethlehem
Town of Bradford
Town of Brentwood
Town of Brookfield
Town of Brookline
Town of Campton
Town of Canterbury
Town of Carroll
Town of Center Harbor
Town of Charlestown
Town of Chatham
Town of Chester
Town of Chesterfield
Town of Chichester
Town of Clarksville
Town of Colebrook
Town of Columbia
*Town of Conway*



**FEMA**

January 29, 2013

Perry Plummer, Acting Director  
Homeland Security and Emergency Management  
33 Hazen Dr.  
Concord, NH 03305

Re: FEMA-4026-DR-NH  
Hazard Mitigation Grant Program (HMGP) Project # 3-R  
Transvale Acres Floodplain Acquisition, Conway, NH

Dear Director Plummer:

Enclosed please find the obligation reports for the following HMGP grant:

4026-3-R	Town of Conway, New Hampshire Transvale Acres Floodplain Acquisition	\$ 554,102
	<b>Total:</b>	<b>\$ 554,102</b>

The project performance period shall be three years from the date of this letter.

If you have any questions, please do not hesitate to call Stephanie Leydon with the FEMA Region I Mitigation Division at (617) 832-4766.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dean J. Savramis".

Dean J. Savramis  
Director, Mitigation Division  
FEMA Region I

Cc: Beth Peck, Acting SHMO, NH HSEM

Enclosures



# TITLE I

## THE STATE AND ITS GOVERNMENT

### CHAPTER 14

#### LEGISLATIVE OFFICERS AND PROCEEDINGS

#### Legislative Budget Assistant

##### Section 14:30-a

###### 14:30-a Fiscal Committee. –

I. There is hereby established a fiscal committee of the general court. Said committee shall consist of 10 members. Five shall be members of the house as follows: the chairperson of the finance committee and 2 other members of the committee, appointed by the chairperson; and 2 other house members appointed by the speaker of the house. Five members shall be members of the senate as follows: the chairperson of the finance committee and 2 other members of that committee, appointed by the chairperson; and 2 other senators appointed by the senate president. The chairperson of the house finance committee shall be the chairperson of the fiscal committee.

II. The committee shall, while the general court is in session and during the interim, consult with, assist, advise, and supervise the work of the legislative budget assistant, and may at its discretion investigate and consider any matter relative to the appropriations, expenditures, finances, revenues or any of the fiscal matters of the state. The members shall be paid the regular legislative mileage during the interim while engaged in their work as members of the committee.

III. The fiscal committee shall consider recommendations proposed to it by the legislative performance audit and oversight committee established under RSA 17-N:1. The fiscal committee shall adopt all recommendations proposed to it as provided in RSA 17-N:1, III by the performance audit and oversight committee unless the fiscal committee refuses by unanimous vote to adopt such recommendations.

IV. [Repealed.]

V. [Repealed.]

VI. Any non-state funds in excess of \$50,000, whether public or private, including refunds of expenditures, federal aid, local funds, gifts, bequests, grants, and funds from any other non-state source, which under state law require the approval of governor and council for acceptance and expenditure, may be accepted and expended by the proper persons or agencies in the state government only with the prior approval of the fiscal committee.

**Source.** 1965, 239:19. 1987, 416:7. 1989, 396:13; 408:2. 1991, 346:18, I. 1995, 9:8, eff. June 11, 1995. 2005, 177:11, eff. July 1, 2005. 2006, 290:21, eff. June 15, 2006.

# TITLE I

## THE STATE AND ITS GOVERNMENT

### CHAPTER 21-P

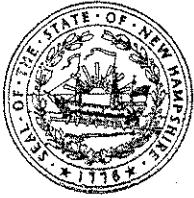
#### DEPARTMENT OF SAFETY

#### Homeland Security and Emergency Management

##### Section 21-P:43

**21-P:43 Appropriations and Authority to Accept Services, Gifts, Grants, and Loans.** – Each political subdivision may make appropriations in the manner provided by law for making appropriations for the ordinary expenses of such political subdivision for the payment of expenses of its local organization for emergency management. Whenever the federal government or any federal agency or officer offers to the state, or through the state to any of its political subdivisions, services, equipment, supplies, materials, or funds by way of gift, grant, or loan for purposes of emergency management the state, acting through the governor, commissioner, or such political subdivision, acting with the consent of the governor and through its executive officer, city council, or board of selectmen, may accept such offer, subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer. Whenever any person, firm or corporation offers to the state or to any of its political subdivisions services, equipment, supplies, materials, or funds by way of gift, grant, or loan for purposes of emergency management the state, acting through the governor, or such political subdivision, acting through its executive officer, city council, or board of selectmen, may accept such offer, subject to its terms.

Source. 2002, 257:7, eff. July 1, 2002.



# State of New Hampshire

DEPARTMENT OF SAFETY  
 OFFICE OF THE COMMISSIONER  
 33 HAZEN DR. CONCORD, NH 03305  
 603/271-2791

JOHN J. BARTHELMES  
 COMMISSIONER

January 22, 2013

The Honorable Mary Jane Wallner, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, NH 03301

Her Excellency, Governor Margaret Wood Hassan  
 and the Honorable Executive Council  
 State House  
 Concord, NH 03301

Requested Action

1. Pursuant to RSA 14:30-a VI, authorize the Department of Safety, Division of Fire Standards and Training and Emergency Medical Services to accept and expend EMS Statewide CAD Integration funds in the amount of \$32,882.00 and EMS Statewide Field Bridge funds in the amount of \$133,530.00 from the NH Highway Safety Agency for a total amount of \$166,412.00 for the expansion of the Trauma and Emergency Medical Services Information System (TEMSIS) which is used to collect patient care data. Effective upon Fiscal Committee and Governor and Council approval through June 30, 2013. Funding Source: 100% Agency Income.

Funds will be budgeted in an account titled Fire Standards and Training Grants:  
 010-023-2370-33400000 Dept of Safety FST&EMS Fire Standards and Training Grants

Class	Description	Current SFY 2013 Adjusted	Requested Action	Revised SFY 2013 Adjusted
009 - 407085	Agency Income	(\$0.00)	(\$166,412.00)	(\$166,412.00)
040 - 500800	Indirect Costs	0.00	\$16,612.00	\$16,612.00
103 - 502664	Contracts for Operation Services	0.00	\$149,800.00	\$149,800.00
Org 3340 Totals		\$0.00	\$166,412.00	\$166,412.00

2. Subject to approval of requested action #1 by Fiscal Committee and Governor and Council and pursuant to RSA 21-P:12-b II(g), authorize the Department of Safety, Division of Fire Standards and Training and Emergency Medical Services, to amend a sole source contract (2005-005) with Image Trend, Inc. (VC#172021), 20855 Kensington Boulevard, Lakeville, Minnesota, originally approved by Governor and Council on February 25, 2005, Item #70A, amended on July 15, 2009, Item #142, further amended on August 8, 2012, Item #127, by increasing the contract amount by \$209,740.00, from \$1,002,656.00 to \$1,212,396.00. All other terms and conditions of the contract remain the same. Effective upon Governor and Council approval through December 31, 2017. Funding sources, aggregate: 71% Agency Inc., 29% Fire & EMS Funds.

3. Further, subject to the approval of requested action #2, authorize the Department of Safety, Division of Fire Standards and Training and Emergency Medical Services, to make advance payment to Image Trend, Inc, (VC#172021) 20855 Kensington Boulevard, Lakeville, Minnesota, in the amount of \$166,540.00 for the project, including a total of three years of maintenance and support for the program, in order to expend grant funds within the federal grant year ending September 30, 2013. Effective upon Governor and Council approval. Funding Source: 100% Agency Income.

Funding for the increase is outlined below, with SFY 2013 through 2015, subject to approval, to be paid in advance in SFY 2103 and is anticipated to be available in SFY 2016 through SFY 2018 upon continued appropriation of the Fire & EMS Funds, with the ability to adjust between fiscal years through the Budget Office if needed and justified.

Activity Code: 2370 Dept. of Safety Fire Standards and Training Grants

	SFY2013	SFY2014	SFY2015	SFY2016	SFY2017	SFY2018	Totals
010-023-2370-33400000-103-502664	\$149,800.00						\$149,800.00
010-023-2370-40650000-103-502664	\$ 16,740.00						\$ 16,740.00
010-023-2370-40650000-024-500230				\$10,800.00	\$21,600.00	\$10,800.00	\$ 43,200.00
Totals	\$166,540.00	\$0.00	\$0.00	\$10,800.00	\$21,600.00	\$10,800.00	\$209,740.00

Representative Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court

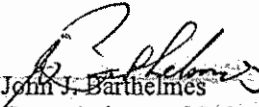
Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Executive Council  
January 22, 2013  
Page 2 of 2

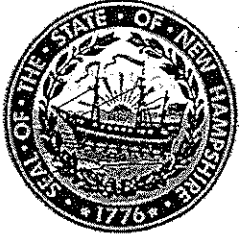
Explanation

This requested contract amendment with Image Trend, Inc is sole source because the amended amount is greater than 10%. The contract is being amended rather than seeking bids from other vendors because there are two additional modules that are integrated into the system that no other vendor can supply and additional work is being done to interface the licensing system with the existing system. This request to increase funds for the Division of Fire Standards and Training and Emergency Medical Services is necessary to provide additional functioning and upgrades for the existing essential program called Trauma and Emergency Medical Services Information System (TEMSIS).

The intent of the original contract was to develop and provide a statewide, centralized electronic patient care records system for all NH Emergency Medical Services providers to use to document their patient care for emergency events in accordance with NH Statute Section 21-P:12-b (g). This program has been successful and has become the standard in NH. An amendment was added in 2009 to substantially upgrade the program and extend the maintenance and hosting. A further amendment was added in 2012 to extend the current program infrastructure at the original price until December 31, 2017. This amendment is requested to add mobile functionality to the program for all EMS services and create a secure electronic connection between the TEMSIS system and the EMS service's dispatch centers. Both of these additional functions have been requested by EMS services for years and are anticipated with enthusiasm in the state. These additional functions have been funded by Federal Highway Safety funds. Furthermore, this amendment will allow for an upgrade to the connection between the EMS licensing database maintained by the state and the TEMSIS system. The current program is outdated and has become unstable. This upgrade will resolve that issue and will be used until the end of the current contract in 2017.

Respectfully submitted,

  
John J. Barthelmes  
Commissioner of Safety



STATE OF NEW HAMPSHIRE  
DEPARTMENT OF INFORMATION TECHNOLOGY  
27 Hazen Dr., Concord, NH 03301  
Fax: 603-271-1516 TDD Access: 1-800-735-2964  
www.nh.gov/doit

Peter C. Hastings  
Acting Commissioner

January 10, 2013

John J. Barthelmes  
Commissioner  
Department of Safety  
33 Hazen Drive  
Concord, NH 03305

Dear Commissioner Barthelmes:

This letter represents formal notification that the Department of Information Technology (DoIT) has approved your request to amend a contract with ImageTrend, Inc. as described below and referenced as DoIT No. 2005-005C.

This is an authorization to add the ability to import EMS license data from the State to the Trauma and Emergency Medical Services Information System (TEMSIS). It will also implement and add support and hosting for a Statewide EMS field bridge by the purchase of a statewide field bridge site license and 35 Field Bridge Express licenses as well as the integration of computer aided dispatch. This will provide efficiency and flexibility to EMS services by giving them mobile support. This contract amendment will be effective upon Governor and Council approval through December 31, 2017. The cost of this upgrade is \$209,740 increasing the total contract amount to \$1,212,396.

A copy of this letter should accompany the Department of Information Technology submission to the Governor and Executive Council for approval.

Sincerely,

Peter C. Hastings

PCH/dcp  
DOS 2005-005C

cc: David Perry, Contracts Manager, Bureau of Finance & Administration  
Albert Sheldon, DOIT/DOS IT Lead

**STATE OF NEW HAMPSHIRE  
DEPARTMENT OF SAFETY  
TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
MAINTENANCE AND ENHANCEMENTS  
RFP 2005-005  
CONTRACT AMENDMENT C**

WHEREAS, pursuant to an Agreement approved by Governor and Council, as a result of RFP #2005-005, on February 25, 2005, Item #70A, amended on July 15, 2009, Item #142, further amended on August 8, 2012, Item #127, (herein after referred to as the "Agreement"), ImageTrend, Inc., (hereinafter referred to as the "Vendor") agreed to supply certain services upon the terms and conditions specified in the Agreement and in consideration of payment by the Department of Safety, certain sums as specified therein;

WHEREAS, pursuant to the Agreement (Section 17: *Amendment*) and the provisions of the Agreement, the Agreement may be modified or amended only by a written instrument executed by the parties thereto and approved by the Governor and Executive Council;

WHEREAS, the Vendor and the Department have agreed to amend the Agreement in certain respects;

WHEREAS, the Department and the Vendor seek to clarify the Agreement.

WHEREAS, the Department wishes to extend the Agreement and to increase the contract price by \$209,740 to bring the total contract price to \$1,212,396.

NOW THEREFORE, in consideration of the foregoing, and the covenants and conditions contained in the Agreement and set forth herein, the parties agree as follows:

**Contract Agreement – General Provisions and Statement of Work of the Agreement is hereby amended as follows:**

1. Amend Section 1.8 of the General Provisions of the Agreement by increasing the Price Limitation by \$209,740 from \$1,002,656 to \$1,212,396.

**Exhibit A of the Agreement is hereby amended as follows:**

1. Amend Exhibit A, Section 14 by adding Section 14.2: Deliverables for Amendment C, as follows:

Table A1C – Deliverables for Amendment C

Deliverable	Deliverable Name	Deliverable Date(s)
1	Development of EMS licensing Import Web Services Programming that will automatically accept imports of EMS licensing data from the state into the EMS electronic medical record system (TEMSIS)	Starting as of G&C Approval (January 2012)
2	Testing of EMS Licensing Import Web Services Programming	On or before 5/31/2012
3	Implementation/deployment of EMS Licensing Web Services Programming	On or before 6/30/2012
4	EMS Field Bridge Statewide Site License	G&C Approval (Jan 2012)
5	EMS Field Bridge Express 35 Site Licenses	G&C Approval (Jan 2012)
6	EMS Statewide Computer Aided Dispatch (CAD) Integration API	G&C Approval (Jan 2012)
7	3 Calendar Years (2013, 2014, 2015) Federal Grant Funded support and hosting for Statewide EMS Field	G&C Appr. through 12/31/2015

**STATE OF NEW HAMPSHIRE**  
**Department of Safety**  
**TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM**  
**RFP 2005-005**  
**CONTRACT AMENDMENT C**

	Bridge, Statewide CAD Integration and Field Bridge Express for 35 Site Licenses.	
8	Support and Hosting for Statewide EMS Field Bridge, Statewide CAD Integration and Field Bridge Express for 35 Site Licenses. (State funding)	01/01/2016 through 6/30/2016
9	Support and Hosting for Statewide EMS Field Bridge, Statewide CAD Integration and Field Bridge Express for 35 Site Licenses. (State funding)	7/1/2016 through 6/30/2017
10	Support and Hosting for Statewide EMS Field Bridge, Statewide CAD Integration and Field Bridge Express for 35 Site Licenses. (State funding)	7/1/2017 through 12/31/2017

Note: Deliverable 3 will include a Certificate of Completion of User Acceptance Testing (UAT)

- Amend Exhibit A, Section 14 by adding Section 14.4 EMS Licensing Import Web Services Statement of Work Deliverables Description as follows:

**14.4 Amendment C EMS Licensing Import Web Services Statement of Work Deliverables Description,**

The requirements for the deliverables required for Amendment C EMS Licensing Import Web Services are described in detail in Amendment C, Attachment A Requirements and Description attached.

**Exhibit B of the Agreement is hereby amended as follows:**

- Amend Exhibit B, Section 2 by adding Section 2.2 Price Payment Schedule for Amendment C, as follows:

**2.2 Price Payment Schedule for Amendment C**

Table B1C reflects the additional price for the EMS Licensing Import Web Services, the EMS Field Bridge Statewide Site License, the 35 EMS Field Bridge Express Site Licenses, the Computer Aided Dispatch (CAD) Integration API Module and additional support and maintenance for the EMS Field Bridge Statewide Site License, the 35 EMS Field Bridge Express Site Licenses, the Computer Aided Dispatch (CAD) Integration API Module only. Table B1B as defined in Amendment B for the core TEMSIS Application remains unchanged.

**Table B1C -Price Payment Schedule for Amendment C**

Deliverable	Deliverable Name	Date	Cost
1	Development of EMS licensing Import Web Services Programming that will automatically accept imports of EMS licensing data from the state into the EMS electronic medical record system (TEMSIS)	G&C Approval	\$0
2	Testing of EMS Licensing Import Web Services Programming	5/31/2012	\$0
3	Implementation/deployment of EMS Licensing Web Services Programming	6/30/2012	\$16,740
4	EMS Field Bridge Statewide Site License	G&C Approval	\$30,000
5	EMS Field Bridge Express 35 Site Licenses	G&C Approval	\$35,000
6	EMS Statewide Computer Aided Dispatch (CAD) Integration API	G&C Approval	\$20,000

**STATE OF NEW HAMPSHIRE**  
**Department of Safety**  
**TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM**  
**RFP 2005-005**  
**CONTRACT AMENDMENT C**

7	3 Calendar Years (2013, 2014, 2015) Federal Grant Funded support and hosting for Statewide EMS Field Bridge, Statewide CAD Integration and Field Bridge Express for 35 Site Licenses.	G&C Approval	\$64,800
8	Support and Hosting for Statewide EMS Field Bridge, Statewide CAD Integration and Field Bridge Express for 35 Site Licenses. 1/1/2016 through 6/30/2016	1/1/2016	\$10,800
9	Support and Hosting for Statewide EMS Field Bridge, Statewide CAD Integration and Field Bridge Express for 35 Site Licenses. 7/1/2016 through 6/30/2017	7/1/2016	\$21,600
10	Support and Hosting for Statewide EMS Field Bridge, Statewide CAD Integration and Field Bridge Express for 35 Site Licenses. 7/1/2017 through 12/31/2017	7/1/2017	\$10,800
			<b>\$209,740</b>

2. Amend Section 2, of Exhibit B by replacing Paragraph 4 as follows:

**4. TOTAL CONTRACT PRICE**

Notwithstanding anything in the Contract to the contrary, and notwithstanding unexpected circumstances, in no event shall the total of all payments exceed \$1,212,396. The payment by the State of the total Contract price shall be the only, and the complete reimbursement to ImageTrend, Inc. for all fees and expenses, of whatever nature, incurred by ImageTrend, Inc. in the performance hereof.

**Table 1 Contract 2005-005 – Trauma and Emergency Medical Services Information System Maintenance and Enhancements, Contract Amendment Descriptions**

Contract 2005-005 (#124002)	AMENDMENT TYPE	EFFECTIVE DATE	END DATE	CONTRACT AMOUNT
Contract #124002	Original Contract	February 25, 2005	December 31, 2009	\$497,000
Amendment # A	First Amendment (A)	July 15, 2009	December 31, 2012	\$244,656
Amendment # B	Second Amendment (B)	August 8, 2012	December 31, 2017	\$261,000
Amendment # C	Third Amendment (C)	G&C Approval	December 31, 2017	\$209,740
<b>CONTRACT TOTAL</b>				<b>\$1,212,396</b>



STATE OF NEW HAMPSHIRE  
Department of Safety  
TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
RFP 2005-005  
CONTRACT AMENDMENT C

Except as provided herein, all provisions of the Agreement shall remain in full force and effect. This modification shall take effect upon the approval date from the Governor and the Executive Council.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.

Michael J. McBrady  
Contract Signor  
ImageTrend, Inc.

Date: 12/12/2012

Corporate Signature Notarized:  
STATE OF Minnesota

COUNTY OF Scott

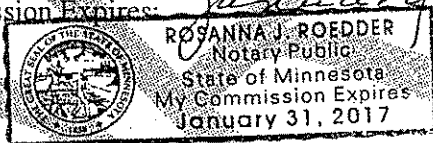
On this the 12<sup>th</sup> day of December, 2012, before me, Michael J. McBrady, the undersigned Officer of ImageTrend Inc personally appeared and acknowledged her/himself to be the President of ImageTrend Inc, a corporation, and that she/he, as such President being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by her/himself as Michael J. McBrady.

IN WITNESS WHEREOF I herennto set my hand and official seal.

Rosanna Roedder  
Notary Public/Justice of the Peace

My Commission Expires: January 31, 2017

(SEAL)



Perry E. Plummer  
Perry E. Plummer  
Director, Fire Standards and Training and EMS  
NH Department of Safety

Date: 1/11/2013

Approved by the Attorney General (Form, Substance and Execution)

Dave Hill  
State of New Hampshire, Department of Justice  
Dave Hill

Date: 2/7/13

**STATE OF NH CONTRACT 2005-005 AMENDMENT C  
FOR THE TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM**

**ATTACHMENT A:  
STATEMENT OF WORK DELIVERABLES DESCRIPTION  
EMS LICENSING IMPORT WEB SERVICES PROGRAMMING**

November 26, 2012

**State of NH Project Manager**

Richard Cooper  
New Hampshire Bureau of EMS  
33 Hazen Drive  
Concord, NH 03305  
603-223-4226  
[Richard.Cooper@dos.nh.gov](mailto:Richard.Cooper@dos.nh.gov)

**Image Trend Project Manager**

Angela Harguth  
ImageTrend, Inc.  
20855 Kensington Blvd.  
Lakeville, MN 55044  
Tel: (952) 469-1589  
Toll Free: (888) 469-7789  
Fax: (952) 985-5671 Email: [aharguth@imagetrend.com](mailto:aharguth@imagetrend.com)



Initial all Pages  
Vendor Initials RSB

## Overview

### Introduction and Background

- This is an ImageTrend document that provides business and technical requirements for the EMS Licensing Import Web Services for New Hampshire Bureau of EMS.
- ImageTrend will develop web services that can be called to automatically pass in information from the EMS licensing database to update staff, service and vehicle information in TEMSIS using an XML format, or other agreed upon format generated by the SQL server database. This will be built as an alternative to the current Licensing Import process that is currently in place and works with the New Hampshire licensing database in the access format. The Access format is no longer supported by essential software in the function of the TEMSIS programming and must be replaced.

### Assumptions

- Earlier the Licensing Import process on TEMSIS would involve updating all staff records on TEMSIS at once even if a few staff members were getting updated. With the new web services that we will build, the web service calls that would be made would need to have information passed into the parameters for only the updated staff members and not all staff at once.
- ImageTrend will create a staging environment to help facilitate testing of the EMS Licensure Import Web Service once development is complete. The client will have 10 business days to test using this staging environment and confirm all is working with the EMS Licensure Import Web Service.
- Technical documentation defining the web services API will be created and provided upon completion of development.
- ImageTrend is not responsible for collecting National Registry data directly from National Registry. Any National Registry data must be provided by New Hampshire Bureau of EMS.
- ImageTrend will use its computers, software, licenses and other materials to create and develop the system. ImageTrend is also responsible for operating and testing the software on our systems and servers.
- ImageTrend has the right to develop and release this custom development as part of a regular product release containing other product features and fixes.
- Minor changes from the specifications provided may occur due to unforeseen complications and product changes.
- The project shall be considered complete when Client has signed off on the Request for Acceptance and Certificate of Completion of User Acceptance Testing (UAT) Forms.

## Statement of Work

### Scope of Work

As a part of this Client Project, ImageTrend will be responsible for performing tasks throughout the various stages of this project. The following is a list of these tasks which will result in the successful completion of this project:

#### Development

- Build web service that will allow parameters to be passed in to handle the following:
  - Region Information
    - Addition of new regions on TEMSIS
    - Fields that will be passed into web service:
      - Region ID
      - Region Name
  - Service Information
    - Addition of new services on TEMSIS
    - Updates to service information on TEMSIS
    - Information that will be submitted over the web service call:
      - Service State License ID
      - Service Name
      - Region ID
      - Service – Primary database ID from external system
      - Service Active Status
      - Service Type of Service (transport or non-transport)
      - Service Email
      - Service Address
      - Service Address Line 2
      - Service City
      - Service State
      - Service Postal Code
      - Service Phone
      - Service Fax
    - Updates will be made based on the Service - primary database ID from external system.
  - Staff Information
    - Addition of new staff members on TEMSIS
    - Updates to existing staff members on TEMSIS
    - Information that will be submitted over the web service call:
      - Staff First Name
      - Staff Last Name
      - Staff Middle Name
      - Staff City
      - Staff State
      - Staff Email Address
      - Staff Service State License ID
      - Staff Active Status for that Service
      - Service – Primary database ID from external system
      - Staff State License Level
      - Staff State Licensure ID
      - Staff State Licensure Issue Date
      - Staff State Licensure Expiration Date
      - Staff National Registry Credentialed
      - Staff National Registry Certification ID Number
      - Staff National Registry Certification Date
      - Staff National Registry Certification Expiration date

Attachment A for TEMSIS 2012 Contract 2005-005 Amendment C  
Statement of Work Deliverables Description

- Staff Agency Certifications Autocheck "Same As Above" (State info)
- Staff Employment Status (Paid or Unpaid)
- Staff Employment Status (Start) Date\*
- Staff Employment Status End Date\*
- Staff Permissions Autocheck "Post to Field Bridge"
- Staff Permissions Autocheck "Yes, Synchronize to Field Bridge"
- Updates will be made based on the Staff - primary database ID from external system.
- Other steps that will be handled upon push
  - Adding or deleting service associations of staff members if they belong to multiple services or are getting removed from services.
  - If an update to any value in the Staff import changes, even if the active status for a service or staff member does not change, the values will be updated in TEMSIS (e.g. email address, name, address, level, etc.)
  - \*If these dates are not provided in import, the date file was processed for the change should be inserted. This will only apply to new changes after this import process is implemented and will not apply retroactively to any legacy changes.
  - Personnel with last name changes (e.g. due to marriage) using the same primary database ID will have the last name updated in the TEMSIS system.
- Vehicles Information
  - Addition of new vehicles on TEMSIS
  - Updates to existing vehicles on TEMSIS
  - Information that will be submitted over the web service call:
    - Unit/Vehicle Number
    - Unit Call Sign
    - Vehicle Make
    - Vehicle Year
    - Vehicle Active Status
    - Vehicle Service
    - Unit Serial/VIN Number
  - Updates will be made based on the Vehicle Unit Serial/VIN Number.
- Build notification emailing process to specified people once the import process has ran successfully after the web service call is complete.

**Project Management**

- Planning
- Meetings
- Documentation

**Testing**

- Testing under development, beta, alpha and live sites
- Review and In-scope Revisions

-----  
**Implementation Process**

**Project Kick Off**

- Following the project plan, ImageTrend will create and present a project implementation plan including Project Schedule with timeline, Requirements document, Testing & Acceptance. Further discovery, GAP Analysis, and mutual agreement for this project will be discussed at the meeting
- ImageTrend will present the finalized implementation plan documents to Client for review and approval

**Implementation Phase**

- ImageTrend will present status updates at mutually agreed upon interval(s)
- ImageTrend will implement the Project on ImageTrend's servers
- Client will review and test the application to provide final feedback to ImageTrend

Initial all Pages  
Vendor Initials MTD

Attachment A for TEMSIS 2012 Contract 2005-005 Amendment C  
Statement of Work Deliverables Description

- Client may formally request modifications to the development as detailed in this Statement of Work through a Change Request

**Training/Walk-through Phase**

- ImageTrend will provide training for the web services import, which will occur during the testing and deployment phases as needed.

**Project Handoff/Closure**

- ImageTrend will complete the Request for Acceptance Form showing that all project tasks have been completed for review and acceptance according the mutually established Acceptance Criteria
- Go Live
  - ImageTrend will begin providing support services, as contracted, at this point forward and in accordance with the Service Level Agreement. Support and support for the EMS licensing web services import is included in the existing service contract.

**Period of Performance**

ImageTrend will schedule development and communicate to Client the proposed Start Date and Completion Date for the project once this Statement of Work (SOW) has been signed and returned. Client cooperation, change requests and other factors may affect the Completion Date. ImageTrend will work with the Client to communicate any changes to the project schedule that may alter the Completion Date.

**Anticipated Timeline**

- Contract Signature – December 2012
- Development – starts in January 2013 (following Governor and Council Approval)
- Testing – On or before May 31<sup>st</sup>, 2013
- Release – On or before June 30<sup>th</sup>, 2013

**Schedule of Rates**

The following table will serve as a summary of the Deliverables for this project. Overall, the Scope covers the development, project management, software enhancement and testing. Each item within Scope is identified within the table below and has an estimated number of hours required for successful completion (project management time, programming time, testing & deployment). The overall description for this project is detailed in the Scope of Work above

This Project is based on the hourly rate of: \$90.00/hour as a one-time offer.

Description	Hours	Total Cost
<b>Development</b>		
<b>Development Hours:</b>	<b>120</b>	
<b>Project Management</b>		
• Planning, meetings, documentation, webinars		
<b>Project Management Hours:</b>	<b>24</b>	
<b>Testing</b>		
• Testing within applicable environments (development, beta, alpha and live sites)		
• Review and revisions		
<b>Testing Hours:</b>	<b>36</b>	
<b>Implementation/Deployment</b>		
<b>Implementation/Deployment Hours:</b>	<b>6</b>	
<b>Project Total:</b>	<b>186</b>	<b>\$16,740.00</b>

## Fees and Payment Terms

Total Cost: \$ 16,740.00

### Terms:

- This is a "Not to Exceed" cost. Client will be invoiced on actual hours used, not to exceed the total cost detailed above upon project completion.
- Payment terms of net 30 days following completion of Certificate of Completion of User Acceptance Testing (UAT)

## Signature Page

Agreement and signatures contained in Primary Contract 2005-005 Amendment C.  
Signatures on the primary contract will be binding for this attachment.

**CERTIFICATE OF VOTE**  
(Corporation without Seal)

I, Robert Novak, do hereby certify that:

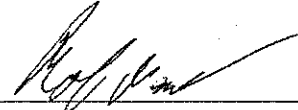
1. I am a duly elected Clerk of ImageTrend, Inc.
2. The following are true copies of two resolutions duly adopted at a meeting of the Board of Directors of the Corporation duly held on March 11, 2009:

**RESOLVED:** That this Corporation enter into a contract with the State of New Hampshire, acting through its Department of Safety, for the provision of Software Development services.

**RESOLVED:** That the President

Is hereby authorized on behalf of this Corporation to enter into the said contract with the State and to execute any documents, agreements and other instruments, and any amendments, revisions, or modifications thereto, as he/she may deem necessary, desirable or appropriate.

3. The foregoing resolutions have not been amended or revoked, and remain in full force and effect as of the 12<sup>th</sup> day of December, 2012.
4. Michael J. McBrady is the duly elected President of the Corporation.



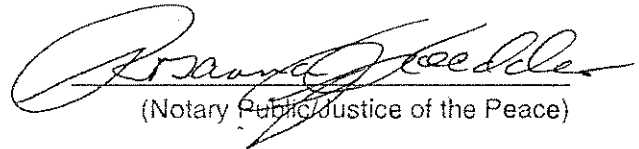
(Signature of Director of Finance)

State of Minnesota

County of Dakota, Minnesota

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of December, 2012.

By: Robert Novak



(Notary Public/Justice of the Peace)



Commission Expires: January 31, 2017



State of New Hampshire  
Department of State

CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that IMAGETREND, INC., a(n) Minnesota corporation, is authorized to transact business in New Hampshire and qualified on November 15, 2004. I further certify that all fees and annual reports required by the Secretary of State's office have been received.



In TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this 10<sup>th</sup> day of May, A.D. 2012

A handwritten signature in cursive script, appearing to read "William M. Gardner".

William M. Gardner  
Secretary of State

**CONTRACTUAL AGREEMENT  
FOR HIGHWAY SAFETY PROJECT GRANT**

For HSA Use Only

State Of New Hampshire  
Highway Safety Agency  
78 Regional Drive, Building 2  
Concord, NH 03301-8530

Date Received October 10, 2012	Project Number #310-13S-006
Date Approved October 10, 2012	PSP and Task # 13-04, 06

Part I

1. Project Title EMS Statewide CAD Integration	2. Type of Application (Check One) <input checked="" type="checkbox"/> Initial <input type="checkbox"/> Revision <input type="checkbox"/> Continuation
---	---

3. Applicant A. Name of Agency DUNS Number NH Division of Fire Standards & Training & EMS	B. Address of Agency 33 Hazen Drive Concord NH 03305-0002
C. Government Unit (Check One) <input checked="" type="checkbox"/> State <input type="checkbox"/> City/Town <input type="checkbox"/> County <input type="checkbox"/> Other (specify):	D. Name Address of Governmental Unit State of New Hampshire Concord, NH 03301

4. Contract Duration A. Contract Period Start Date: October 1, 2012 Termination Date: September 30, 2013	Functional Area K9 - 408 Data Program Incentive CFDA# 20.610 Program Title Traffic Safety Info System Improvements Grant Funding Source National Highway Traffic Safety Administration
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6. Description of Project (Describe in detail in Schedule A) and Source of Funds

Budget (Provide itemization as called for on Schedule B) and Source of Funds

Cost Category	Total Budget	Federal Budget	Local Budget	State Budget	Other Funds
a. Personnel Services					
b. Current Expense					
c. Equipment	\$29,600.00	\$29,600.00			
d. Indirect Costs Audit	\$3,282.64	\$3,282.64			
e. Contractual Services					
f. Other					
Total Estimated Costs Including Non-Federal Share	\$32,882.64	\$32,882.64			

7. Local Benefit: It is anticipated that the federal share for local benefit will be: <u>0%</u> (\$0.00)
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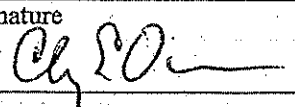
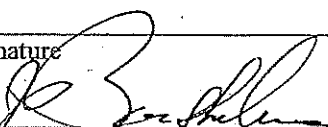
Part II

BUDGET AND PERSONNEL DATA

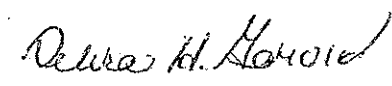
Personnel Services		
b. Current Expenses		
c. Equipment		
EMS Statewide CAD Integration License	\$20,000.00	
Three-year Annual hosting and maintenance	9,600.00	
		\$29,600.00
d. Indirect Costs and Audit Expense		
Indirect cost (11.09 percent x \$29,600.00)		3,282.64
e. Contractual Services		
f. Travel Expenses		
Total		\$32,882.64

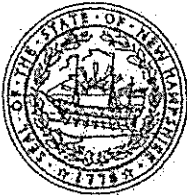
Part III

Acceptance of Conditions. It is understood and agreed by the undersigned that a grant received as a result of this contract is subject to the regulations governing grant which have been furnished (or will be furnished upon request) to the applicant.

A. Project Director		
1) Name Clay Odell	2) Title Bureau Chief, NH Fire Standards & Training and EMS	3) Address 33 Hazen Drive Concord, NH 03301
4) Signature X 		5) Telephone Number 223-4200
B. Authorized Official		
1) Name John J. Barthelmes	2) Title Commissioner, NH Department of Safety	3) Address 33 Hazen Drive Concord, NH 03301
4) Signature X 		5) Telephone Number 271-2791

Part IV (For HSA Use Only)

1. Approval Date October 10, 2012	2. Signature & Title   Peter M. Thomson, Coordinator NH Highway Safety Agency
3. Federal Funds Obligated by this Agreement: 32,882.64	



John H. Lynch  
GOVERNOR

STATE OF NEW HAMPSHIRE  
OFFICE OF THE GOVERNOR  
HIGHWAY SAFETY AGENCY  
78 REGIONAL DRIVE, BUILDING 2  
CONCORD, N.H. 03301-8530

TDD Access: Relay NH 1-800-735-2964  
603-271-2131  
FAX 603-271-3790

Peter M. Thomson  
COORDINATOR

### CONTRACT ADJUSTMENT NOTICE

To: Clay Odell, Bureau Chief  
NH Fire Standards & Training & EMS  
33 Hazen Drive  
Concord, NH 03301

Date: December 27, 2012

Contract Title: EMS Statewide CAD Integration

Contract Number: 310-13S-006

PSP/Task Number: 13-04, 6

Pursuant to your request of December 26, 2012, the following change, amendment or adjustment in the contract is approved subject to such conditions or limitations as may be set forth below.

Original Contract Period From: To:

Revised Contract Period: From: To:

Adjustment to Contract Budget:

Current Budget Item	Original Amount	Adjustment	Revised Amount
Equipment	\$29,600.00	-\$29,600.00	00.00
Contractual Services	00.00	\$29,600.00	29,600.00

PERMISSION IS GRANTED TO TRANSFER \$29,600.00 FROM EQUIPMENT TO CONTRACTUAL SERVICES TO PERFORM THE NECESSARY WORK WITH THE CONTRACTOR FOR THE EMS STATEWIDE CAD INTEGRATION. IT IS UNDERSTOOD THERE ARE SUFFICIENT FUNDS AVAILABLE AND NO ADDITIONAL FEDERAL FUNDS WILL BE REQUESTED.

*Peter M. Thomson*

Peter M. Thomson, Coordinator

**CONTRACTUAL AGREEMENT  
FOR HIGHWAY SAFETY PROJECT GRANT**

For HSA Use Only

State Of New Hampshire  
Highway Safety Agency  
78 Regional Drive, Building 2  
Concord, NH 03301-8530

Date Received October 10, 2012	Project Number #310-13S-007
Date Approved October 10, 2012	PSP and Task # 13-04, 06

Part I

1. Project Title EMS Statewide Field Bridge	2. Type of Application (Check One) <input checked="" type="checkbox"/> Initial <input type="checkbox"/> Revision <input type="checkbox"/> Continuation
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3. Applicant A. Name of Agency DUNS Number NH Division of Fire Standards & Training & EMS	B. Address of Agency 33 Hazen Drive Concord NH 03305-0002
C. Government Unit (Check One) <input checked="" type="checkbox"/> State <input type="checkbox"/> City/Town <input type="checkbox"/> County Other (specify):	D. Name Address of Governmental Unit State of New Hampshire Concord, NH 03301

4. Contract Duration A. Contract Period Start Date: October 1, 2012 Termination Date: September 30, 2013	Functional Area K9 - 408 Data Program Incentive CFDA# 20.610 Program Title Traffic Safety Info System Improvements Grant Funding Source National Highway Traffic Safety Administration
---	---

6. Description of Project (Describe in detail in Schedule A) and Source of Funds

Budget (Provide itemization as called for on Schedule B) and Source of Funds					
Cost Category	Total Budget	Federal Budget	Local Budget	State Budget	Other Funds
a. Personnel Services					
b. Current Expense					
c. Equipment	\$120,200.00	\$120,200.00			
d. Indirect Costs Audit	\$13,330.18	\$13,330.18			
e. Contractual Services					
f. Other					
Total Estimated Costs Including Non-Federal Share	\$133,530.18	\$133,530.18			

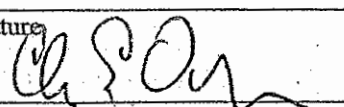
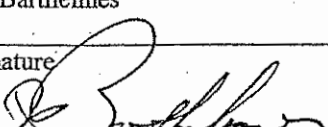
Local Benefit:  
It is anticipated that the federal share for local benefit will be: 0% (\$0.00)

Part II

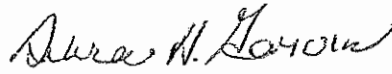
BUDGET AND PERSONNEL DATA		
a. Personnel Services		
b. Current Expenses		
c. Equipment		
Field Bridge Statewide License	\$65,000.00	
Three-Year Hosting and Maintenance Support	55,200.00	
		\$120,200.00
d. Indirect Costs and Audit Expense		
Indirect cost (11.09 percent x \$55,200.00)		13,330.18
e. Contractual Services		
f. Travel Expenses		
Total		\$133,530.18

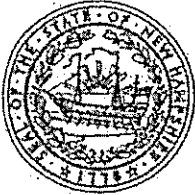
Part III

Acceptance of Conditions. It is understood and agreed by the undersigned that a grant received as a result of this contract is subject to the regulations governing grant which have been furnished (or will be furnished upon request) to the applicant.

A. Project Director		
1) Name Clay Odell	2) Title Bureau Chief, NH Fire Standards & Training and EMS	3) Address 33 Hazen Drive Concord, NH 03301
4) Signature X 		5) Telephone Number 223-4200
B. Authorized Official		
1) Name John J. Barthelmes	2) Title Commissioner, NH Department of Safety	3) Address 33 Hazen Drive Concord, NH 03301
4) Signature X 		5) Telephone Number 271-2791

Part IV (For HSA Use Only)

1. Approval Date October 10, 2012	2. Signature & Title   Peter M. Thomson, Coordinator NH Highway Safety Agency
3. Federal Funds Obligated by this Agreement: \$133,530.18	



John H. Lynch  
GOVERNOR

STATE OF NEW HAMPSHIRE  
OFFICE OF THE GOVERNOR  
HIGHWAY SAFETY AGENCY  
78 REGIONAL DRIVE, BUILDING 2  
CONCORD, N.H. 03301-8530

TDD Access: Relay NH 1-800-735-2964  
603-271-2131  
FAX 603-271-3790

Peter M. Thomson  
COORDINATOR

### CONTRACT ADJUSTMENT NOTICE

To: Clay Odell, Bureau Chief  
NH Fire Standards & Training & EMS  
33 Hazen Drive  
Concord, NH 03301

Date: December 27, 2012

Contract Title: EMS Statewide Field Bridge

Contract Number: 310-138-007

PSP/Task Number: 13-04, 6

Pursuant to your request of December 26, 2012, the following change, amendment or adjustment in the contract is approved subject to such conditions or limitations as may be set forth below:

Original Contract Period	From	To
Revised Contract Period	From	To

Adjustment to Contract Budget:

Current Budget Item	Original Amount	Adjustment	Revised Amount
Equipment	\$120,200.00	-\$120,200.00	00.00
Contractual Services	00.00	\$120,200.00	120,200.00

PERMISSION IS GRANTED TO TRANSFER \$120,200.00 FROM EQUIPMENT TO CONTRACTUAL SERVICES TO PERFORM THE NECESSARY WORK WITH THE CONTRACTOR FOR THE EMS STATEWIDE FIELD BRIDGE. IT IS UNDERSTOOD THERE ARE SUFFICIENT FUNDS AVAILABLE AND NO ADDITIONAL FEDERAL FUNDS WILL BE REQUESTED.

*Peter M. Thomson*  
Peter M. Thomson, Coordinator



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
6/5/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER C.O. Brown Agency 2048 Superior Drive NW Suite 100 Rochester MN 55901	CONTACT NAME: Melissa Foster	
	PHONE (A/C No. Ext): (507) 288-7600 FAX (A/C No): (507) 535-3130	
	E-MAIL ADDRESS: MFoster@cobrown.com	
INSURED ImageTrend, Inc. 20855 Kensington Blvd Lakeville MN 55044	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: National Fire Insurance of	20443
	INSURER B: Continental Insurance CO.	
	INSURER C: Continental Casualty CO.	
	INSURER D: American Casualty CO. of	
	INSURER E: INSURER F:	

COVERAGES CERTIFICATE NUMBER: 2012/2013 Master Cert REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			C 4024646799	06/15/2012	06/15/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 250,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS			C 4024646804	06/15/2012	06/15/2013	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Underinsured motorist \$
	<input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						
C	<input checked="" type="checkbox"/> UMBRELLA LIAB. <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB. <input type="checkbox"/> CLAIMS-MADE			C 4024646785	06/15/2012	06/15/2013	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
	DED <input checked="" type="checkbox"/> RETENTION \$ 10,000						
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below			WC 4 24646818	06/15/2012	06/15/2013	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
C	Professional E&O			C 4024646799	06/15/2012	06/15/2013	\$2,000,000 Ea Occurrence \$2,000,000 Aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER New Hampshire Bureau of EMS 33 Hazen DR Concord, NH 03305	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Mark Hayford/MAF





State of New Hampshire

DEPARTMENT OF SAFETY  
 OFFICE OF THE COMMISSIONER  
 33 HAZEN DR. CONCORD, NH 03305  
 603/271-2791

8/8/12

ENC # 127

RD#

JOHN J. BARTHELMES  
 COMMISSIONER  
 His Excellency, Governor John H. Lynch  
 and the Honorable Executive Council  
 State House  
 Concord, NH 03301

June 5, 2012

Requested Action

Authorize the Department of Safety, Division of Fire Standards and Training and Emergency Medical Services, to amend a sole source contract (2005-005) with ImageTrend, Inc, (VC#169503, B001) 20855 Kensington Boulevard, Lakeville, Minnesota, in the amount of \$261,000.00, increasing the contract amount from \$741,656.00 to \$1,002,656.00, and extending the completion date of the contract from December 31, 2012 to December 31, 2017. The contract was originally approved by Governor and Council on February 25, 2005, Item #70A, and amended on July 15, 2009, Item #142. Effective upon Governor and Council approval. Funding source: 100% Fire and EMS Fund.

Funding for the increase is outlined below for SFY2013 and is anticipated to be available upon the continued appropriation of funds in the SFY2014 through SFY2018 operating budgets with the ability to adjust between fiscal years with the approval of the Department of Administrative Services.

	<u>SFY2013</u>	<u>SFY2014</u>	<u>SFY2015</u>	<u>SFY2016</u>	<u>SFY2017</u>	<u>SFY2018</u>
02-23-23-237010-40650000 Dept. of Safety Div of FST&EMS - Fire Standards and EMS Admin 500230 S/Ware Lic/Maint (non Desktop)	\$26,100.00	\$52,200.00	\$52,200.00	\$52,200.00	\$52,200.00	\$26,100.00

Explanation

This request to extend the ImageTrend, Inc.'s contract five additional years, at no increase in the annual payment schedule for the Division of Fire Standards and Training and Emergency Medical Services, is necessary to maintain ongoing functioning of the essential program called Trauma and Emergency Medical Services Information System or "TEMSIS". This contract is a sole source because this system was developed by ImageTrend; therefore, it can only be supported by ImageTrend Inc.

The intent of the original contract was to develop and provide a statewide centralized electronic patient care records system for all NH Emergency Medical Services providers to use to document their patient care for emergency events. This program has been successful and has become the standard in NH. An amendment was added in 2009 to substantially upgrade the program and extend the maintenance and hosting. This amendment is requested to continue the current program infrastructure. The pricing for the maintenance and hosting/storage of records has remained level since the initial contract and reflects a substantial savings over the next five years when compared to increased industry costs for storage and technical support. The impact of completing a full RFP process and potentially moving to a new vendor was evaluated. It was determined that a potential move to a new vendor in the next 3-5 years would have a significant financial impact on NH communities, would result in significant negative public opinion, and would result in a significant increase in the overall cost of the program to the state. Therefore, it was determined that amending the current contract to extend services for an additional five years was the most cost effective means to both communities and the state to continue to deliver this program. Additionally, the Division has negotiated no increase in the maintenance fees throughout the five year extension.

Respectfully submitted,

*John J. Barthelmes*  
 John J. Barthelmes  
 Commissioner of Safety



STATE OF NEW HAMPSHIRE  
DEPARTMENT OF INFORMATION TECHNOLOGY

27 Hazen Dr., Concord, NH 03301  
Fax: 603-271-1516 TDD Access: 1-800-735-2964  
www.nh.gov/doit.

S. William Rogers  
Commissioner

May 16, 2012

John J. Barthelmes  
Commissioner  
Department of Safety  
33 Hazen Drive  
Concord, NH 03305

Dear Commissioner Barthelmes:

This letter represents formal notification that the Department of Information Technology (DoIT) has approved your request to amend a contract with ImageTrend, Inc. to extend the end date of an existing contract to provide the State with a Trauma and Emergency Medical Services Information System (TEMSIS) from December 31, 2012 through December 31, 2017, as described below and referenced as DoIT No. 2005-005B.

The original TEMSIS Contract (2005-005) provided for the installation of a Trauma and Emergency Medical Services Information System. This amendment provides ongoing support and hosting for the System through December 31, 2017. This System allows the providers of emergency medical care to enter a detailed description of an emergency medical action after the event takes place, through a standard computer and web browser. Ongoing support and hosting services are also provided in this contract.

A copy of this letter should accompany the Department of Information Technology submission to the Governor and Executive Council for approval.

Sincerely,

S. William Rogers

SWR/dcp  
DOS 2005-005B

cc: David Perry, Contracts Manager, Bureau of Finance & Administration  
Albert Sheldon, DOIT/DOS IT Lead

STATE OF NEW HAMPSHIRE  
Department of Safety  
TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
Maintenance and Enhancements  
RFP 2005-005  
CONTRACT AMENDMENT B

WHEREAS, pursuant to an Agreement approved by Governor and Council, as a result of RFP #2005-005, on February 25, 2005, Item #70A, and was amended on July 15, 2009, Item #142 (herein after referred to as the "Agreement"), ImageTrend, Inc., (hereinafter referred to as the "Vendor") agreed to supply certain services upon the terms and conditions specified in the Agreement and in consideration of payment by the Department of Safety, certain sums as specified therein;

WHEREAS, pursuant to the Agreement (Section 17: *Amendment*) and the provisions of the Agreement, the Agreement may be modified or amended only by a written instrument executed by the parties thereto and approved by the Governor and Executive Council;

WHEREAS, the Vendor and the Department have agreed to amend the Agreement in certain respects;

WHEREAS, the Department and the Vendor seek to clarify the Agreement.

WHEREAS, the Department wishes to extend the Agreement and to increase the contract price by \$261,000 to bring the total contract price to \$1,002,656.

NOW THEREFORE, in consideration of the foregoing, and the covenants and conditions contained in the Agreement and set forth herein, the parties agree as follows:

**Contract Agreement – General Provisions and Statement of Work of the Agreement is hereby amended as follows:**

1. Amend Section 1.6 of the General Provisions of the Agreement by changing the Contract ending date from December 31, 2012 to December 31, 2017
2. Amend Section 1.8 of the General Provisions of the Agreement by increasing the Price Limitation by \$261,000 from \$741,656 to \$1,002,656.

**Exhibit A of the Agreement is hereby amended as follows:**

1. Amend Exhibit A, Section 5.3 by changing the Project Manager's name as follows:

Richard Cooper  
Research and Quality Management Coordinator  
33 Hazen Drive, Concord, NH, NH 03305  
603 223-4226  
603 223-4200  
Richard.cooper@dos.nh.gov

2. Amend Exhibit A, Section 13: *Internal Escalation Procedure for Disputes* by changing the table as follows:

Initial all pages \_\_\_\_\_  
Vendor Initials \_\_\_\_\_

STATE OF NEW HAMPSHIRE  
 Department of Safety  
 TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
 RFP 2005-005  
 CONTRACT AMENDMENT B

LEVEL	IMAGETREND	STATE	CUMULATIVE ALLOTTED TIME
Primary	Joe Graw <Director of Implementation and Support>	Richard Cooper <Project Manager>	5 Business Days
First	Dave Zaiman <Sales Manager>	Clay Odell <Chief>	10 Business Days
Second	Dan Vanormy <Director of Development, EDS> or Michael Patock <Senior Director of Development, EDS>	Perry E. Plummer <Director>	15 Business Days
Third	Michael J. McBrady <President>	John J. Barthelmes <Commissioner>	20 Business Days

3. Amend Exhibit A, Section 14 by adding Section 14.2: Deliverables for Amendment B, as follows:

Table A1B – Deliverables for Amendment B

Deliverable	Deliverable Name
1	EMS Support and Hosting 1/1/2013 through 6/30/2013
2	EMS Support and Hosting 7/1/2013 through 6/30/2014
3	EMS Support and Hosting 7/1/2014 through 6/30/2015
4	EMS Support and Hosting 7/1/2015 through 6/30/2016
5	EMS Support and Hosting 7/1/2016 through 6/30/2017
6	EMS Support and Hosting 7/1/2017 through 12/31/2017

Exhibit B of the Agreement is hereby amended as follows:

1. Amend Exhibit B, Section 2 by adding Section 2.2: Price Payment Schedule for Amendment B, as follows:

2.2 Price Payment Schedule for Amendment B

Table B1B –Price Payment Schedule for Amendment B

Deliverable	Deliverable Name	Date	Cost
1	EMS Support and Hosting 1/1/2013 through 6/30/2013	1/1/2013	\$26,100
2	EMS Support and Hosting 7/1/2013 through 6/30/2014	7/1/2013	\$52,200
3	EMS Support and Hosting 7/1/2014 through 6/30/2015	7/1/2014	\$52,200
4	EMS Support and Hosting 7/1/2015 through 6/30/2016	7/1/2015	\$52,200
5	EMS Support and Hosting 7/1/2016 through 6/30/2017	7/1/2016	\$52,200
6	EMS Support and Hosting 7/1/2017 through 12/31/2017	7/1/2017	\$26,100
<b>Total</b>			<b>\$261,000</b>

STATE OF NEW HAMPSHIRE  
 Department of Safety  
 TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
 RFP 2005-005  
 CONTRACT AMENDMENT B

2. Amend Section 2, of Exhibit B by replacing Paragraph 4 as follows:

4. TOTAL CONTRACT PRICE

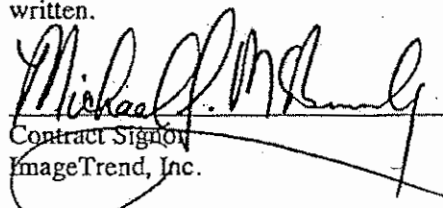
Notwithstanding anything in the Contract to the contrary, and notwithstanding unexpected circumstances, in no event shall the total of all payments exceed \$1,002,656. The payment by the State of the total Contract price shall be the only, and the complete reimbursement to ImageTrend, Inc. for all fees and expenses, of whatever nature, incurred by ImageTrend, Inc. in the performance hereof.

**Table 1 Contract 2005-005 – Trauma and Emergency Medical Services Information System Maintenance and Enhancements, Contract Amendment Descriptions**

Contract 2005-005 (#124002)	AMENDMENT TYPE	EFFECTIVE DATE	END DATE	CONTRACT AMOUNT
Contract #124002	Original Contract	February 25, 2005	December 31, 2009	\$497,000
Amendment # A	First Amendment (A)	July 15, 2009	December 31, 2012	\$244,656
Amendment # B	Second Amendment (B)	G&C Approval	December 31, 2017	\$261,000
	<b>CONTRACT TOTAL</b>			\$1,002,656

Except as provided herein, all provisions of the Agreement shall remain in full force and effect. This modification shall take effect upon the approval date from the Governor and the Executive Council.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.

  
 Contract Signatory  
 ImageTrend, Inc.

Date: 4/25/2012

Corporate Signature Notarized:  
 STATE OF MN

COUNTY OF Dakota

On this the 25<sup>th</sup> day of April, 2012, before me,  
Michael McBrady, the undersigned Officer of ImageTrend,  
 personally appeared and acknowledged her/himself to be the President  
 of ImageTrend, a corporation, and that she/he, as such  
Contractor being authorized to do so, executed the foregoing instrument for

STATE OF NEW HAMPSHIRE  
Department of Safety  
TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
RFP 2005-005  
CONTRACT AMENDMENT B

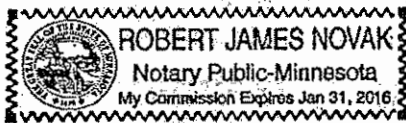
the purposes therein contained, by signing the name of the corporation by her/himself as  
President

IN WITNESS WHEREOF I hereunto set my hand and official seal.

[Signature]  
Notary Public/Justice of the Peace

My Commission Expires: 11/31/16

(SEAL)



[Signature]  
Perry E. Plummer  
Director, Fire Standards and Training and EMS  
NH Department of Safety

Date: 8/15/2012

Approved by the Attorney General (Form, Substance and Execution)

[Signature]  
State of New Hampshire, Department of Justice  
David M. Hiltz

Date: 7/2/12

State of New Hampshire  
Department of State

CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that IMAGETREND, INC., a(n) Minnesota corporation, is authorized to transact business in New Hampshire and qualified on November 15, 2004. I further certify that all fees and annual reports required by the Secretary of State's office have been received.



In TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this 10<sup>th</sup> day of May, A.D. 2012

*William M. Gardner*

William M. Gardner  
Secretary of State

**CERTIFICATE OF VOTE**

(Corporation without Seal)

I, Robert Novak, do hereby certify that:

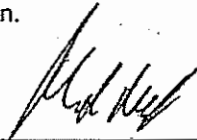
1. I am a duly elected Clerk of ImageTrend, Inc.
2. The following are true copies of two resolutions duly adopted at a meeting of the Board of Directors of the Corporation duly held on March 11, 2009:

**RESOLVED:** That this Corporation enter into a contract with the State of New Hampshire, acting through its Department of Safety, for the provision of Software Development services.

**RESOLVED:** That the President

is hereby authorized on behalf of this Corporation to enter into the said contract with the State and to execute any documents, agreements and other instruments, and any amendments, revisions, or modifications thereto, as he/she may deem necessary, desirable or appropriate.

3. The foregoing resolutions have not been amended or revoked, and remain in full force and effect as of the 27<sup>th</sup> day of June, 2012.
4. Michael J. McBrady is the duly elected President of the Corporation.



(Signature of Director of Finance)

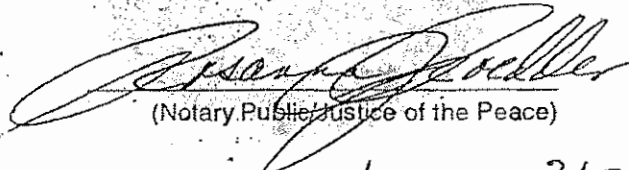
State of Minnesota

County of Dakota, Minnesota

The forgoing instrument was acknowledged before me this 29<sup>th</sup> day of June, 2012.

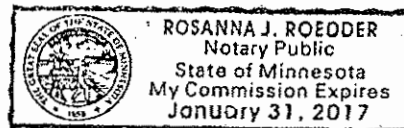
By: Robert Novak

(NOTARY SEAL)



(Notary Public/ Justice of the Peace)

Commission Expires: January 31, 2017







# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
6/5/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> C.O. Brown Agency 2048 Superior Drive NW Suite 100 Rochester MN 55901		<b>CONTACT NAME:</b> Melissa Foster <b>PHONE (A/C No Exh):</b> (507) 288-7600 <b>FAX (A/C No):</b> (507) 535-3130 <b>E-MAIL ADDRESS:</b> MFoster@cobrown.com	
<b>INSURED</b> ImageTrend, Inc. 20855 Kensington Blvd Lakeville MN 55044		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> National Fire Insurance of <b>INSURER B:</b> Continental Insurance CO. <b>INSURER C:</b> Continental Casualty CO. <b>INSURER D:</b> American Casualty CO. of <b>INSURER E:</b> <b>INSURER F:</b>	

COVERAGES      CERTIFICATE NUMBER: 2012/2013 Master Cert      REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADOLTSUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE: <input checked="" type="checkbox"/> OCCUR		C 4024646799	06/15/2012	06/15/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 250,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	GENT. AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/>					
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		C 4024646804	06/15/2012	06/15/2013	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Underinsured motorist \$
	C <input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 30,000					
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	NC 4 24646818	06/15/2012	06/15/2013	<input checked="" type="checkbox"/> WS STATUTORY LIMITS <input type="checkbox"/> OTHER EL EACH ACCIDENT \$ 500,000 EL DISEASE - EA EMPLOYEE \$ 500,000 EL DISEASE - POLICY LIMIT \$ 500,000
	C Professional E&O \$2,000,000 Ea Occurrence \$2,000,000 Aggregate					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

<b>CERTIFICATE HOLDER</b>  New Hampshire Bureau of EMS 33 Hazen DR Concord, NH 03305	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  Mark Hayford/MAF
--	--

H/C to KJALCVC 020001

G+C 7-15-09  
# 142

# State of New Hampshire

DEPARTMENT OF SAFETY  
OFFICE OF THE COMMISSIONER  
33 HAZEN DR. CONCORD, NH 03305  
603/271-2791

JOHN J. BARTHELMES  
COMMISSIONER

June 26, 2009

His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, New Hampshire 03301


### Requested Action

Authorize the Department of Safety, Division of Fire Standards & Training and Emergency Medical Services (FST & EMS) to amend Governor & Council Item # 70A, approved on February 25, 2005 a sole source existing contract with ImageTrend Inc., (VC#172021), Lakeville, MN, to increase the contract by \$244,656 from \$497,000 to \$741,656 and by extending the contract end date from February 28, 2010 to December 31, 2012. The deliverables are for Emergency Medical Technician reporting upgrades and extend the EMS Hosting and Support aspect of the contract at the current contract price. Effective upon Governor and Council approval through December 31, 2012. Funding source: \$114,156 Transfers from Other Agencies (Highway Safety) and \$130,500 FST & EMS Fund.

Funds are anticipated to be available upon the approval of future operating budgets in the following accounts with authority to adjust encumbrances in each of the State fiscal years through the Budget Office if needed and justified.

Activity Code: 2370	FY2010	FY2011	FY2012	FY2013
TEMSIS Improvement PY09:010-023-7517-024-0230 (EMT reporting upgrades - additional deliverables)	\$114,156			
Fire Standards Administration: 010-023-4065-024-0230 (Extension Hosting and Support)		\$52,200	\$52,200	\$26,100

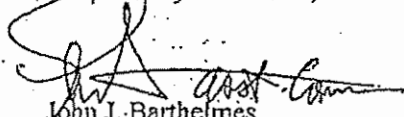
### Explanation

After a competitive process, including an RFP #2005-05, was completed, on February 25, 2005, Governor and Council approved a contract (Item# 70A) with ImageTrend Inc., of Lakeville, MN, to provide an electronic system for patient care reporting, including hosting and support. The Bureau of EMS is tasked under RSA 21-P:12-b II (g) to "Establish a data collection and analysis capability that provides for the evaluation of the emergency medical and trauma services system and for modifications to the system based on identified gaps and shortfalls in the delivery of emergency medical and trauma services." 

As the Hosting and Support Agreement with ImageTrend Inc. is effective through February 28, 2010, we seek to extend it at the same cost as well as make upgrades to the system that will benefit the EMT's by improving the reporting aspects they work with everyday. Regional EMT meetings were held to determine what upgrades were known to be most beneficial.

The software for this system was developed by ImageTrend; therefore, it can only be upgraded and supported by ImageTrend, Inc. In addition, the increase of the original contract is more than 10% making this a sole source contract.

Respectfully Submitted,



John J. Barthelmes  
Commissioner of Safety



STATE OF NEW HAMPSHIRE  
DEPARTMENT OF INFORMATION TECHNOLOGY

Office of the Governor  
27 Hazen Dr., Concord, NH 03301  
603-271-2843 1-800-852-3345 x2843  
Fax: 603-271-1516 TDD Access: 1-800-735-2964

Richard C. Bailey, Jr.  
Chief Information Officer

June 24, 2009

John J. Barthelmes  
Commissioner  
Department of Safety  
33 Hazen Drive  
Concord, NH 03305

Dear Commissioner Barthelmes:

This letter represents formal notification that the Department of Information Technology (DoIT) has approved your request to enter into a contract with ImageTrend Inc. as described below and referenced as OIT No. 2005-005A.

The original TEMSIS Contract (2005-005) provided for the installation of a Trauma and Emergency Medical Services Information System. The System allows the providers of emergency medical care to enter a detailed description of an emergency medical action after the event takes place, through a standard computer and web browser.

This project is an Amendment to the original ImageTrend contract to improve the functionality of the TEMSIS System and to extend the ongoing support and hosting services to December 31, 2012. The new functionality will simplify screens, improve user friendliness, reduce time needed to create the reports and reduce mistakes.

This project is set forth in the Department of Safety's Strategic Information Technology Plan, 2005-2009, Appendix VII, Project # 88, EMS Quality Management, Dated October, 2005.

A copy of this letter should accompany the Department of Information Technology submission to the Governor and Executive Council for approval.

Sincerely,

Richard C. Bailey, Jr.

RB/dcp  
DOS 2005-005A  
RID 8884  
cc: Suzanne Prentiss, Chief Bureau of EMS

STATE OF NEW HAMPSHIRE  
Department of Safety  
TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
Maintenance and Enhancements  
RFP 2005-005  
CONTRACT AMENDMENT

WHEREAS, pursuant to an Agreement approved by Governor and Council, as a result of RFP #2005-005, on February 25, 2005, Item #70A (herein after referred to as the "Agreement"), ImageTrend, Inc., (hereinafter referred to as the "Vendor") agreed to supply certain services upon the terms and conditions specified in the Agreement and in consideration of payment by the Department of Safety, certain sums as specified therein;

WHEREAS, pursuant to the Agreement (Section 17:Amendment) and the provisions of the Agreement, the Agreement may be modified or amended only by a written instrument executed by the parties thereto and approved by the Governor and Executive Council;

WHEREAS, the Vendor and the Department have agreed to amend the Agreement in certain respects;

WHEREAS, the Department and the Vendor seek to clarify the Agreement.

WHEREAS, the Department wishes to extend the Agreement and to increase the contract price by \$244,656 to bring the total contract price to \$741,656.

NOW THEREFORE, in consideration of the foregoing, and the covenants and conditions contained in the Agreement and set forth herein, the parties agree as follows:

Contract Agreement – General Provisions and Statement of Work of the Agreement is hereby amended as follows:

1. Amend Section 1.6 of the General Provisions of the Agreement by changing the Contract ending date from February 28, 2010 to December 31, 2012
2. Amend Section 1.8 of the General Provisions of the Agreement by increasing the Price Limitation by \$244,656 from \$497,000 to \$741,656

STATE OF NEW HAMPSHIRE  
 Department of Safety  
 TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
 RFP 2005-005  
 CONTRACT AMENDMENT

Exhibit A of the Agreement is hereby amended as follows:

- 1. Amend Exhibit A, Section 10: *COPYRIGHT, INTELLECTUAL PROPERTY RIGHTS AND CONFIDENTIALITY* as follows in Table A1A:

Table A1A:

Contract # 2005-005 Exhibit A Section #	AMENDED TEXT
Section 10	Section 10.4.7 Currently reads: 10.4.7 This Section 10.4 shall survive the termination of the contract.
Section 10	Delete Section 10.4.7 and replace with the following:  <div style="text-align: center;">10.4.7</div> <p style="text-align: center;">ImageTrend grants the state a royalty-free, nonexclusive, perpetual, unlimited and irrevocable license to reproduce, publish, or otherwise use and to authorize others to use, for state government purposes, the software modifications, derivatives and improvements and associated documentation developed and/or obtained through this acquisition. ImageTrend understands and agrees that these modifications are federally funded and as such will be included in the standard product and distributed to all other EMS State Brlde customers at no extra charge. Additionally no ongoing support fees will apply to this portion of the code base. In addition, ImageTrend must comply with applicable federal laws and regulations relating to the federal funding requirements, including, but not limited to the FAR 52.227.17.</p> <div style="text-align: center;">10.4.8</div> <p style="text-align: center;">This Section 10.4 shall survive the termination of the contract.</p>

STATE OF NEW HAMPSHIRE  
 Department of Safety  
 TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
 RFP 2005-005  
 CONTRACT AMENDMENT

2. Amend Exhibit A, Section 14 by adding Section 14.1: Deliverables for Amendment A, as follows:

Table A2A – Deliverables for Amendment A

Deliverable	DeliverableName
1	Event Creation
2	Vitals/Procedure/Meds Mod
3	Assessment Mod
4	Trauma Mod
5	Cause of Injury Mod
6	Cardiac Arrest Mod
7	Past Medical History Mod
8	Patient Allergies Mod
9	Patient Medications Mod
10	Delay Fields Mod
11	Training
12	EMS Support and Hosting 7/1/2010 through 6/30/2011
13	EMS Support and Hosting 7/1/2011 through 6/30/2012
14	EMS Support and Hosting 7/1/2012 through 12/31/2012

Note – Deliverables 1 through 10 will include the following:

- Certificate of Completion of User Acceptance Testing (UAT)
- Completion of Required Documentation

3. Amend Exhibit A, Section 14 by adding Section 14.2: Deliverables Description and 14.3 Testing Methodology follows:

**14.2 Amendment A Deliverables Description,**

The requirements for the deliverables required for Amendment A are described in detail in Amendment A: Attachment A Requirements and Deliverables Description attached.

**14.3 Amendment A Testing Methodology**

ImageTrend will follow the testing methodology described in Amendment A: Attachment B: Sample System Implementation Deliverable Testing Plan attached.

STATE OF NEW HAMPSHIRE  
 Department of Safety  
 TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
 RFP 2005-005  
 CONTRACT AMENDMENT

Exhibit B of the Agreement is hereby amended as follows:

1. Amend Exhibit B, Section 2 by adding Section 2.1: Price Payment Schedule for Amendment A, as follows:

2.1 Price Payment Schedule for Amendment A

Table B1A -Price Payment Schedule for Amendment A

Deliverable	DeliverableName	Date	Cost
1	Event Creation		\$29,700
2	Vitals/Procedure/Meds Mod		\$14,256
3	Assessment Mod		\$9,504
4	Trauma Mod		\$5,940
5	Cause of Injury Mod		\$21,756
6	Cardiac Arrest Mod		\$5,940
7	Past Medical History Mod		\$7,128
8	Patient Allergies Mod		\$7,128
9	Patient Medications Mod		\$5,940
10	Delay Fields Mod		\$3,564
11	Training		\$3,300
12	EMS Support and Hosting 7/1/2010 through 6/30/2011	7/1/2010	\$52,200
13	EMS Support and Hosting 7/1/2011 through 6/30/2012	7/1/2011	\$52,200
14	EMS Support and Hosting 7/1/2012 through 12/31/2012	7/1/2012	\$26,100
<b>Total</b>			<b>\$244,656</b>

2. Amend Section 2, of Exhibit B by adding Paragaraph 4 as follows:

4. TOTAL CONTRACT PRICE

Notwithstanding anything in the Contract to the contrary, and notwithstanding unexpected circumstances, in no event shall the total of all payments exceed \$741,656. The payment by the State of the total Contract price shall be the only, and the complete reimbursement to ImageTrend, Inc. for all fees and expenses, of whatever nature, incurred by ImageTrend, Inc. in the performance hereof.



STATE OF NEW HAMPSHIRE  
 Department of Safety  
 TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
 RFP 2005-005  
 CONTRACT AMENDMENT

Table 1 Contract 2005-005 – Trauma And Emergency Medical Services Information System Maintenance and Enhancements, Contract Amendment Descriptions

Contract 2005-005 (#124002)	AMENDMENT TYPE	EFFECTIVE DATE	END DATE	CONTRACT AMOUNT
Contract #124002	Original Contract	February 25, 2005	February 28, 2010	\$497,000
Amendment # A	First Amendment (A)	G&C Approval	December 31, 2012	\$244,656
	<b>CONTRACT TOTAL</b>			\$741,656

**Received**

JUN 25 2009

Department of Safety  
 Div. of Fire Standards & Training and EMS

Contractor Initials: hjm  
 Date: 6/24/09

STATE OF NEW HAMPSHIRE  
Department of Safety  
TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
RFP 2005-005  
CONTRACT AMENDMENT

Exhibit C

Both parties agree to amend the amount of insurance to agree with the vendor's coverage currently in force of comprehensive general liability in the amount of \$1,000,000.00 each occurrence and excess/umbrella liability of \$2,000,000.00 each occurrence. This is deemed to be sufficient given the nature of the contract.

STATE OF NEW HAMPSHIRE  
Department of Safety  
TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
RFP 2005-005  
CONTRACT AMENDMENT

Except as provided herein, all provisions of the Agreement shall remain in full force and effect. This modification shall take effect upon the approval date from the Governor and the Executive Council.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.

Michael J. McBrady  
Contract Signor  
ImageTrend, Inc.

Date: 06/10/2009

Corporate Signature Notarized:  
STATE OF Minnesota  
COUNTY OF Dakota

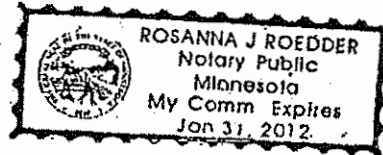
On this the 10<sup>th</sup> day of June, 2009, before me, Rosanna J. Roedder, the undersigned Officer Michael J. McBrady personally appeared and acknowledged her/himself to be the President of ImageTrend, Inc, a corporation, and that she/he, as such President being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by her/himself as Michael J. McBrady.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Rosanna J. Roedder  
Notary Public/Justice of the Peace

My Commission Expires: Jan. 31, 2012

(SEAL)



The foregoing contract, having been reviewed by this office, is approved as to form, substance and execution.

STATE OF NEW HAMPSHIRE

By: Wesley J. Colby  
Wesley J. Colby

Title: Dis g Adm

STATE OF NEW HAMPSHIRE  
Department of Safety  
TRAUMA AND EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM  
RFP 2005-005  
CONTRACT AMENDMENT

The foregoing contract, having been reviewed by this office, is approved as to form, substance and execution

OFFICE OF THE ATTORNEY GENERAL

By: *Rosemary A. Felt*  
Assistant Attorney General

On: 6-22-09

Governor and Council of New Hampshire

On: \_\_\_\_\_

Signed: \_\_\_\_\_ Title: \_\_\_\_\_

Department of Safety 2005 005 – Trauma and Emergency Medical Services  
Information System Amendment A Attachment A  
Requirements and Deliverables Description

New Hampshire Highway Safety Grant (2009)  
for the Improvement of the Trauma and EMS Information System (TEMSIS)

Overall Scope of Work: The following table will serve as a summary of the Deliverables for this project. Overall, the Scope covers ten (10) items that involve project management, software enhancement, and post-delivery documentation. For the purposes of this document, each item within the Scope will be identified by number and a summary statement. Additionally, the table below has an estimated number of hours required for success completion (project management time, programming time, testing, & deployment) Please note, the hours listed below were provided during the Summer of 2007 as a general estimate on the scope and overall potential cost.

**Summary Table of Proposed TEMSIS Changes**

Item Number	Item Name	Delivery Date	Programming Hours	Hourly Rate	Total Cost	Bill	Holdback
1	Event Creation	9/30/2009	270	\$110.00	\$29,700.00	\$26,730.00	\$2,970.00
2	Vitals/Procedure/Meds Mod	9/30/2009	129.6	\$110.00	\$14,256.00	\$12,830.40	\$1,425.60
3	Assessment Mod	9/30/2009	86.4	\$110.00	\$9,504.00	\$8,553.60	\$967.40
4	Trauma Mod	9/30/2009	54	\$110.00	\$5,940.00	\$5,346.00	\$594.00
5	Cause of Injury Mod	9/30/2009	129.6	\$110.00	\$14,256.00	\$12,830.40	\$1,425.60
6	Cardiac Arrest Mod	9/30/2009	54	\$110.00	\$5,940.00	\$5,346.00	\$594.00
7	Past Medical History Mod	9/30/2009	64.8	\$110.00	\$7,128.00	\$6,415.20	\$712.80
8	Patient Allergies Mod	9/30/2009	64.8	\$110.00	\$7,128.00	\$6,415.20	\$712.80
9	Patient Medications Mod	9/30/2009	54	\$110.00	\$5,940.00	\$5,346.00	\$594.00
10	Delay Fields Mod	9/30/2009	32.4	\$110.00	\$3,564.00	\$3,207.60	\$356.40
11	Training (Overall) No Travel	9/30/2009	30	\$110.00	\$3,300.00	\$2,970.00	\$330.00
12	Project Management Hours	9/30/2009	50	\$150.00	\$7,500.00	\$6,750.00	\$750.00
Total			1,019.6 Hours		\$114,156.00	\$102,740.40	\$11,416.00

**Scope of Work:**

**Item 1, Event Creation:**

Overall, the time to create the Procedures and Vitals section is time consuming with the NEMSIS requirements and the items needed for to accurately document a patient care report. The goal, then, will be to create a system where most of the work is performed by the computer system using information provided by the writer. Below is an outline on how the event creation system will work within TEMSIS (i.e. the deliverable for this item)

The system will base itself off the following formula:

Event Creation is a function of [Provider Level + Accepted Practices + Patient Severity + Patient Gender + Patient Age + Patient Weight + Protocols Used + Total Patient Contact Time]

Each item in the formula is defined as:

1. **Provider Level:** The practicing level of the EMS provider on the incident (i.e. First Responder, EMT-Basic, EMT-I, EMT-Paramedic). The goal is to limit the number of procedures available to the provider when generating the case template.
2. **Accepted Practices:** This means the system will follow generally accepted notions that a set of vitals are taken approximately every five minutes, patients are routinely taken to the ambulance on the stretcher, etc.
3. **Patient Severity:** Quite simply, the more severe the patient, the larger the number of procedure that are performed.
4. **Patient Gender:** Certain protocols apply to certain genders. One should not expect a childbirth protocol to apply to a male patient.
5. **Patient Age:** This helps determine the difference between pediatric and adult protocols. It also could stem certain medications being given.
6. **Patient Weight:** Certain medications are weight-dependent. One could also assume that those who are morbidly obese require more time to be moved to the ambulance from their homes.
7. **Protocols Used:** This one of the primary linchpins for the procedure generation section. By determining what protocols are used, the computer system can generate a rough draft of the procedures and vital signs performed on the patient. The goal is not to absolutely fill in the blank, but it is to streamline the process it will take for a provider to enter the information from scratch.
8. **Total Patient Contact Time:** The more time spent with the patient equals more procedures and vitals performed on the patient.

By utilizing the above formula, the Event Creation List is created within the patient care report. There, of course, are some exceptions that take place:

- Just because a standard exists, does not mean it should be absolute. Each EMS event and patient is different and the system should be set up accordingly. In the very least, the Time will be modifiable by the report writer. Other changes can take place in accordance to the needs to of the report writer.
- Not every procedure can be completed within the allotted time set-up by the system (or state, etc.). Therefore, there should be the ability of the report writer to delete the event. This can be a simple Boolean.
- Similar to the last-mentioned bullet, there is the possibility that additional procedures could have taken place. Therefore it would be wise for the system to place events after the terminal event (i.e. patient arrived at the hospital). This will allow the writer to simply modify the Time associated with the event in order to utilize the work performed by the application.

## HOW THE EVENT CREATION CONCEPT WORKS ON EACH LEVEL

**NATIONAL PREFERENCES:** The national preferences exist on a couple different levels. For the Event Creation section it mainly stems from nationally accepted standards in medications and procedures.

1. **Accepted Practices:** There is a need to recognize the hierarchal set-up for this particular system. It does not just revolve around the patient care report. There are many preceding steps that occur to get to the point of a Event Creation (EC) system. These are the steps from "top" to "bottom."
  - a. **Accepted Practices:** As noted by the formula, there are (and should be) a core set of practices that exist within the world of Emergency Medical Services (EMS). Some of these items include:
    - a. Vital signs should be taken every five minutes (or close to that) with critical patients. For Non-critical patients it might be seven minutes.
    - b. It might take two minutes to move a patient from a home to the ambulance via a stretcher. (The use of a stretcher to move the patient can be an accepted practice also.)
    - c. When an IV is started, blood is taken for the hospitals. Also, for diabetics or patients with an altered level of conscious, blood glucose monitoring is employed.
    - d. If a patient has a GCS score of less than "8," there is a prevalence towards intubating the patient. And if the patient is going to be intubated, they will receive bag-valve mask treatment prior to an intubation attempt.
    - e. Most medications have a standardized "national" dose. (This can be seen later when creating either State or Agency Preferences.)
    - f. The application of a cervical collar to a patient usually leads to the application of spinal immobilization.
2. **Medication Standards:** Like Accepted Practices, there exists either a National, State, or Agency standard list. In other words, certain medications will only be given certain ways, at certain doses, at certain time intervals, etc. The Medication Standards section should contain the following items in order to create the standard.
  - a. **Medication Name:** Self-described
  - b. **Medication Routes:** What routes this medication is given by
  - c. **Medication Route Default:** The route where the majority of the medication is given through (e.g. Nitro is given sublingual)
  - d. **Medication Dose Range:** The min and max of the medication
  - e. **Medication Dose Default:** The default amount given
  - f. **Medication Dose Unit Range:** A medication will be limited on the units used. (e.g. Nitro sublingual is mg)
  - g. **Medication Dose Unit Default:** The majority of the dose units are this item
  - h. **How Often is This Medication Given:** How often (usually in minutes) is this medication given. This is not an absolute, just a guideline.

- i. How Many Repeat Doses of This Medication Given: The normal max amount of times a medication is given. This should not be an absolute, just a guideline.
  - j. Does the Medication Dose Escalate? Some medications increase in dose as a result of subsequent administrations
    - i. What is the dose for the subsequent administration? (Repeated in accordance to response to "How Many Repeat" doses question)
  - k. Provider Limitations: Asks the user to define whether only certain providers may give this medication.
3. Procedure Standards: Like the *Medication Standards*, there are some constraints that can be placed on procedures. They are;
- a. Procedure Name: Self-described
  - b. Procedure Application: These are the acceptable areas for that particular procedure (e.g. Spinal Immobilization takes place at the Back)
  - c. Procedure Default: The routine place for that procedure.

**STATE PREFERENCES:** This area generally exists within the TEMSIS system. The major factor is adding the Event Creation portion of the system. The ultimate goal is to reduce the amount of time it takes for a provider to create a patient care report by supplying information that they will need to enter anyway (Somewhat like the Narrative section of TEMSIS). The format for the Event Creation System will be:

- 1. State Practices and Standards: In accordance to the above lists created on behalf of the lower levels of the hierarchy, there exists a need to constrain or expand on those lists in accordance to their needs.
  - a. Accepted Practice:
    - i. Our State follows this accepted practice: Yes/No
    - ii. Accepted Practice modification (Can modify how the National-level item was set)
  - b. Medication Standard:
    - i. Our State follows this medication standard: Yes/No
    - ii. Medication Standard modification (Can modify how the National-level item was set)
  - c. Procedure Standard
    - i. Our State follows this procedure standard: Yes/No
    - ii. Procedure Standard modification (Can modify how the National-level item was set)
- 2. Basic Event Lists: For every EMS incident, there should be a base number of concatenations that are created in accordance to the Incident/Patient Disposition field (E20\_10): See Appendix A for this breakdown
- 3. State Preferences: Because this will depend from State to State, an infrastructure needs to be in place for the data system. The main reason is that many states use or require statewide protocols. These protocols are in lieu of agency-based protocols, and potentially shorten the amount of work required by the agencies to set up the EC system. The system is created based on the formula where the numerator serves to generate EC list. The *Medication* and *Procedure Standards* also filter into this section.
  - a. Protocol:



- i. Procedure Name: Self-Described
  - ii. PCR Type Modifier: What Report Types (Transport, Patient Refusal, etc.) will this particular protocol appear under.
  - iii. Gender Modifier: Does this procedure apply to specifically one gender?
  - iv. Age Modifier Start: Does this particular protocol apply to a specific age range? If so, then this is the minimum age for this protocol.
  - v. Age Modifier End: Does this particular protocol apply to a specific age range? If so, then this is the maximum age for this protocol.
  - vi. Protocol Lock: Can this particular protocol be modified by the Region, Local EMS agency, or Provider?
  - vii. One-to-Many Section that helps the user create the event list in accordance to the protocol.
    1. Time after arrival at patient when event (procedure, medication, or vital) is performed: Numeric field with a range of 0-45.
    2. Event: The specific event (Procedure, Medication, Vital Sign) that occurs.
    3. Details: The details of that particular event. If it is a medication, then the system pulls from the *Medication Standards* list and creates the concatenation as seen by the writer. The person manipulating this section can change the "standard" to a unique value for this particular event.
    4. Repeat: Whether this event is repeated on the event list.
    5. Repeat Frequency Time: When this event is repeated. If it falls within 10 minutes after the patient arriving at the hospital then it is listed. This allows the provider to have a larger list to select from and hopefully increases the chances that no new event creation takes place.
4. Event Concatenations: The State should be build how the concatenations are created for the event lists. While the vendor could start with basic concatenations, there will be difficulty in covering all of the options for each client. I.e. Some clients will only want to collect basic information about a medication given (med name, dose, and route) while others will want to collect everything under the sun for each event. Furthermore, there should be a difference between what is printed for the patient care report versus what is collected (remember, not all information collected by the data system should be regurgitated on the written report). So below is a concept on how an event concatenation is created.
- a. Baseline concatenations: The vendor could provide the basic concatenations for the client.
    - i. Sample Medication Concatenation: Underline is editable by the writer.
- E18\_01 The patient was given E18\_03 E18\_05 E18\_06 via E18\_04 with a result of E18\_07. Complications: E18\_08

- ii. Sample Procedure Concatenation: Underline is editable by the writer

E19\_01 E19\_03 was E19\_06 perform on the patient after E19\_05 attempts with a result of E19\_08. Complications: E19\_07

- b. Note there will be the need for the software vendor to create individualized concatenations for procedures. One concatenation does not fit all. Remember an objective is to have the patient care report read like a human being wrote the report.
  - i. Some consideration should be made towards the creation of a customizable concatenation to fit the needs of the clients using the system.

**REGION AND AGENCY PREFERENCES:** This area mainly concerns the National NEMSIS items which are needed to populate the National EMS Database. The system, however, could be enhanced as to allow the agency to customize their "portion" of the data system. Part of this has to do with an agency modifying the Event Creation list. For example, New Hampshire has statewide protocols, but allows agencies many different choices when it comes to medications (and perhaps procedures). They may also be allowed to create their own protocol EC lists too

- 1. Event Creation List: This section needs to exist because there still is the opportunity that regional agencies either dictate protocols (all or some) or they need to "modify" existing State protocols. Modify could mean that certain events are added on top of what the State already has created. It will also depend on the whether the State gives permission to edit the base protocols they have created. This section pretty much is a repeat of the State section. They should be able to look up existing protocols and then either add or modify the event list. They should be allowed to create new protocols when allowed by the State.

- a. Procedure Name: Self-Described
- b. PCR Type Modifier: What Report Types (Transport, Patient Refusal, etc.) will this particular protocol appear under.
- c. Gender Modifier: Does this procedure apply to specifically one gender?
- d. Age Modifier Start: Does this particular protocol apply to a specific age range? If so, then this is the minimum age for this protocol.
- e. Age Modifier End: Does this particular protocol apply to a specific age range? If so, then this is the maximum age for this protocol.
- f. Protocol Lock: Can this particular protocol be modified by the individual provider? Yes/No
- g. One-to-Many Section that helps the user create the event list in accordance to the protocol.
  - 1. Time after arrival at patient when event (procedure, medication, or vital) is performed: Numeric field with a range of 0-45.
  - 2. Event: The specific event (Procedure, Medication, Vital Sign) that occurs.
  - 3. Details: The details of that particular event. If it is a medication, then the system pulls from the *Medication Standards* list and creates the concatenation as seen by the writer. The person

manipulating this section can change the "standard" to a unique value for this particular event.

4. Repeat: Whether this event is repeated on the event list.
5. Repeat Frequency Time: When this event is repeated. If it falls within 10 minutes after the patient arriving at the hospital then it is listed. This allows the provider to have a larger list to select from and hopefully increases the chances that no new event creation takes place.

2. Event Concatenations: The Region should be able to expand on concatenations because they might want to collect more data than the State.

**USER PREFERENCES:** A bit of streamlining can take place by streamlining what the user of TEMSIS wants to pre-populate in their own section. For instance, a User might only respond on one unit (ambulance) and they want that information defaulted in the Patient Care Report each and every time. By doing so, this could significantly reduce the amount of information that one has to repeatedly enter while also creating a individualized report (the provider feels more ownership in the report that is created).

1. Event Creation List: The last item in the hierarchy where event lists can be modified and added to in accordance to the personal user's preferences. Like the agency level there might be personal preferences for the provider that they do on every EMS incident. An example is that the provider performs a 12-lead ECG on every patient encounter where they suspect Congestive Heart Failure.

- a. Procedure Name: Self-Described
- b. PCR Type Modifier: What Report Types (Transport, Patient Refusal, etc.) will this particular protocol appear under.
- c. Gender Modifier: Does this procedure apply to specifically one gender? <LOCKED>
- d. Age Modifier Start: Does this particular protocol apply to a specific age range? If so, then this is the minimum age for this protocol. <LOCKED>
- e. Age Modifier End: Does this particular protocol apply to a specific age range? If so, then this is the maximum age for this protocol. <LOCKED>
- f. Protocol Lock: Can this particular protocol be modified by the local EMS agency? Yes/No <LOCKED>
- g. One-to-Many Section that helps the user create the event list in accordance to the protocol.
  1. Time after arrival at patient when event (procedure, medication, or vital) is performed: Numeric field with a range of 0-45.
  2. Event: The specific event (Procedure, Medication, Vital Sign) that occurs.
  3. Details: The details of that particular event. If it is a medication, then the system pulls from the *Medication Standards* list and creates the concatenation as seen by the writer. The person manipulating this section can change the "standard" to a unique value for this particular event.
  4. Repeat: Whether this event is repeated on the event list.

- Repeat Frequency Time: When this event is repeated. If it falls within 10 minutes after the patient arriving at the hospital then it is listed. This allows the provider to have a larger list to select from and hopefully increases the chances that no new event creation takes place.

### HOW TO MAKE EVENT CREATION WORK

Overall: In the hierarchy described above, the system starts building event lists from the above preference levels. At one point, though, the control moves to the report writer and the computer application. The writer's input is to fill in the blanks of the formula which will create the unique event list for that patient. On the other side, the computer not only needs to generate the lists, but it also needs to evaluate the situation when multiple protocols are used. To simply combine event lists along with the base items, will cause a complicated list that might result in more effort than creating the list from scratch. So the base formula that the system should use is:

[Base Events + Protocol "A" Events + Protocol "B" Events...] -- Unnecessary Duplicates

How this will work:

Example

Base Events	Protocol A	Protocol B	What Happens
PSAP Notified	-	-	Nothing
Dispatcher Notified	-	-	Nothing
Agency Notification	-	-	Nothing
Unit Responding	-	-	Nothing
Patient Assessed	-	-	Nothing
Oxygen Provided	-	-	Nothing
-	Procedure A	Procedure B	Both Procedures Placed
-	Procedure C	Procedure D	Nothing
-	Procedure D	Procedure E	One is Eliminated
-	Procedure F	Procedure F	One is Eliminated
-	Etc.	Etc.	

### How it Appears to the User

The dynamics of the system will change a bit. Mainly this is because a number of items can be moved to the Event Section of the patient care report. For instance, it is better to place the "times and numbers" into this section. The reason why is because if a writer enters the times in a previous section and then comes to the Events section later, they might not remember all the times and numbers. It is better to place the information all in one section. There are other items that can be brought over into this section. For instance, how the unit responded (lights and sirens) would appropriately fit within this section. So, the writer, when entering this screen, should see the event list already created because they have already entered the formula answers in a previous section.

What remains are the choices for the provider to:

- Edit the times for each event

- Make specific choice changes within the event (i.e. use of lights and sirens or not).
- Whether the event should exist in the first place. (The app should not have placed the event or the event did not take place)
- When an event was repeated:

A standard asthma event in New Hampshire (with patient treatment and transport) would look like:

KEY: Underline means editable by writer  
 DELETE\*\* = Delete Button (Yes = event can be deleted).  
 REPEAT TIME = Field to enter when the event was repeated

TIME	EVENT	DELETE	REPEAT TIME
12:12	The PSAP was notified of this incident	No	No
12:12	The Dispatcher was notified of this incident	No	No
12:13	ABC Agency was notified of this incident	No	No
12:14	<u>Unit A-84</u> responded to the incident location <u>with lights and sirens</u>	No	No
12:21	The unit arrived at the incident scene.	No	No
12:22	The providers arrived at the patient	No	No
12:22	The providers <u>successfully</u> provided a patient assessment.	No	XXXX
12:23	The providers <u>successfully</u> provided <u>oxygen via nasal cannula</u> at a rate of <u>6 LPM</u>	Yes	XXXX
12:24	Vital Signs	Yes	XXXX
12:24	The patient was <u>successfully</u> given <u>impratropium 2.5 mg</u> via <u>nebulized mask</u> with a result of <u>better respiratory effort</u> .	Yes	XXXX
12:24	The patient was <u>successfully</u> given <u>albuterol 2.5 mg</u> via <u>nebulized mask</u> with a result of <u>better respiratory effort</u> .	Yes	XXXX
12:27	The patient was <u>successfully</u> placed on a <u>stretcher</u> and taken out to the ambulance.	No	No
12:29	The unit began transport to <u>ABC Hospital</u> using <u>lights and sirens</u> .	No	No

12:32	Vital Signs	Yes	XXXX
12:33	The patient was <u>successfully</u> given <u>albuterol 2.5 mg</u> via <u>nebulized mask</u> with a result of <u>better respiratory effort</u> .	Yes	XXXX
12:34	An IV was <u>successfully</u> started in the <u>left arm</u> using an <u>18 gauge</u> needle.	Yes	XXXX
12:34	The patient was <u>successfully</u> given <u>methylprednisolone 125 mg</u> via <u>IV</u> with a result of <u>no change</u> .	Yes	XXXX
12:38	The Unit arrived at destination.	No	No
13:15	The Unit was back in-service.	No	No
13:42	The Unit was back in the home location (estimate)	No	No

\*\*The DELETE button is a Boolean where if the writer begins to edit the information in the field it becomes unchecked. Any checked items left over are simply deleted when the writer submits the information.

Other circumstances: The entire notion of "Prior Aid" could be handled in this section. If an event time is reformatted to happen prior to a report's arrival patient time, then it should be considered a prior aid event. Then the system will prompt the provider to populate who performed the prior aid. Perhaps even a prior aid assessment button to at least create one event with a click of a single button.

#### Item 2, Modify Vitals, Procedures, and Medications Data Entry Screens:

Currently the way to document procedures performed, medications given, and vital signs obtained is via a unique screen for each. Unfortunately the amount of information collected is very cumbersome and some report writers do not know what is important to document versus what is simply "additional" information. The solution is to create a basic data entry screen for each item, but also have a button for those who may want to add additional information. The simplified screens will allow for quicker data entry of more pertinent information.

The following are how the basic screens should look after the modification is complete (Note, the programmers should have some degree of latitude as to the appearance to making the screens as functional as possible.

(NEXT PAGE PLEASE)

MEDICATIONS Screen

Med Time	<input type="text"/>	Crew ID	<input type="text" value="Default"/>	Medication	<input type="text"/>	
Dosage	<input type="text"/>	Dose Unit	<input type="text"/>	Route	<input type="text"/>	
Response	<input type="text"/>	<input type="button" value="Save"/>	<input type="button" value="Expand"/>	Complication	<input type="text"/>	
Comments	<input type="text"/>				Prior to EMS	<input type="text"/>
Authorization	<input type="text"/>	Authorization MD	<input type="text"/>	<input type="button" value="Save"/>		

PROCEDURES Screen

Proc Time	<input type="text"/>	Crew ID	<input type="text" value="Default"/>	Procedure	<input type="text"/>	
Proc Location	<input type="text"/>	Proc Size	<input type="text"/>	Attempt	<input type="text"/>	
Response	<input type="text"/>	<input type="button" value="Save"/>	<input type="button" value="Expand"/>	Success	<input type="text"/>	
Comments	<input type="text"/>				Complication	<input type="text"/>
Authorization MD	<input type="text"/>	Prior to EMS <input type="text"/>				
					<input type="button" value="Save"/>	

VITALS Screen

Vital Time	<input type="text"/>	CrewID	Default	BP	<input type="text"/>	<input type="text"/>	Pulse	<input type="text"/>	Resp	<input type="text"/>
SpO2	<input type="text"/>	EtCO2	<input type="text"/>	Pain	<input type="text"/>	Blood Glucose	<input type="text"/>	Temp	<input type="text"/>	
Glasgow Eye	<input type="text"/>		Verbal	<input type="text"/>		Motor	<input type="text"/>			
Rhythm	<input type="text"/>		Save	Repeat	Expand					
REST OF FIELDS										

**Item 3, Assessment Modification:**

The TEMSIS system offers two means for a report writer to enter information from a physical assessment of the patient. The first is through a graphical interface where "tags" are added to picture representation of the patient. The other means is via a checkbox method which allows the user the ability to click off on "standard ailments" that might be afflicting the patient. Each has their own drawbacks with the graphic interface being slightly cumbersome in design and non-standard compared to the rest of the system (i.e. Apples and Oranges). The latter concept (matrix design) is more in tune with how the rest of the report is completed, yet it is missing the ability for the provider to document additional items that may require more detail or are non-typical.

This item will call for the addition of a text field to each anatomic area of the NHTSA Matrix data entry tool (the non-graphical one). This modification should allow for the information to both be reported on any subsequent patient care print-out along with be in compliance with the current NEMSIS standard.

**Items 4 & 5, Trauma and Cause of Injury Modification:**

Quite simply, the majority of the emergent cases seen by EMS providers are non-traumatic in nature. However, the current system "forces" the writer to go through a section allocated specifically for gathering information about trauma cases. This modification would come in two phases. The first is completely eliminate the trauma questions altogether is the writer documents that "there is no possible injury present."

The second part is if there is a suspected traumatic injury then the system will only present relevant questions according to the trauma type. In other words, a possible injury from a motor vehicle crash will lead to only questions about the motor vehicle crash (not about the patient falling).

**Item 6, Cardiac Arrest Modification:**



Like the traumatic injury modification above, even less people treated for cardiac arrest. If the report writer chooses cardiac arrest in either the primary or secondary field impressions than it will led to the cardiac arrest information presented to the writer to complete.

#### **Items 7, 8, & 9, Past Medical History, Patient Allergies, & Patient Medications Modifications:**

The reporting of the patient's history, medications, and allergies is very important for the continuum of care. And with some patients having a profound medical history, it might take a significant amount of time to document all of this information in the report. This modification calls for a methodology which will streamline the process to enter such information (the methodology is the same for each item). The proposed sequence goes as follows:

Step 1: The writer starts typing what the particular item of interest is (i.e. medication).

Step 2: The computer presents a list of the possible items as the item is being typed in (Look at Yahoo Finance, <http://finance.yahoo.com/> Get Quote search bar for an example).

Step 3: When the writer finds the word, he/she can arrow down to select it. The <ENTER> key will then save it to the list for the patient.

Step 4: The writer repeats the above action as many times as needed.

Step 4a: If the item does not exist on the list, than when the writer is done they still hit the <ENTER> key and that item is saved.

Step 4b: If the writer is done then they can tab to the next field

Note: For this modification to be successful, the other fields associated with the item name needs to be disassociated. In other words, at this time there is little need for the provider to enter the dosage information etc. They may however do so, but it should be done through mouse clicks. The flow is meant to enter all of the meds, tab to the next major category, complete that, and then tab to the last major category.

**Item 10, Delay Fields Modification:**

The delay fields in the TEMSIS system take up a lot of real estate within the report. However, comparing the space it occupies versus how often the writer makes a modification to the default setting is very disproportionate. The purpose of this modification is to reduce the wasted space and improve the flow of the report. The modification happens by having a question about "Whether there were any delays in the following areas." These "areas" are also known as the delays categories currently found in the patient care report. If the writer signals that there was a delay in one of those categories, then the field expands for them to answer the question. If no modifications are made, then each item remains as the selected default.

**Training Expenses:** The training will be broken down into three separate sections. The first will be updating the existing user guide documentation to incorporate the added functionality. The user guide updates will take 10 hours in order to complete. The second will be updating ImageTrend University to include new captured demos to outline the new functionality which will take 12 hours to complete. The final piece of training will be to offer two 4 hour webinars in order to educate TEMSIS users on how to use the new functionality.

**Other**

These improvements will be offered to other states for review to see if they are appropriate for inclusion in a product release for all. Since not all states update at the same time, beta test volunteers will be requested, with hopefully 3 states volunteering. If any respond, then we would update them for a 30 or 60 day beta test evaluation. The beta test evaluation will require consensus agreement as to goals, acceptance level and change request procedure.

APPENDIX A

Event Creation Concatenations

Standard Event Lists for:  
 No Patient Contact  
 (E20\_10: Cancelled or No Patient Found)

Key:  
 Underlined = editable  
 Bold = System Generated unique to this incident  
 Delete = Can be deleted by Writer  
 Repeat = Whether event could potentially repeat

Event 1

Time	Event Concatenation	Delete	Repeat
XXXX	The PSAP was notified of this incident (E05_02)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is nullable		

Event 2

Time	Event Concatenation	Delete	Repeat
XXXX	The Dispatcher was notified of this incident (E05_03)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is nullable.		

Event 3

Time	Event Concatenation	Delete	Repeat
XXXX	XXX Agency was notified of this incident (E05_04)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable. -The application chooses the agency name for the provider.		

Event 4

Time	Event Concatenation	Delete	Repeat
XXXX	<u>Unit</u> responded to the incident location <u>with lights and sirens</u> (E05_04, E02_12, E02_20)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable when patient information exists. -Unit is editable by the provider via user default followed by dropdown -Lights and Sirens is editable by the provider via user default followed by dropdown.		

Event 5

Time	Event Concatenation	Delete	Repeat
XXXX	The unit arrived at the incident scene. (E05_06)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable when patient information exists.		

Event 6

Time	Event Concatenation	Delete	Repeat
XXXX	The unit was cancelled. (E05_12)	No	No
Details	-The Time is editable but cannot be before the above time and not past the present date. -The Time is not nullable when Cancelled was chosen at the Incident Disposition type (E20_10).		

Event 7

Time	Event Concatenation	Delete	Repeat
XXXX	The Unit was back in-service (E05_11)	No	No
Details	-The Time is editable, but cannot be before the E05_06 time OR E05_12 time. -Time is not nullable.		

Event 8

Time	Event Concatenation	Delete	Repeat
XXXX	The Unit was back in the home location (E05_13)	No	No
Details	-The Time is editable, but cannot be before the previous time. -Time is not nullable.		

Standard Event Lists for:  
The patient is Not Treated and Not Transported  
(E20\_10: No Treatment Required)

Key:  
 Underlined = editable  
 Bold = System Generated unique to this incident  
 Delete = Can be deleted by Writer  
 Repeat = Whether event could potentially repeat

Event 1

Time	Event Concatenation	Delete	Repeat
XXXX	The PSAP was notified of this incident (E05_02)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is nullable		

Event 2

Time	Event Concatenation	Delete	Repeat
XXXX	The Dispatcher was notified of this incident (E05_03)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is nullable.		

Event 3

Time	Event Concatenation	Delete	Repeat
XXXX	XXX Agency was notified of this incident (E05_04)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable. -The application chooses the agency name for the provider.		

Event 4

Time	Event Concatenation	Delete	Repeat
<u>XXXX</u>	<u>Unit</u> responded to the incident location with lights and sirens (E05_04, E02_12, E02_20)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable when patient information exists. -Unit is editable by the provider via user default followed by dropdown -Lights and Sirens is editable by the provider via user default followed by dropdown.		

Event 5

Time	Event Concatenation	Delete	Repeat
XXXX	The unit arrived at the incident scene. (E05_06)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable when patient information exists.		

Event 6

Time	Event Concatenation	Delete	Repeat
XXXX	The providers arrived at the patient (E05_07)	No	No
Details	-Concatenation should not be created if not applicable (cancellation, etc.) -The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable when patient information exists.		

Event 7

Time	Event Concatenation	Delete	Repeat
XXXX	The providers successfully provided a patient assessment (E19_01, E19_03, & E19_06)	Yes	Yes
Details	-The Time is editable, but if before the E05_07 time then the provider must fill out Prior Aid information. -Repeat is "Repeat Time" and not just a Boolean.		

Event 8

Time	Event Concatenation	Delete	Repeat
XXXX	Vital Signs (E14 section)	Yes	Yes
Details	-The Time is editable, but if before the E05_07 time then the provider must fill out Prior Aid information. -Repeat is "Repeat Time" and not just a Boolean.		

Event 9

Time	Event Concatenation	Delete	Repeat
XXXX	The Unit was back in-service (E05_11)	No	No
Details	-The Time is editable, but cannot be before the E05_06 time OR E05_12 time. -Time is not nullable.		

Event 10

Time	Event Concatenation	Delete	Repeat
XXXX	The Unit was back in the home location (E05_13)	No	No
Details	-The Time is editable, but cannot be before the previous time. -Time is not nullable.		

Note: It would be nice if the data system recognizes if a treatment (medication or procedure) was employed other than the above ones. The system should prompt the writer to change the report type.

Standard Event Lists for:  
 The Patient is Treated and Not Transported  
 (E20\_10: Patient Refused Care, Treated and Released,  
 Treated, and Transported by Law Enforcement,  
 Treated, and Transported by Private Vehicle)

Key:

Underlined = editable

**Bold** = System Generated unique to this incident

Delete = Can be deleted by Writer

Repeat = Whether event could potentially repeat

Event 1

Time	Event Concatenation	Delete	Repeat
XXXX	The PSAP was notified of this incident (E05_02)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is nullable		

Event 2

Time	Event Concatenation	Delete	Repeat
XXXX	The Dispatcher was notified of this incident (E05_03)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is nullable.		

Event 3

Time	Event Concatenation	Delete	Repeat
XXXX	XXX Agency was notified of this incident (E05_04)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable. -The application chooses the agency name for the provider.		

Event 4

Time	Event Concatenation	Delete	Repeat
XXXX	<u>Unit</u> responded to the incident location <u>with lights and sirens</u> (E05_04, E02_12, E02_20)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable when patient information exists. -Unit is editable by the provider via user default followed by dropdown -Lights and Sirens is editable by the provider via user default followed by dropdown.		

Event 5

Time	Event Concatenation	Delete	Repeat
XX	The unit arrived at the incident scene. (E05_06)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date.		



	-The Time is not nullable when patient information exists.		
Event 6			
Time	Event Concatenation	Delete	Repeat
XXXX	The providers arrived at the patient (E05_07)	No	No
Details	-Concatenation should not be created if not applicable (cancellation, etc.) -The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable when patient information exists.		

Event 7			
Time	Event Concatenation	Delete	Repeat
XXXX	The providers <u>successfully</u> provided a patient assessment (E19_01, E19_03, & E19_06)	Yes	Yes
Details	-The Time is editable, but if before the E05_07 time then the provider must fill out Prior Aid information. -Repeat is "Repeat Time" and not just a Boolean.		

Event 8			
Time	Event Concatenation	Delete	Repeat
XXXX	Vital Signs (E14 section)	Yes	Yes
Details	-The Time is editable, but if before the E05_07 time then the provider must fill out Prior Aid information. -Repeat is "Repeat Time" and not just a Boolean.		

Event 9			
Time	Event Concatenation	Delete	Repeat
XXXX	The Unit was back in-service (E05_11)	No	No
Details	-The Time is editable, but cannot be before the E05_06 time OR E05_12 time. -Time is not nullable.		

Event 10			
Time	Event Concatenation	Delete	Repeat
XXXX	The Unit was back in the home location (E05_13)	No	No
Details	-The Time is editable, but cannot be before the previous time. -Time is not nullable.		

Standard Event Lists for:  
A Transfer of Care  
(E20\_10: Treated, Transferred Care)

Key:  
 Underlined = editable  
 Bold = System Generated unique to this incident  
 Delete = Can be deleted by Writer  
 Repeat = Whether event could potentially repeat

Event 1

Time	Event Concatenation	Delete	Repeat
XXXX	The PSAP was notified of this incident (E05_02)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is nullable		

Event 2

Time	Event Concatenation	Delete	Repeat
XXXX	The Dispatcher was notified of this incident (E05_03)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is nullable.		

Event 3

Time	Event Concatenation	Delete	Repeat
XXXX	XXX Agency was notified of this incident (E05_04)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable. -The application chooses the agency name for the provider.		

Event 4

Time	Event Concatenation	Delete	Repeat
XXXX	Unit responded to the incident location <u>with lights and sirens</u> (E05_04, E02_12, E02_20)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable when patient information exists. -Unit is editable by the provider via user default followed by dropdown -Lights and Sirens is editable by the provider via user default followed by dropdown.		

Event 5

Time	Event Concatenation	Delete	Repeat
XXXX	The unit arrived at the incident scene. (E05_06)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable when patient information exists.		

Event 6

Time	Event Concatenation	Delete	Repeat
XXXX	The providers arrived at the patient (E05_07)	No	No
Details	-Concatenation should not be created if not applicable (cancellation, etc.) -The Time is editable but cannot be before the above time and not past the present date. -The Time is not nullable when patient information exists.		

Event 7

Time	Event Concatenation	Delete	Repeat
XXXX	The providers <u>successfully</u> provided a patient assessment (E19_01, E19_03, & E19_06)	Yes	Yes
Details	-The Time is editable, but if before the E05_07 time then the provider must fill out Prior Aid information. -Repeat is "Repeat Time" and not just a Boolean.		

Event 8

Time	Event Concatenation	Delete	Repeat
XXXX	Vital Signs (E14 section)	Yes	Yes
Details	-The Time is editable, but if before the E05_07 time then the provider must fill out Prior Aid information. -Repeat is "Repeat Time" and not just a Boolean.		

Event 9

Time	Event Concatenation	Delete	Repeat
XXXX	The unit began transport to <u>Destination</u> using <u>lights and sirens</u> . (On-scene time: XXX minutes). (E05_09, E20_01, & E20_14)	No	No
Details	-Concatenation should not be created if not applicable (pt refusal, no patient, etc.) -The time is editable, but if before the E05_07 time and not past the present date. -Time is not nullable for a patient transport incident.		

Event 10

Time	Event Concatenation	Delete	Repeat
XXXX	The Unit arrived at destination (E05_10)	Yes	Yes
Details	-Concatenation should not be created if not applicable (pt refusal, no patient, etc.) -The time is editable, but cannot be before the E05_09 time and is not applicable in a non-transporting situation. -Time is not nullable for a patient transport incident and when E05_09 is completed.		

Event 11

Time	Event Concatenation	Delete	Repeat
XXXX	The Unit was back in-service (E05_11)	No	No
Details	-The Time is editable, but cannot be before the E05_06 time OR E05_12 time. -Time is not nullable.		

Event 12

Time	Event Concatenation	Delete	Repeat
XXXX	The Unit was back in the home location (E05_13)	No	No
Details	-The Time is editable, but cannot be before the previous time. -Time is not nullable.		

Note: The destination cannot be a hospital. If so, then it should be reclassified as a "Treated, Transported by EMS" disposition.

Standard Event Lists for:  
The Patient is Treated and Transported  
(E20\_10: Treated, Transported by EMS)

Key:  
 Underlined = editable  
 Bold = System Generated unique to this incident  
 Delete = Can be deleted by Writer  
 Repeat = Whether event could potentially repeat

Event 1

Time	Event Concatenation	Delete	Repeat
XXXX	The PSAP was notified of this incident (E05_02)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is nullable		

Event 2

Time	Event Concatenation	Delete	Repeat
XXXX	The Dispatcher was notified of this incident (E05_03)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is nullable.		

Event 3

Time	Event Concatenation	Delete	Repeat
XXXX	XXX Agency was notified of this incident (E05_04)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable. -The application chooses the agency name for the provider.		

Event 4

Time	Event Concatenation	Delete	Repeat
XXXX	Unit responded to the incident location <u>with lights and sirens</u> (E05_04, E02_12, E02_20)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable when patient information exists. -Unit is editable by the provider via user default followed by dropdown -Lights and Sirens is editable by the provider via user default followed by dropdown.		

Event 5

Time	Event Concatenation	Delete	Repeat
XXXX	The unit arrived at the incident scene. (E05_06)	No	No
Details	-The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable when patient information exists.		

Event 6

Time	Event Concatenation	Delete	Repeat
XXXX	The providers arrived at the patient (E05_07)	No	No
Details	-Concatenation should not be created if not applicable (cancellation, etc.) -The Time is editable but cannot before the above time and not past the present date. -The Time is not nullable when patient information exists.		

Event 7

Time	Event Concatenation	Delete	Repeat
XXXX	The providers <u>successfully</u> provided a patient assessment (E19_01, E19_03, & E19_06)	Yes	Yes
Details	-The Time is editable, but if before the E05_07 time then the provider must fill out Prior Aid information. -Repeat is "Repeat Time" and not just a Boolean.		

Event 8

Time	Event Concatenation	Delete	Repeat
XXXX	Vital Signs (E14 section)	Yes	Yes
Details	-The Time is editable, but if before the E05_07 time then the provider must fill out Prior Aid information. -Repeat is "Repeat Time" and not just a Boolean.		

Event 9

Time	Event Concatenation	Delete	Repeat
XXXX	The patient was <u>successfully</u> placed on a <u>stretcher</u> and taken out to the ambulance. (E19_01, E19_03, & E19_06)	No	No
Details	-Concatenation should not be created if not applicable (pt refusal, no patient, etc.) -The time is editable, but if before the E05_07 time and not past the present date. -Time is not nullable for a patient transport incident.		

Event 10

Time	Event Concatenation	Delete	Repeat
XXXX	The unit began transport to <u>Destination</u> using <u>lights and sirens</u> . (On-scene time: XXX minutes). (E05_09, E20_01, & E20_14)	No	No
Details	-Concatenation should not be created if not applicable (pt refusal, no patient, etc.) -The time is editable, but if before the E05_07 time and not past the present date. -Time is not nullable for a patient transport incident.		

Event 11

Time	Event Concatenation	Delete	Repeat
XXXX	The Unit arrived at destination (E05_10)	Yes	Yes
Details	-Concatenation should not be created if not applicable (pt refusal, no patient, etc.) -The time is editable, but cannot be before the E05_09 time and is not applicable in a non-transporting situation. -Time is not nullable for a patient transport incident and when E05_09 is completed.		

Event 12

Time	Event Concatenation	Delete	Repeat
XXXX	The patient's condition at the destination was improved (E20_15)	Yes	Yes
Details	-Concatenation should not be created if not applicable (pt refusal, no patient, etc.) -The time is editable, but cannot be before the E05_10 time and is not applicable in a non-transporting situation. (The time should be the same as (E05_10) -Time is not nullable for a patient transport incident and when E05_09 is completed.		

Event 13

Time	Event Concatenation	Delete	Repeat
XXXX	The Unit was back in-service (E05_11)	No	No
Details	-The Time is editable, but cannot be before the E05_10 time for a transporting situation. -Time is not nullable.		

Event 14

Time	Event Concatenation	Delete	Repeat
XXXX	The Unit was back in the home location [Estimated] (E05_13)	No	No
Details	-The Time is editable, but cannot be before the previous time. -Time is not nullable.		

### Optional Events

**Optional Event 1:** If a procedure or medication is given prior to the Unit's arrival at the patient (E ), then it is considered Prior-Aid. So the following concatenations will be added (With the expectation that one or the other is deleted)

Time	Event Concatenation	Delete	Repeat
XXXX	ABC Ambulance arrived on-scene [estimated] to perform prior aid on the patient. (E08_04, First Responder Agency)	Yes	No
Details	-The Time is editable. -Time is not nullable unless this procedure is deleted.		

Time	Event Concatenation	Delete	Repeat
XXXX	Law Enforcement arrived on-scene [estimated] to perform prior aid on the patient. (E08_04, Other services at Scene)	Yes	No
Details	-The Time is editable. -Time is not nullable unless this procedure is deleted.		

**Optional Event 2:** If "Cervical Spinal Immobilization – Rigid Collar" is selected; THEN the following is created:

Time	Event Concatenation	Delete	Repeat
XXXX	The patient had spinal immobilization – long backboard <u>successfully</u> applied. (E19_01, E19_03, & E19_06)	No	No
Details	-The Time is editable and one minute after the "Cervical Spinal" procedure was performed. -Time is not nullable.		

Time	Event Concatenation	Delete	Repeat
XXXX	Spinal assessment – no deficits noted. (E19_01 & E19_03)	No	No
Details	-The Time is editable and zero minutes after the "Spinal Immobilization" procedure was performed. -Time is not nullable. -The two choices for the underlined area are the above AND "Spinal assessment – deficits noted"		

**Optional Event 3:** If "Spinal Immobilization – KED" is selected, THEN the following is created:

Time	Event Concatenation	Delete	Repeat
XXXX	The patient had spinal immobilization – long backboard <u>successfully</u> applied. (E19_01, E19_03, & E19_06)	No	No
Details	-The Time is editable and one minute after the "Cervical Spinal" procedure was performed. -Time is not nullable.		



Time	Event Concatenation	Delete	Repeat
XXXX	Spinal assessment – no deficits noted. (E19_01 & E19_03)	No	No
Details	-The Time is editable and zero minutes after the "Spinal Immobilization" procedure was performed. -Time is not nullable. -The two choices for the underlined area are the above AND "Spinal assessment – deficits noted"		

Optional Event 4: If "Airway – Endotracheal Intubation" OR "Airway – King LT-D" OR "Airway – combitube" OR "Airway – laryngeal mask" OR "Airway – nasotracheal intubation" OR "Airway – rapid sequence induction" is selected, THEN the following is created:

Time	Event Concatenation	Delete	Repeat
XXXX	Successful airway-ECO2 monitoring performed. (E19_01, E19_06, & E19_03)	No	No
Details	-The Time is editable and zero minutes after the "Airway – Endotracheal Intubation" procedure was performed. -Time is not nullable.		

Time	Event Concatenation	Delete	Repeat
XXXX	Oxygen by positive pressure device provided to the patient with a/an <u>improved</u> response. (E18_01, E18_03, & E18_07)	No	No
Details	-The Time is editable and zero minutes after the "Airway – Endotracheal Intubation" procedure was performed. -Time is not nullable. -The remaining items of this "Medication" procedure are defaulted to "15" for E18_05 and defaulted to the Medication Standards for the rest.		

Optional Event 5: If "Venous Access – Extremity" OR "Venous Access – Existing catheter/IV monitoring" OR "Venous Access – external jugular" OR "Venous Access – femoral line" OR "Venous Access – internal jugular" OR "Venous Access – intraosseous adult" OR "Venous Access – intraosseous pediatric" OR "Venous Access – subclavian" OR "Venous Access – is selected, THEN the following is created:

Time	Event Concatenation	Delete	Repeat
XXXX	<u>Normal saline</u> provided to the patient with a/an <u>improved</u> response. (E18_01, E18_03, & E18_07)	No	No
Details	-The Time is editable and zero minutes after the "Venous access – ..." procedure was performed. -Time is not nullable. -The remaining items of this "Medication" procedure are defaulted to 15 for E18_05 and defaulted to the Medication Standards for the rest. -The choices for E18_03 (the underlined area) are the above AND "Normal Saline – 0.45%" AND "D5W (Dextrose 5% in water)". AND "D5W w/ ½ Normal Saline" AND "Lactated Ringers".		

) Department of Safety 2005 005 - Trauma and Emergency Medical Services Information  
System. Amendment A Attachment B

# **SAMPLE - System Implementation Deliverable Testing Plan**

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May 11, 2009

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# Test Plan

## Introduction

### Purpose

The purpose of the Test Plan for the SAMPLE - System Implementation is to:

- Provide a central artifact to govern the strategic approach of the testing effort. It defines the general approach to be employed when testing the system and implementation and when evaluating the results of that testing. Planning artifacts will refer to the System Implementation Test Strategy and this System Implementation Test plan regarding the governing of detailed testing work.
- Provide visible confirmation for stakeholders to ensure that adequate consideration has been given to the governing of the testing effort and, where appropriate, to have those stakeholders approve the strategy.

This Test Plan also supports the following specific objectives:

- Identifies items that should be targeted by the tests.
- Identifies the motivation for and ideas behind the test areas to be covered.
- Outlines the testing approach, methods and techniques that will be used.
- Identifies the required resources and associated responsibilities.
- Identifies the environments for each level of testing.
- Lists the deliverable elements of the testing process.

### Scope

This Test Plan will cover the following testing levels as identified in the testing strategy:

- System Test
- User Acceptance Test

## Testing Plan

### Overview

System Test is the testing of the existing product and new and/or changed code in the product to confirm the proper functioning of the system within the production technical environment with the client specific data. It confirms stability and general functionality that the system operates as defined and expected by ImageTrend. As a Commercial Of The Shelf (COTS) product, system testing is conducted as part of the development and release of each version of the product. The results of systems testing of SAMPLE specific changes will be reviewed with SAMPLE, however SAMPLE personnel will not be directly involvement in the system testing itself.

User Acceptance Testing is the final testing of existing product and new and/or changed code in the product under business use cases. The purpose of User Acceptance Testing is for the State Emergency Medical Service users of the system to understand the procedural, environmental and organizational impact of the new system on the daily activities of users and allow for system configuration where desired and appropriate.

Stress Testing measures the point at which the application will degrade under a load. If the degradation point is within 75-80% of the maximum foreseeable load, then tuning should occur to bring the degradation point less than 75% of the maximum foreseeable load. Tuning involves changing configurations of the underlying systems programs in order to improve performance.

## Testing Procedures

### System Test

#### System Test Entry Criteria

The criteria that determine when system testing can begin include the following:

- Completion of the work allocated for the development sprint(s) to be tested
- Loading or importing of test data into the system test environment
- Completion of the test configurations in the test environment

#### System Elements Targeted by Tests

ImageTrend will test the following areas within the system:

- Testing against SOW Acceptance Criteria (General system, functional reqs, reports)
- Functional testing
- testing of all new Sample Customer specific fields and reporting of those fields in isolation and consolidated
- imports and exports
- calculations
- error handling
- Boundary testing (testing boundary values, invalid, typical, constraints)
- Stress testing (running year end reports, custom reports, multiple users, etc)
- Scenario Testing
- Risk Testing (test against past problem areas)
- Automatic Testing (what is automated vs manual, multiple simultaneous users)
- Security
- Performance – band width testing, multiple users accessing database concurrently.
- System Response – Average response time from server should be within three seconds at core location under a peak load. This three seconds excludes delays associated with telecommunications related overhead or service provider.

#### System Test Methods and Techniques

ImageTrend employs multiple levels of system test to assure that the products we deliver as COTS solutions meet our standards of quality. As a proprietary COTS solution, the internal methods and procedures used by ImageTrend are not exposed to the public.

#### System Test Environment and Tools

ImageTrend performs tests in multiple environments to assure that the products we deliver as COTS solutions meet our standards of quality of service. As a proprietary COTS solution, ImageTrend provides a list of Systems Specifications and Requirements that define the technical and environmental parameters for our products. A current copy will be provided to SAMPLE by the Implementation Manager during implementation.

#### System Test Documentation and Tracking

System Testing will be tracked and reported by the ImageTrend Implementation Manager/Team using ImageTrend's Product Management System (TFS). An example of a log entry can be seen in Appendix A.

Status of the logged items will be reported weekly by the ImageTrend Implementation Manager through an Open Items Report. An example of an Open Items Report can be seen in Appendix B.

#### System Test Plan Exit Criteria

The criteria that determine when the system testing is complete, or that continued execution provides no further benefit, include the following:

- Successful execution of all system test scripts and activities
- No defects of any severity remaining from system testing unless the issue is determined to be low impact, low risk. SAMPLE specific features to be reviewed with Implementation Manager and SAMPLE Sponsor for acceptable resolution.
- Average response request from server is 3 second response for the application at core location under a peak load. This 3 seconds excludes delays associated with telecommunications related overhead or service provider.

#### Suspension and Resumption Criteria

No special criteria for suspension and resumption of system testing are required. The system tester(s) will use their best judgment to determine if changes (data or configuration) are needed before system testing can be completed. Each test must be completed on the version (of the product) that will be promoted to the User Acceptance testing environment (staging or production).

### User Acceptance Test

#### User Acceptance Test Entry Criteria

The criteria that determine when user acceptance testing can begin include the following:

- Establishment of a functioning production environment at ImageTrend
- Loading or importing of SAMPLE specific legacy data
- Release of a production version of the Rescue Bridge that includes all SAMPLE specific changes
- Completion of the SAMPLE specific configurations including the run form

#### System Elements Targeted by Tests

SAMPLE will test the following areas within the system:

- Testing against SOW Acceptance Criteria from a user perspective
- Usability, accessibility, and speed
- Performance – band width testing.

#### User Acceptance Test Methods and Techniques

ImageTrend will work with SAMPLE to guide the User Acceptance Testing process, recommending standard business activities to be performed to assure the smooth and effective adoption of the system into their environment. However, UAT and the development of the methods and techniques for UAT is the responsibility of SAMPLE.

Anticipated methods of test are:

- Scenario Testing: (how are run reports inputted, saved, modified? what data is typically input, missing, reported? testing based on roles of users from lowest user to highest)
- User Testing: (users from identified fire departments input test data and provide feedback)

#### User Acceptance Test Environment and Tools

User Acceptance Testing will be performed by SAMPLE personnel using an ImageTrend Production Site that

meets the environmental specifications outlined in the list of Systems Specifications and Requirements and the relevant production release of the Rescue Bridge, configured to SAMPLE specifications.

#### User Acceptance Test Documentation and Tracking

User Acceptance Testing will be monitored by the ImageTrend Implementation Manager/Team in coordination with the responsible SAMPLE personnel. Completion of the items identified in the SOW will be agreed upon by both parties. Tracking of test results during UAT will be the responsibility of SAMPLE testers. Logging of results for changes or fixes will be done through the Implementation Manager using ImageTrend's Product Management System (TFS). An example of a log entry can be seen in Appendix A. Status of the logged items will be reported weekly by the ImageTrend Implementation Manager through an Open Items Report. An example of an Open Items Report can be seen in Appendix B.

#### User Acceptance Test Plan Exit Criteria

The criteria that determine when the User Acceptance Testing is complete, or that continued execution provides no further benefit, include the following:

- Successful execution of all acceptance test scripts by SAMPLE
- No defects of any severity remaining from user acceptance testing unless the issue is determined to be low impact, low risk. SAMPLE specific features to be reviewed with Implementation Manager and SAMPLE Sponsor for acceptable resolution.

#### Suspension and Resumption Criteria

No special criteria for suspension and resumption of User Acceptance Testing are required. The SAMPLE tester(s) with guidance from the ImageTrend's Implementation Team will use their best judgment to determine if changes (data or configuration) are needed before testing can be completed. Each test must be completed on the version (of the product) that will be promoted to the production environment.

### Test Deliverables

#### System Test

The System Test deliverables for all releases of ImageTrend COTS products are:

- Working software and database installed on an ImageTrend production simulated SAMPLE site
- Release notes for changes from the prior version of the software
- Updated user manuals where appropriate
- Test documentation is done by using the ImageTrend TFS system. By accessing the development tasks associated with each SAMPLE field we identify the completed tasks and test for functionality within the NFIRS run form. All defects that require development are entered and logged in the ImageTrend TFS system. Testing is tracked via the TFS Testing Matrix and time is logged with in the ImageTrend TimeSheet application. See appendix C for a copy of the Test Matrix.
- Test Metrics and Measurements: Sample Customer specific development was tested in our test environment by our lead subject matter expert and lead developer. All fields were tested for use within the standard NFIRS form and it was verified that they could be stored and retrieved. All fields passed testing and no additional development was required.

The Implementation Manager/Team will be responsible for distribution and oversight of test deliverables.

#### User Acceptance Test

The User Acceptance Test deliverables for SAMPLE are:

- Working software and database packaged for installation on a properly configured SAMPLE site
- UAT testing log of identified items and disposition (UAT Test Log)
- Release notes for changes from the prior version of the software
- Updated user manuals or other educational materials where appropriate

Once all testing has been successfully completed, the system will be deemed ready for deployment to SAMPLE. The Implementation Team will work with SAMPLE personnel to coordinate the proper installation of the package into the SAMPLE environment. ImageTrend will provide the Systems Specifications and Requirements, relevant production release and configuration information to enable the creation of the SAMPLE production server. The Production Server testing will be monitored by the ImageTrend Implementation Manager/Team in coordination with the responsible SAMPLE personnel. Tracking of test results during Production Server testing will be the responsibility of SAMPLE testers.

### Test Data Management

#### System Test

The Product Development team will create test data/criteria necessary for system testing. These criteria may be based on data created/populated using existing legacy production data. The data will need to be coordinated with the ImageTrend Implementation/Product Manager/Team executing and verifying the testing.

#### User Acceptance Test

The Implementation Team will configure the system and import the test data necessary for SAMPLE to perform the User Acceptance Testing. These criteria may be based on data created/populated using existing legacy production data. The data will need to be coordinated with the ImageTrend Implementation/Product Manager/Team executing and verifying the testing. All metrics and measurements for UAT will be developed by SAMPLE personnel.

### Roles and Responsibilities

See Deliverable 1.3.4

ImageTrend Staff Name, Role, Contact Info

TABLE 1: SAMPLE Test Staff

Name & Role	Email	Phone
Project Manager		

### Test Schedule

TABLE 2: Milestones

Milestone/Release	Planned Start Date	Planned End Date	Estimated Effort



Milestone/Release	Planned Start Date	Planned End Date	Estimated Effort

**Test Environment**

**System Test**

	Workstations	Application Server	Mainframe	Mail Server	Database Server
Name	N/A	State Bridge	N/A	N/A	N/A
Software	Microsoft IE	Microsoft IIS	N/A	N/A	N/A
Physical Location	SAMPLE	ImageTrend Staging	N/A	N/A	N/A
IP Address	N/A		N/A	N/A	N/A
URL/Database	N/A	N/A	N/A	N/A	N/A

**User Acceptance Test**

	Workstations	Application Server	Mainframe	Mail Server	Database Server
Name	N/A	Receive Report Web Service	N/A	N/A	N/A
Software	Microsoft IE	Microsoft IIS	N/A	N/A	N/A
Physical Location	SAMPLE	ImageTrend Production Data Center	N/A	N/A	N/A
IP Address	N/A		N/A	N/A	N/A
URL/Database	N/A	N/A	N/A	N/A	N/A

### Appendinx A

#### TFS

TFS is our internal system for tracking tasks that involve development. Durring the User Acceptance Process and Alpha Testing all identified enhancements will be logged and tracked via the TFS system. A report will be provided to SAMPLE via Microsft Excel Spread Sheet. Only open items that require development identified through the Alpha System will be tracked in TFS.

**New Task 1 (Modified): field 'Title' cannot be empty.** Close Editor

Title:  ROM:  Hours:

**Task Specifics**

Requested By:  Date Requested:

**Classification**

Area:  Classification:

Iteration:  Discipline:

Destination:

**Status**

Assigned to:  State:

Severity:  Reason:

Rank:  Requires review:

Description [Test Cases](#) [Release Notes](#) [History](#) [Links](#) [File Attachments](#) [Details](#)

Description:

Done Local intranet | Protected Mode: On 100%

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## Appendix B

### Open Items Report

All enhancement request and defects during the training process will be logged by SAMPLE into the Sample Customer Testing Report. And Sent to Joe Graw at ImageTrend to review. All Testing Reports will be logged into the Sample Customer Fire Bridge Testing Dashboard which will be reviewed weekly

## Appendix C

### Testing Matrix

After completion of development tasks associated with the sprint are logged in TFS and loaded to the testing matrix. This repository tracks all tasks that require testing and are logged by each tester when work is complete.



RICHARD M. FLYNN  
COMMISSIONER

# State of New Hampshire

DEPARTMENT OF SAFETY  
OFFICE OF THE COMMISSIONER

JAMES H. HAYES BLDG. 10 HAZEN DR. CONCORD, NH 03305  
603/271-2791

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His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

February 14, 2005

## REQUESTED ACTION

Authorize the Department of Safety, Division of Fire Standards and Training and Emergency Medical Services to contract with Image Trend, Inc., 20890 Kenbridge Ct., Lakeview, MN 55044, vendor number 124002 in the amount of \$497,000 for a five year contract for a Trauma and Emergency Medical Services Information System. This contract will be effective with the date of Governor and Council approval through February 28, 2010. Funding is available as follows:

	<u>Amount</u>	<u>Funding</u>
FY 05 -	\$236,000.00	010-023-4206-090
FY 06 -	\$52,200.00	010-023-5480-091
FY 07 -	\$52,200.00	010-023-5480-091
FY 08 -	\$52,200.00	010-023-5480-091
FY 09 -	\$52,200.00	010-023-5480-091
FY 10 -	\$52,200.00	010-023-5480-091

## EXPLANATION

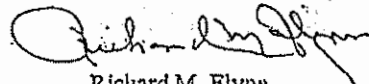
The Division and a consensus process representing thirty (30) stakeholders developed TEMSIS. TEMSIS will fulfill RSA 21-P:12-b, II(g) to "Establish a data collection and analysis capability that provides for the evaluation of the emergency medical and trauma services system." It was determined that an Internet based method of collecting ambulance call information would be needed.

On July 20, 2004 the Request for Proposal was posted on the State's website, in addition over 300 invitations were mailed to vendors. A vendors conference was held on August 3, 2004 with 17 vendors in attendance. The bids were due on September 17, 2004. Two vendors responded, Image Trend of Lakeville, Mn. and Optistat of West Mifflin, PA.

The evaluation consisted of a Performance Measurement Scoring as well price consideration. Optistat's price was \$4,700 lower than Image Trend. The performance measurement scores were graded by five reviewers: two Emergency Medical Services Stakeholders, the Asst. Director of OIT and two division employees. Image Trend scored higher in two out of the three measurements: Vendor Solution and Vendor qualifications were areas of higher scoring. Both scored the same for Project Management. Overall, Image Trend scored 53.9 points higher than Optistat. In conclusion, the team selected Image Trend based on their system solution and qualifications.

Image Trend will provide software and a repository for ambulance call information as they have for other states including Minnesota and Nebraska. Users of the systems will be able to access the information at any time with an Internet connected computer.

Respectfully submitted,



Richard M. Flynn  
Commissioner of Safety

RMF/sab  
O/c image trend corp. 2-3-05

Sent to Don  
2/10/05



# State of New Hampshire

DEPARTMENT OF SAFETY  
OFFICE OF THE COMMISSIONER  
JAMES H. HAYES BLDG. 10 HAZEN DR. CONCORD, NH 03305  
603/271-2791

RICHARD M. FLYNN  
COMMISSIONER

His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

February 10, 2005

### REQUESTED ACTION

Authorize the Department of Safety, Division of Fire Standards and Training and Emergency Medical Services to contract with Image Trend, Inc., 20890 Kenbridge Ct., Lakeview, MN 55044, vendor number 124002 in the amount of \$497,000 for a five year contract for a Trauma and Emergency Medical Services Information System. This contract will be effective with the date of Governor and Council approval through February 28, 2010. Funding is available as follows:

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FY 09 -	\$52,200.00	010-023-5480-091
FY 10 -	\$52,200.00	010-023-5480-091

### EXPLANATION

The Division and a consensus process representing thirty (30) stakeholders developed TEMSIS. TEMSIS will fulfill RSA 21-P:12-b, II(g) to "Establish a data collection and analysis capability that provides for the evaluation of the emergency medical and trauma services system." It is an Internet based method of collecting ambulance call information. Image Trend will provide software and a repository for ambulance call information as they have for other states including Minnesota and Nebraska. Users of the systems will be able to access the information at any time with an Internet connected computer.

The two vendors bidding on Contract 2005-005 were Image Trend and OptiStat. Though OptiStat's price was \$5,700 lower than Image Trend's price their bid had no startup costs. Therefore no federal funds would have been available for the project, as the federal funding included start-up costs only. Costs for this project would have increased the State's obligation an additional \$230,000 had OptiStat been the selected vendor.

Respectfully submitted,

Richard M. Flynn  
Commissioner of Safety

RMF/sab  
C/c image trend corp. 2-3-05

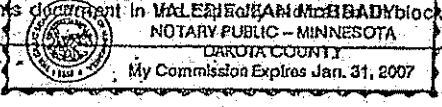
Trauma and Emergency Medical Services Information System

AGREEMENT

The State of New Hampshire and the Contractor hereby mutually agree as follows:

GENERAL PROVISIONS

1. Identification and Definitions.

1.1 State Agency Name Department of Safety		1.2 State Agency Address 33 Hazer Dr. Concord, NH 03305	
1.3 Contractor Name ImageTrend, Inc.		1.4 Contractor Address 20890 Kenbridge Ct. Lakeville, MN 55044	
1.5 Account No. 4206-090 5480-091	1.6 Completion Date 2/28/2010	1.7 Audit Date 05/31/2010	1.8 Price Limitation \$497,000.00
1.9 Contracting Officer for State Agency Richard A. Mason		1.10 State Agency Telephone Number (603)271-0322	
1.11 Contractor Signature <i>Michael J. McBrady</i>		1.12 Name & Title of Contractor Signor Michael J. McBrady, President	
1.13 Acknowledgment: State of <u>Minnesota</u> , County of <u>Dakota</u> . On 2/1/05, before the undersigned officer, personally appeared the person identified in block 1.12, <del>consistently present</del> to be the person whose name is signed in block 1.11, and acknowledged that s/he executed this document in <del>Madison</del> <u>Madison</u> block 1.12.			
1.13.1 Signature of Notary Public or Justice of the Peace (Seal) <i>Valerie J. McBrady</i>			
1.13.2 Name & Title of Notary or Justice of the Peace <i>Valerie J. McBrady, Notary</i>			
1.14 State Agency Signature(s) <i>Wesley J. Colby</i>		1.15 Name/Title of State Agency Signor(s) Wesley, J. Colby, Director of Adminis	
1.16 Approval by Department of Personnel (Rate of Compensation for Individual Consultants) By: _____ Director, On: _____			
1.17 Approval by Attorney General (Form, Substance and Execution) By: <i>[Signature]</i> Assistant Attorney General, On: <i>2/10/05</i>			
1.18 Approval by the Governor and Council By: _____ On: _____			
2. EMPLOYMENT OF CONTRACTOR/SERVICES TO BE PERFORMED. The State of New Hampshire, acting through the agency identified in block 1.1 ("the State"), engages contractor identified in block 1.3 ("the Contractor") to perform, and the Contractor shall perform, that work or sale of goods, or both, identified and more particularly described in EXHIBIT A incorporated herein ("the Services").			
3. EFFECTIVE DATE COMPLETION OF SERVICES. 3.1 This agreement, and all obligations of the parties hereunder, shall become effective on the date the Governor and Council of the State of New Hampshire approve this agreement, ("the Effective Date"). 3.2 If the date for commencement in Exhibit A precedes the Effective Date all services performed by Contractor between the commencement date and the Effective Date shall be performed at the sole risk of the contractor and in the event that this Agreement does not become effective, the State shall be under no obligation to pay the contractor for any costs incurred or services performed; however that if this Agreement becomes effective all costs incurred prior to the effective date shall be paid under the terms of this Agreement. All services must be completed by the date specified in block 1.6.			
4. CONDITIONAL NATURE OF AGREEMENT. Notwithstanding anything in this agreement to the contrary, all obligations of the State hereunder, including, without limitation, the continuance of payments hereunder, are contingent upon the availability and continued appropriation of funds, and in no event shall the State be liable for any payments hereunder in excess of such available appropriated funds. In the event of a reduction or termination of those funds, the State shall have the right to withhold payment until such funds become available, if ever, and shall have the right to terminate this agreement immediately upon giving the Contractor notice of such termination. The State shall not be required to transfer funds from any other account to the account identified in block 1.5 in the event funds in that account are reduced or unavailable.			

It is unlawful to make any alteration to the text of this document.  
A signature on this document signifies that no alterations have been made to the original text or format.



COPY

STATE OF NEW HAMPSHIRE

Fee for Form SRA: \$50.00  
Filing fee: \$50.00  
Total fees: \$100.00  
Use black print or type.  
Leave 1" margins both sides.

Form No. 40  
RSA 293-A:15.03

FILED

APPLICATION FOR CERTIFICATE OF AUTHORITY  
FOR PROFIT FOREIGN CORPORATION

NOV 15 2004

WILLIAM M. GARDNER  
NEW HAMPSHIRE  
SECRETARY OF STATE

TO THE SECRETARY OF STATE OF THE STATE OF NEW HAMPSHIRE

PURSUANT TO THE PROVISIONS OF THE NEW HAMPSHIRE BUSINESS CORPORATION ACT,  
THE UNDERSIGNED CORPORATION HEREBY APPLIES FOR A CERTIFICATE OF AUTHORITY  
TO TRANSACT BUSINESS IN NEW HAMPSHIRE AND FOR THAT PURPOSE SUBMITS THE  
FOLLOWING STATEMENT:

FIRST: The name of the corporation is ImageTrend, Inc.

SECOND: The name which it elects to use in New Hampshire is ImageTrend, Inc. (Note 1)

THIRD: It is incorporated under the laws of State of Minnesota

FOURTH: The date of its incorporation is 3 / 11 / 1998 and  
the period of its duration is 6.5 years

FIFTH: (Complete this statement only if a Professional Association.) All the shareholders and those of its  
directors and officers as are required by the laws of (enter the State of Incorporation) \_\_\_\_\_  
and by RSA 294-A:20 are licensed in one or more states, territories of  
the United States or the District of Columbia to render a professional service described in the statement of  
purpose of the corporation.

SIXTH: The complete address (including zip code and post office box, if any) of its principal office is  
20890 Kenbridge CT Lakewille, MN 55044

SEVENTH: The name of its registered agent IN NEW HAMPSHIRE is CT Corporation System  
and the complete address (including zip code  
and post office box, if any) of its registered office IN NEW HAMPSHIRE is (agent's business address)  
9 Capitol Street,  
Concord, N.H. 03301  
(Note 2)

APPLICATION FOR CERTIFICATE OF AUTHORITY OF

(corporate name) ImageTrend, Inc.

Form No. 40

(cont.)

EIGHTH: The principal purpose or purposes which it proposes to pursue in the transaction of business in New Hampshire are The sale of database driven web-based software products primarily for but not limited to, the emergency medical services market.

(Note 3)

NINTH: The names and usual business addresses of its current officers and directors are: (If there are additional officers or directors, attach additional sheet OR if the laws of the state of incorporation do not require directors, indicate below.)

Name

Title

Address

OFFICERS

<u>Michael J. McBrady</u>	<u>President</u>	<u>20890 Kenbridge Ct Lakewood, Mn 55044</u>
<u>Valerie J. McBrady</u>	<u>Sec/Treas, Dir of Oper ations.</u>	<u>same</u>

DIRECTORS

<u>Same as above.</u>		

Dated Nov. 9, 2004

ImageTrend, Inc. (Note 4)

By Valerie J. McBrady (Note 5)

Signature of its Secretary/Treasurer

Valerie J. McBrady  
Print or type name

Mail total fees, DATED & SIGNED ORIGINAL & ONE EXACT OR CONFORMED COPY, ORIGINAL CERTIFICATE OF LEGAL EXISTENCE OR GOOD STANDING ISSUED BY THE STATE OR COUNTRY OF INCORPORATION & FORM SRA (See Notes 6 & 7) to: Corporation Division, Department of State, 107 North Main Street, Concord, NH 03301-4989

Form SRA - Addendum to Business Organization and Registration Forms  
Statement of Compliance with New Hampshire Securities Laws

Part I - Business Identification and Contact Information

Business Name: ImageTrend, Inc.  
Business Address (include city, state, zip): 20890 Kenbridge CT Lakeville, MN 55044  
Telephone Number: (952) 469-1589 E-mail: vmcbrady@imagetrend.com  
Contact Person: Valerie McBrady  
Contact Person Address (If Different): \_\_\_\_\_

Part II - Check ONE of the following items in Part II [PLEASE NOTE: Most small businesses registering in New Hampshire qualify for the exemption in Part II, Item 1 below. However, you must insure that your business meets all of the requirements spelled out in A), B), and C)]:

1.  Ownership interests in this business are exempt from the registration requirements of the state of New Hampshire because the business meets ALL of the following three requirements:
- A) This business has 10 or fewer owners; and
  - B) Advertising relating to the sale of ownership interests has not been circulated; and
  - C) Sales of ownership interests - if any - will be completed within 60 days of the formation of this business.
2.  This business will offer securities in New Hampshire under another exemption from registration or will notice file for federal covered securities. Enter the citation for the exemption or notice filing claimed - \_\_\_\_\_
3.  This business has registered or will register its securities for sale in New Hampshire. Enter the date the registration statement was or will be filed with the Bureau of Securities Regulation - \_\_\_\_\_
4.  This business was formed in a state other than New Hampshire and will not offer or sell securities in New Hampshire.

Part III - Check ONE of the following items in Part III:

1.  This business is not a New Hampshire corporation or limited partnership. (ALL LLC's should check this item.)
2.  This business is a New Hampshire corporation or limited partnership and the articles of incorporation or certificate of limited partnership states whether capital stock or interests will be sold or offered for sale.

Part IV - Certification of Accuracy

(NOTE: The information in Part IV must be certified by: 1) all of the incorporators of a corporation to be formed; or 2) an executive officer of an existing corporation; or 3) all of the general partners or intended general partners of a limited partnership; or 4) one or more authorized members or managers of a limited liability company; or 5) one or more authorized partners of a registered limited liability partnership or foreign registered limited liability partnership.)

I (We) certify that the information provided in this form is true and complete. (Original signatures only)

Name (print): Valerie J. McBrady Signature: Valerie J. McBrady  
Name (print): \_\_\_\_\_ Signature: \_\_\_\_\_  
Name (print): \_\_\_\_\_ Signature: \_\_\_\_\_  
Date: 11-9-01

State of New Hampshire  
 Department of Safety  
 Trauma and Emergency Medical Services Information System  
 2005-005  
 Master Contract Exhibit A  
 Statement of Work

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1. INTRODUCTION

1.1 DEFINITIONS

1.1.1	Acceptance	A notice from the State that a deliverable has satisfied Acceptance Tests or Review.
1.1.2	Acceptance Period	The timeframe during which the Acceptance Test is performed.
1.1.3	Acceptance Test and Review	Tests performed by the State, and ImageTrend as applicable, to determine that no defects exist in the application software or the System, as more fully described in Section 6.4 herein
1.1.4	Agency	All departments, boards, commissions, other units of the State, and community colleges, unless specifically exempted by reference.
1.1.5	CCP	Change Control Procedures
1.1.6	CP	Change Proposal
1.1.7	COTS	Commercial Off-the-shelf Software applications
1.1.8	CM	Configuration Management
1.1.9	Confidential Information	Information required to be maintained and protected from unauthorized disclosure in accordance with Section 10.4
1.1.10	Contract	Contract means the binding legal agreement between the State of New Hampshire and ImageTrend. The Contract includes, without limitation, the Request for Proposal, the Offer submitted in response to the RFP, the Contract award, the State Standard Purchase Terms and Conditions (P-37), Supplemental Terms and Conditions if any, Specifications, Statement of Work, and any addenda and amendments thereto.
1.1.11	Contract Documents	Contract Documents means the documents identified in Section 2.1 below that comprise this Contract.
1.1.12	Contract Manager	The persons identified by the State and ImageTrend who shall be responsible for all contractual authorization and administration of the Contract. These responsibilities shall include but not be limited to: processing Contract documentation, obtaining executive approvals, tracking costs and payments, and representing the State in all Contract administration activities.
1.1.13	Contractor Technical Representative (COTR)	The State's designated individual who shall function as the State's representative with regard to review and Acceptance of Contract Deliverables, invoice sign off, review and approval of Change Proposals (CP) utilizing the Change Control Procedures (CCP), and development of amendments to the

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		Contract
1.1.14	Data	As defined in the P-37 and may include the State's records, files, forms, data and other documents or information that will be converted by ImageTrend for processing by the software.
1.1.15	Defects	A failure of a Deliverable or a defect in a Deliverable resulting in its not conforming to its Specification. Deviation from approved specification of design document shall be categorized as follows: <ul style="list-style-type: none"> <li>• Class A Defect - Critical does not allow system to operate, no work around, demands immediate action.</li> <li>• Class B Defect - Defect does not stop operation. There is a work around and user can perform tasks.</li> <li>• Class C Defect - Defect cosmetic in nature, minimal effect on system, low priority. User can use system.</li> </ul>
1.1.16	Deliverables	A deliverable is any service, software, document (letter, report, manual, book, etc.), design, model, or product, provided by ImageTrend to the State or under the terms of a contract requirement.
1.1.17	EOM	End of Month
1.1.18	Fixed Price Contract	A fixed-price (FP) contract between ImageTrend and the State, where the State pays to ImageTrend a fixed price for performance under the contract, regardless what the costs are to ImageTrend to complete performance under the contract. The State of New Hampshire defines the scope, features, planning, timing and price of an information technology project.
1.1.19	Governor and Council	The New Hampshire Governor and Executive Council.
1.1.20	Implementation	The process for making the System fully operational for processing data.
1.1.50	ImageTrend	ImageTrend is defined as: <div style="text-align: center;">ImageTrend          20890 Kenbridge Court          Lakeville MN 55044          952-469-2589</div>
1.1.51	ImageTrend Contract Manager	ImageTrend's Project Contract shall be responsible for all contractual authorization and administration under the Contract.

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1.1.52	ImageTrend Project Manager	ImageTrend's project manager who functions as ImageTrend's representative for project management and technical matters, and has full authority to make binding decisions under the Contract.
1.1.21	Implementation Plan	Sets forth the transition from development of the System to full operation, and includes without limitation, training, business and technical procedures.
1.1.22	Installation Date	The date that ImageTrend completes installation and certifies such completion in writing to the State.
1.1.23	Information Technology Project Methodology Standards	Referenced in Appendix C hereto (Software development methodology and procedures).
1.1.24	Licensee	The State of New Hampshire.
1.1.25	Non Exclusive Contract	A contract executed by the State that does not restrict any State Agencies from seeking alternative sources for the product or service.
1.1.26	Non-Software Deliverables	Deliverables that are not directly Software related and may include project plan, meetings, training curricula.
1.1.27	Notice to Proceed	The State Contract Manager's direction to the ImageTrend to begin work on the Contract on a given date and time.
1.1.28	Operational	System is fully functional in accordance with the specifications, all data has been loaded into the System, and is available for use by the State in its operations.
1.1.29	Order of Precedence	The order in which Contract Documents pertaining to Contract 2005-005 preside in the event of a conflict or ambiguity.
1.1.30	Production Cut Over Date	The date that the State has successfully completed user Acceptance Testing and signoff, the software has been placed into production, and the Warranty Period commences.
1.1.31	Products	The ImageTrend provided Services and Software Project Inputs.
1.1.32	Project	The planned undertaking regarding the entire subject matter of this Contract and the activities of the parties related hereto.
1.1.33	Project Team	The group of State employees and consultants responsible for managing the processes and mechanisms required such that the Services are procured in accordance with the Project Plan on time, on budget and to the required specifications and quality.
1.1.34	Product Vendor	Third party vendors from whom ImageTrend purchases products required to build the information technology system.
1.1.35	Project Management	A document that describes the processes and methodology to be



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	Plan	employed by ImageTrend to ensure a successful project as described in Section 7.5 hereto and ImageTrend's response, Appendix C.
1.1.36	Project Manager	The persons identified who shall function as the State's or ImageTrend's representative with regard to review and Acceptance of Contract Deliverables, invoice sign off, review and approval of changes and development of amendments to the Contract.
1.1.37	Proposal	ImageTrend's written proposal in response to RFP 2005-005, dated as of September 7, 2004, as modified by ImageTrends written email communication dated October 5, 2004
1.1.38	Review	The process of reviewing deliverables for acceptance.
1.1.39	Review Period	The period set for review contained in the Statement of Work for a deliverable. If none is specified then five (5) business days will apply.
1.1.40	RFP	A Request For Proposal which solicits vendor proposals to satisfy State functional requirements by supplying data processing product and/or service resources according to specific terms and conditions
1.1.41	Services	All work or labor to be performed by ImageTrend on the Project as described in the Contract.
1.1.42	Schedule	The dates described in the Work Plan for deadlines for performance of services and other project events and activities under this Contract.
1.1.43	Software	Computer programs, documentation or databases licensed to the State under this Contract.
1.1.44	Software License	Licenses provided to the State under this Contract.
1.1.45	Specifications	Documents that describe the requirements of and the functions to be performed by the resulting deliverables.
1.1.46	State	STATE is defined as: State of New Hampshire 25 Capitol Street, Room 120 Concord, NH 03301  Reference to the term "State" shall include Agencies as applicable.
1.1.47	Statement of Work (SOW)	A Statement of Work clearly defines the basic requirements and objectives of a project. The Statement of Work also defines a high level view of the architecture, performance and design

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		requirements, the roles and responsibilities of the State and ImageTrend. The SOW defines the results that ImageTrend remains responsible and accountable for achieving.
1.1.48	State's Project Manager (PM)	State's representative with regard to project management and technical matters.
1.1.49	System	The collection of all software functioning together with the data in accordance with applicable specifications.
1.1.53	Technical Authorization	Direction to ImageTrend, which fills in details, clarifies, interprets or specifies technical requirements. It must be: (1) consistent with Statement of Work within Scope of Services; (2) not constitute a new assignment; and (3) not change the terms, documents of specifications of the SOW.
1.1.54	Warranty Period	That period following Implementation, subject to any extensions for defect correction, during which ImageTrend shall provide Software product support and/or maintenance to the State at no charge.
1.1.55	Warranty Services	The services to be provided during the Warranty Period.
1.1.56	Warranty Releases	Software code that is provided to the State as a remedy for defects documented during the warranty period.
1.1.57	Work Plan	The overall plan of activities for the Project created in accordance with the Contract, as updated in accordance with Section 6 of the Contract. Each revision to the Work Plan accepted by the State shall be incorporated herein by reference upon its Acceptance by the State.

2. CONTRACT/ORDER OF PRECEDENCE

2.1 This Contract is comprised of the Contract Documents, which are incorporated herein by reference. In the event of conflict or ambiguity among any of the text of the Contract Documents, the following order of precedence shall govern:

- o New Hampshire Standard Contract Terms and Conditions, Form P-37;
- o Contract # 2005-005 including, Exhibits A, B, and C hereto ;
- o NH RFP 2005-005 July 20, 2004;
- o NH follow on documents to the RFP: Priority Requirements Template, 2005-005 and NH Questions and Answers (dated 8/11/04) to 2005-005 (Attachment B hereto);
- o Escrow Agreement (Attachment X hereto)

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- o ImageTrend Proposal to RFP 2005-005, September 7, 2004, as modified by ImageTrend's written email communications October 5, 2004 Attachment X
- o Software Licensing and Support Terms (Attachment X hereto)

3. SCOPE OF SERVICES

ImageTrend will provide the State the Services, Software and Deliverables described in this Contract, and the Contract Documents. In general, this Non-Exclusive Contract includes but is not limited to, licenses, hosting, maintenance and training (train the trainer), and associated consulting services, planning, custom design, installation, data conversion, implementation, documentation, testing, integration, support, maintenance, and enhancements.

4. PERIOD OF PERFORMANCE/TERMINATION

4.1 PERIOD OF PERFORMANCE

The Contract shall take effect after full execution by the parties, and the receipt of required governmental approvals, including but not limited to Governor and Council approval. It shall remain in effect through 12/31/2009 unless otherwise terminated in accordance with this Contract. The State may, at its sole discretion, extend this contract for a year after that for an additional 3 years, not to extend beyond 12/31/2012

4.2 TERMINATION FOR CONVENIENCE

The State may terminate this Contract at its sole discretion for any reason upon thirty (30) days written notice. Upon termination for convenience, the State is liable only for payment of any undisputed and accepted deliverables in accordance with the Payment Schedule in Table 1 of the attached Exhibit B.

4.3 TERMINATION FOR CAUSE

Notwithstanding anything to the contrary, the State reserves the right to terminate this contract for refusal of the Work Plan under section 6.1 herein; if any deliverables, non-software deliverables or written deliverables fail acceptance testing or review, as applicable, pursuant to section 6.4 herein; if State is dissatisfied with ImageTrend's project staff or project manager, pursuant to section 7.1 and 7.2 herein; or refusal of the Project Management Plan, pursuant to Section 7.4 herein, without liability to ImageTrend. If the State terminates the Contract under this section, the State shall have the right to receive prompt

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reimbursement of all payments made to ImageTrend under this Contract for any deliverables that are not usable by the State or another vendor in completing the work hereunder, at the sole judgment of the State. Such termination shall be deemed due to ImageTrend's default, and be without any penalty or liability on part of the State.

**5. CONTRACT ADMINISTRATION**

**5.1 ImageTrend CONTRACT MANAGER**

ImageTrend shall designate a Contract Manager who shall be responsible for all contractual authorization and administration under the Contract. This person is:

Mike McBrady  
President  
20890 Kenbridge Court  
952-469-1589  
952-985-5671

[mmcbrady@imagetrend.com](mailto:mmcbrady@imagetrend.com)

or the designated successor.

The State reserves the right to approve or disapprove ImageTrend's Contract Manager, and to require removal and replacement of any Contract Manager, who in the sole judgment of the State is not performing to the State's satisfaction.

**5.2 STATE CONTRACT MANAGER**

The State shall designate a Contract Manager who shall function as the State's representative with regard to Contract administration. This person is:

Wesley Colby  
Director of Business Administration  
33 Hazen Drive  
603-271-2589 (Phone)  
603-271- (FAX)  
[colbyw@safety.state.nh.us](mailto:colbyw@safety.state.nh.us)

or the designated successor.

**5.3 STATE PROJECT MANAGER**

The State shall designate a Project Manager who shall function as the State's representative with regard to review and acceptance of Contract Deliverables, invoice sign off, review and

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approval of Change Proposals (CP) utilizing the Change Control Procedures (CCP), and development of amendments to the Contract. This person is:

Friedrich von Recklinghausen  
Research Coordinator  
33 Hazen Drive Concord NH 03305  
603-271-0322  
603-271-4567  
fvonrecklinghausen@safety.state.nh.us

or the designated successor.

6. STATEMENT OF WORK/DELIVERABLES/WORK PLAN

ImageTrend shall perform the Services and provide the Deliverables described in this Contract, including but not limited to, RFP 2005-005 Section 3.0: *Services, Specifications, Requirements, and Deliverables*.

6.1 WORK PLAN

ImageTrend shall provide the State with a detailed Work Plan in accordance with this Contract. The Work Plan shall include, without limitation, a detailed description of the Schedule, Tasks, Deliverables, Defects, Payment Schedule, and Project Management Plan in accordance with this Contract. The Work Plan shall be submitted to the State within 2 weeks from the Notice To Proceed and shall be subject to the State's approval. If the State does not approve the Work Plan, the State may immediately terminate this contract at its discretion, pursuant to Section 4.1 above, without liability to ImageTrend. However, ImageTrend shall remain liable for its acts or omissions prior to such termination that are unrelated to the State's refusal of the Work Plan.

6.2 WORK PLAN UPDATES

ImageTrend shall update the Work Plan as necessary, but no less than on a weekly basis. Any updates to the Work Plan shall require the approval by the State. Unless otherwise agreed to in writing by the State, changes to the Work Plan shall not relieve ImageTrend from liability to the State for any damages resulting from ImageTrend's failure to perform its obligation under this Contract.

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6.3 SCHEDULE CHANGES

Both parties agree that time is of the essence for the performance under this Contract. In the event additional time is required by ImageTrend to correct deficiencies, the schedule shall not change unless previously agreed upon in writing by the parties. The schedule shall automatically extend insofar as the State's review of a deliverable, and corrections of deficiencies, is longer than what is set forth in the schedule.

6.4 DELIVERABLES/ACCEPTANCE

6.4.1 Deliverables.

ImageTrend shall provide the State with the deliverables in accordance with the schedule. All deliverables shall be subject to the State's acceptance. Upon its submission of a deliverable, ImageTrend represents that it has performed its obligations under this Contract associated with the deliverable. By unconditionally accepting a deliverable, the State reserves the right to reject any and all deliverables in the event the State detects a defect through completion of all Acceptance Testing or Review, as applicable, and any extensions thereof. For each denial of acceptance, the Acceptance Period shall be extended by the corresponding time. If ImageTrend is still unable to make the correction(s), the State may, at its option, terminate this Contract, in whole or in part, by providing written notice to ImageTrend. The State's option to terminate the Contract under this section shall remain in effect until the State's successful completion of the Acceptance Tests. Notwithstanding anything to the contrary in this Contract, if the State terminates the Contract under this section, the State shall have the right to receive prompt reimbursement of all payments made to ImageTrend under this Contract pertaining to any rejected deliverable and any previously accepted deliverables rendered unusable in the sole judgment of the State due to such rejected deliverable. Such termination shall be deemed due to ImageTrend's default, and the State may pursue its remedies at law and in equity.

6.4.2 Acceptance.

6.4.2.1 Commencement of Acceptance Test. Within five (5) days of receiving written certification from ImageTrend that the software is installed, complete and ready for acceptance testing, and the State's personnel having been trained in accordance with the Work Plan, the State shall commence acceptance tests. The ImageTrend shall assist the State with such tests as requested by the State at no additional cost. The testing shall be conducted by the State, or its designee, in a test environment independent from ImageTrend's development environment, but simulate a production environment.

6.4.2.2 Failure of Acceptance Test; Retesting: If the software has not successfully completed the acceptance test, the State shall notify ImageTrend in writing in what respects the software failed to pass the acceptance test. The ImageTrend shall make all corrections to the software that

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will permit the software to be ready for retesting by the State no later than thirty (30) days from the date on the State's written notice to ImageTrend of the software failure. For each failure of an acceptance test, the acceptance period shall be extended by the corresponding time. The State will notify ImageTrend of its acceptance or rejection of the software deliverable following retesting.

**6.4.2.3 Written Deliverables.** The State will have the opportunity to review the written deliverables for an acceptance period of five (5) State business days after receiving written certification from ImageTrend that the written deliverable is final and complete. The State will notify ImageTrend by the end of the five (5) business day review period if the written deliverable is accepted in the form delivered by ImageTrend or describing any defects that must be corrected prior to the State's acceptance of the written deliverable. ImageTrend shall correct the defects within 30 days of receiving notice from the State at no charge to the State. Upon receipt of the corrected written deliverable, the State will have five (5) business days to review the corrected written deliverable and notify ImageTrend of its acceptance or rejection thereof.

**6.4.2.4 Non-Software Deliverables.** The State shall review non-software deliverables to determine whether any defects exist. ImageTrend shall correct defects identified by the State within the period identified in the Work Plan. Following correction of the defects, the State shall notify ImageTrend of its acceptance or rejection of the deliverable.

**6.4.2.5 Termination.** Notwithstanding anything to the contrary in this Contract, the State may terminate this Contract, pursuant to section 4.3 above, at its sole discretion if any deliverables, non-software deliverables or written deliverables fail acceptance testing or review, as applicable. Upon such termination, the State shall receive prompt reimbursement of all payments made to ImageTrend under this Contract. Such termination shall be deemed due to ImageTrend's default, be without any penalty or liability on part of the State, and the State may pursue its remedies at law or in equity.

## 6.5 PROJECT INPUTS

Listed below are items to be provided by the State.

- 6.5.1 Reference documents as defined in RFP-2005-005 Appendix G: General Standards and Requirements.
- 6.5.2 The appropriate data from the existing infrastructure databases resident at the State in a format to be specified by the State, no migration of EMS Call legacy databases is expected.

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6.5.3 Knowledge base of State Agency employees ..

7. PROJECT MANAGEMENT

The project will require the coordinated efforts of a project team consisting of both the ImageTrend and the State personnel.

7.1 ImageTrend's PROJECT MANAGER

ImageTrend shall assign a Project Manager who shall meet all the requirements of RFP 2005-005. ImageTrend's selection of a Project Manager shall be subject to the approval of the State. The State's approval process may include, at the State's discretion, review of the proposed Project Manager's resume and qualifications, and an interview. The Project Manager shall have full authority to make binding decisions under the Contract, and shall function as ImageTrend's representative for all project management and technical matters. The Project Manager shall be available to promptly respond, within eight (8) hours, to inquiries from the State, and at the site as needed, unless otherwise agreed to in writing by the parties. ImageTrend shall use his or her best efforts on the Project. ImageTrend represents that its Project Manager shall be properly qualified to perform the obligations required of the position under the Contract. ImageTrend shall immediately notify the State if the Project Manager is removed or replaced. Prior to any replacement of the Project Manager, ImageTrend shall obtain the State's approval of the replacement Project Manager. The State may at its reasonable discretion approve or disapprove ImageTrend's Project Manager, and require removal and replacement of ImageTrend's Project Manager who in the sole judgment of the State's Project Manager is not performing to the State's satisfaction.

7.2 ImageTrend's PROJECT STAFF

ImageTrend shall assign project staff that meet the qualifications required by the terms of this Contract, including but not limited to, RFP 2005-005 and shall be appropriately trained in technical skills to perform their duties under this Contract.

- a. The ImageTrend key personnel shall be comprised of the following individuals as identified in the following diagram:
- Joe Graw, Project Manager
  - Michael Patock, EMS State Bridge Product Manager
  - Pete Knutson, EMS Field Bridge Product Manager.



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- b. ImageTrend shall not change Project Staff commitments unless such replacement is necessary due to sickness, death, termination of employment, or unpaid leave of absence. Notwithstanding anything contrary in this Contract, State may offer employment to any Project Staff that is separated from employment with ImageTrend. Any such changes to ImageTrend's Project Staff shall require the prior written approval of the State. Replacement Project Staff shall have comparable or greater skills with regard to performance of the project as the staff being replaced at no additional cost.
- c. The State reserves the right to require removal or reassignment of ImageTrend's Project Staff found unacceptable to the State.
- d. The State may conduct reference checks on ImageTrend's Project Staff. The State reserves the right to reject ImageTrend's Project Staff as a result of such reference checks.
- e. Personnel identified with an asterisk (\*) are considered to be key personnel. ImageTrend should make no assignment changes unless emergency conditions arise. In addition, ImageTrend shall not assign key personnel to any other project unrelated to this Contract. However, if the State is unsatisfied with any of the staff, the State can request a change of personnel to be completed within 30 days. For all personnel changes, the State should be notified at least two (2) weeks in advance.
- f. Additional team members can be added to this list during the project, with prior approval, by the State Project Manager at no additional cost.

7.3 REPORTS AND MEETINGS

- 7.3.1 Reports. ImageTrend shall submit written reports in accordance with the schedule and terms of this Contract. All reports shall be prepared in formats approved by the State, unless otherwise agreed by the parties in writing.
- 7.3.2 ImageTrend's Project Manager shall produce reports related to Project Management as reasonably requested by the State.
- 7.3.3 Meetings. Weekly meetings shall follow an agenda prepared by ImageTrend's Project Manager and approved by the State's Project Manager.

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- 7.3.4 Meeting Attendance. Meetings shall include, at a minimum, ImageTrend's Project Manager and the State's Project Manager.
- 7.3.5 Weekly Status Reports. ImageTrend shall produce project weekly status reports which shall contain, at a minimum, the following:
- a. Project status as it relates to Work Plan
  - b. Deliverables status
  - c. Accomplishments during weeks being reported
  - d. Planned activities for the upcoming week
  - e. Future activities
  - f. Issues and concerns requiring resolution
  - g. Financial Status to be updated once a month

7.4 PROJECT MANAGEMENT PLAN

ImageTrend shall provide the State with a Project Management Plan for approval by the State in conjunction with the Project Work Plan to describe the processes and methodology to be employed by ImageTrend to ensure a successful project. If the State does not approve the Project Management Plan, the State may immediately terminate this contract in accordance with Section 4.3 above. However, ImageTrend shall remain liable for its acts or omissions prior to such termination that are unrelated to the State's refusal of the Project Management Plan.

10. ASSUMPTIONS AND DEPENDENCIES

In support of the State's goals and objectives for this project, ImageTrend has predicated its proposal upon the following assumptions to assist the ImageTrend project team to formulate an infrastructure and framework for project success:

10.1 ASSUMPTIONS

- 10.1.1 The State will provide network logons to ImageTrend team members as required
- 10.1.2 ImageTrend is assuming that the State will coordinate the acquisition of staff and information from the departments with which the State system must interface.

10.1 DEPENDENCIES

- 10.1.1 ImageTrend shall provide to the State a written list of all ImageTrend and ImageTrend subcontracted team members, as needed during the course of the project within thirty (30) days of the date the last party has executed the contract.
- 10.1.2 Additional team members may be added to this list during the project, with prior

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approval, by the State Project Manager.

10.1.3 .

10.1.4 . ImageTrend shall be responsible for the administration of the system security and backup.

10.1.5 It is assumed that ImageTrend shall provide server configuration, client configuration, and server installation/tuning to make the proposed Trauma and Emergency Medical Services Information System run as efficiently as possible.

10.2 GENERAL

10.2.1 The State will provide access to State information and managerial, technical, policy, and user personnel as reasonably required by the ImageTrend to perform its obligations under the contract.

10.2.2 The State will provide available personnel resources as mutually agreed upon and as incorporated into the project work plan.

10.3 WORK SCHEDULES

ImageTrend's team will be allowed limited access to the necessary facilities during off hours with prior approval from the State's Project Manager.

10.4 COPYRIGHT, INTELLECTUAL PROPERTY RIGHTS, AND CONFIDENTIALITY

10.4.1 WWW Domain Name, Copyright and Intellectual Property Rights. All right, title and interest to the State WWW site, including copyright to all data and information, shall be and remain with the State. The State shall also have, to the fullest extent permitted by law, all rights to any user interfaces and computer instructions embedded within the user interfaces or WWW pages. All WWW pages and any other data or information shall, where applicable, display the State's copyright. All right, title and interest to ImageTrend's WWW site shall be and remain with ImageTrend. This section shall survive the termination or expiration of this Contract.

10.4.2 ImageTrend agrees to maintain the confidentiality of and to protect from unauthorized use, disclosure, publication, and reproduction, all confidential information of the State and it's Emergency Medical Services Units that becomes available to ImageTrend in connection with its performance under the Contract. ImageTrend shall not use any information developed or obtained during the performance of, or acquired or developed by reason of the Contract, except as is directly connected to and necessary for ImageTrend' performance under the Contract.

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- 10.4.3 Any disclosure of the State's or its Emergency Medical Services Units' confidential information shall require prior written approval of the State or the individual Emergency Medical Services Unit. Information shall include, but not be limited to all data, record telecommunications content, studies, reports, written and software data files, formulae, surveys, maps, charts, sound recordings, video recordings, pictorial reproductions, drawings, analyses, graphic representations, notes, letters, memoranda, papers, and documents, all whether finished or unfinished. The State's confidential information includes but is not limited to information of the State that is not predetermined to be subject to public disclosure under the laws of the State of New Hampshire, including but not limited to RSA Section 126:24-d (Disclosure of Information) and RSA 21-P: 12 (b) II (g) (EMS data collection and analysis capability).
- 10.4.4 ImageTrend shall immediately notify the State if a subpoena or other legal process is served upon ImageTrend regarding the State's confidential information, and ImageTrend shall cooperate with the State in any effort it undertakes to contest the subpoena or other legal process. In the event of unauthorized use or disclosure of the State's confidential information, ImageTrend shall immediately notify the State, and the State shall immediately be entitled to pursue any remedy at law or in equity, including, but not limited to injunctive relief.
- 10.4.5 ImageTrend shall not disclose any information developed or obtained during the performance of, or acquired or developed by reason of the Contract, except as is directly connected to and necessary for ImageTrend's performance under the Contract.
- 10.4.6 Insofar as ImageTrend seeks to maintain the confidentiality of its confidential or proprietary information, ImageTrend shall clearly identify in writing the information it claims to be confidential or proprietary. ImageTrend acknowledges that the State is subject to the Right to Know Law, RSA Chapter 91-A. The State shall maintain the confidentiality of the identified confidential or proprietary information insofar as it is consistent with applicable state and federal law, including but not limited to, RSA Chapter 91-A. In the event the State receives a request for the information identified by ImageTrend as confidential or proprietary, the State shall notify ImageTrend and specify the date the State will be releasing the requested information. Any effort to prohibit or enjoin the release of the information shall be ImageTrend's sole responsibility and at ImageTrend's sole expense. If ImageTrend fails to obtain a court order enjoining the disclosure, the State shall release the information on the date specified in the State's notice to ImageTrend, without liability to ImageTrend.
- 10.4.7 This section 10.4 shall survive the termination of the Contract.

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 Statement of Work

13. INTERNAL ESCALATION PROCEDURE FOR DISPUTES

Prior to the filing of any formal proceedings with respect to a dispute (other than an action seeking injunctive relief with respect to intellectual property rights), the party believing itself aggrieved (the "Invoking Party") shall call for progressive management involvement in the dispute negotiation by written notice to the other party. Such notice shall be without prejudice to the Invoking Party's right to any other remedy permitted by this Contract.

The parties shall use all reasonable efforts to arrange personal meetings and/or telephone conferences as needed, at mutually convenient times and places, between negotiators for the parties at the following successive management levels, each of which shall have a period of allotted time as specified below in which to attempt to resolve the dispute:

Dispute Resolution Responsibility and Schedule Table

LEVEL	ImageTrend	The State	CUMULATIVE ALLOTTED TIME
Primary	<Joe Graw> <Project Manger>	Friedrich M. von Recklinghausen Project Manager	5 Business Days
First	<Sean Kelly> <EMS Account Executive>	Suzanne Prentiss Chief	10 Business Days
Second	<Michael Patock> <EMS State Bridge Product Manager>	Richard A. Mason Director	15 Business Days
Third	<Michael J. McBrady> <President>	Richard M. Flynn Commissioner	20 Business Days

The allotted time for the first level negotiations shall begin on the date the Invoking Party's notice is received by the other party. Subsequent allotted time is days from the date that the original Invoking Party's notice is received by the other party.

14. DELIVERABLES

ImageTrend's Deliverables are set forth in the table below:

Table 1 IT Services Deliverables and Schedule (based upon a start date of <March 1, 2005>)

Project Deliverables	Anticipated Due Date	Payment Amount
1. a. Project Work Plan including milestones for design, development, installation, testing, training,	a. Due fourteen (14) business days after Contract approval b. Due thirty (30) days after	15%

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conversion, and implementation. b. Maintenance and Operational Contingency Plan	commencement of contract	
2. Status Meetings: a. Project Kick off meeting and minutes b. Weekly meetings and minutes, including weekly updates to the Project Work Plan.	Due seven (7) business days after Contract approval and weekly, on-going	
3. Report of the analysis of business requirements for the TEMSIS system and interface requirements.	4 weeks	15%
4. Preliminary Service Level Agreement (SLA) document for system performance including data entry and lookup time frames, system performance standards, response times, down time parameters, backup and recovery capabilities, and help desk availability.	4 weeks	
5. Security Plan including: a. online Web and application access and security. b. backup procedures (how, what, when). c. disaster recovery procedures (how, what, where).	6 weeks	
6. Detail Technical Plan for the technical platform and network connectivity requirements including identification, configuration, and installation of all connectivity to and from the host locations, and the backup sites (hardware, software and Internet requirements).	6 weeks	20%
7. Documentation detailing technical requirements for the system, interface activity, report generation, and user requirements	8 weeks	
8. Project walk-throughs and transfer of knowledge through schedule.	On-going for duration of the contract	
9. System Test Plan and test scripts. Pilot phase begin.	12 weeks	
10. Production of a User Manual, System Operation Manual, and a Technical	10 weeks	

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Reference Manual.		
11. Detail design and test run of the system report creation process and availability of data access for ad hoc reporting and interface file generation.	12 weeks	25%
12. Creation, test and implementation of a weekly file generation to the BEMS State server.	14 weeks	
13. Report of the testing results and a log of problems and resolutions.	16 weeks	
14. Detail design and test run of the reports and required for TEMSIS.	16 weeks	
15. Recommendation report on required training.	4 weeks	
16. Training schedule plan for users and State personnel (train the trainer).	6 weeks	
17. Production implementation a. Plan, detailing interface activity, report generation, hardware and software considerations and connectivity, and Internet requirements and preparation. b. Delivery of final source code and system documents c. Production implementation	6 months	15%
18. Payment for hold back at the end of the warranty period.	9 months	10% holdback

15. POST IMPLEMENTATION SUPPORT

15.1 WARRANTY

- 15.1.1 ImageTrend shall provide warranty as set forth in RFP 2005-005 Section 6.13, which is herein incorporated by reference.
- 15.1.2 ImageTrend warrants that the software furnished under the Contract is properly functioning, compliant with the requirements of the Contract, and shall operate in accordance with the specifications.
- 15.1.3 ImageTrend warrants that they have no knowledge of any viruses or other destructive programming within the Software.
- 15.1.4 ImageTrend warrants that the Software, used in a manner for which it was designed will conform to the applicable ImageTrend documentation provided at the time of delivery.

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15.2 SOFTWARE ENHANCEMENTS

*mjm*  
It is anticipated that modifications and improvements to the software may be required from time to time to incorporate changes to State or federal regulations, add new functionality, or address changing business needs within the firm fixed price of the contract. Software changes can only be authorized by the State's designated contract point-of-contact. The State will follow ImageTrend's Software Development processes as approved by the State.

15.3 SOFTWARE MAINTENANCE

ImageTrend shall fix all defects and errors and provide updates to the State software as required. ImageTrend shall respond within four (4) hours of any contact by the State's designated point of contact (POC), during normal business hours, via either phone and/or e-mail.

15.4 DOCUMENT UPDATES

Documentation updates, including user manuals, system documentation (logical and physical) and system operations, shall be required.

16. ASSIGNMENT

This Agreement and the services contemplated hereunder are personal to ImageTrend, and ImageTrend shall not have the right or ability to assign, transfer, or subcontract any obligations under this Agreement without the written consent of the State.



State of New Hampshire  
 Division of Fire Standards and Training and Emergency Medical Services  
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 Contract Exhibit B  
 Firm Fixed Price Payment Schedule

1. DELIVERABLE PAYMENT SCHEDULE.

All charges by ImageTrend under this Contract shall be in accordance with the schedules set forth in Tables 1, 2, and 3 below.

The State agrees to pay ImageTrend within thirty (30) calendar days of the State Project Manager's receipt of a correct and undisputed invoice for an accepted Deliverable.

2. FIRM FIXED PRICE PAYMENT SCHEDULE – IT SERVICES DELIVERABLES.

Table 1 IT Services Deliverables and Payment Schedule

<Reference Attachment Price Detail>

IT Services Deliverables	Date	Payment Amount
EMS State Bridge system as detail in the spreadsheet attached – \$180,000.00 total:		
15% on Work Plan	March 15, 2005	\$27,000
15% on Analysis of Business Requirements	April 1, 2005	\$27,000
20% on Detail Technical Plan	April 15, 2005	\$36,000
25% on Pilot Program (System Test Plan)	July 1, 2005	\$45,000
15% on Production Implementation (End Pilot)	September 1, 2005	\$27,000
Travel Expenses	As needed	\$ 6,000
EMS Field Bridges \$50,000 as deployed	As deployed	\$50,000
EMS State Bridge Annual Support and Hosting 2005	July 1, 2005	\$52,200
EMS Field Bridge Annual Support (to be paid by services)	July 1, 2005	
EMS Annual Support and Hosting 2006	July 1, 2006	\$52,200
EMS Annual Support and Hosting 2007	July 1, 2007	\$52,200
EMS Annual Support and Hosting 2008	July 1, 2008	\$52,200
EMS Annual Support and Hosting 2009	July 1, 2009	\$52,200
Holdback (10%)	December 1, 2005	\$18,000
Project Total:		\$497,000

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3. IT Services Hourly Rates.

Details IT services position title and rates for the contract period:

3.1.1 Current Engagement.

Table 2 Current IT Services Hourly Rates

IT SERVICES Position Title	Inclusive Date(s): <DATES>	Rate/Hour (not to exceed)
<Project Manager> Joe Graw	2005	\$150*
<Project Director> Michael Patock	2005	\$150*
<Senior Functional Subject Matter Expert> Chris Matek,	2005	\$110
<Senior Technical Subject Matter Expert> Pete Knutson, Sarah Dyrdaahl, Min Wu	2005	\$110
* Rates includes all expenses including travel		

3.1.2 Future Engagements.

Table 3 Future IT Services Hourly Rates

IT SERVICES Position Title	Inclusive Date(s): <DATES>	Rate/Hour (not to exceed)
<Project Manager>	2006-2009	\$150*
<Project Director>	2006-2009	\$110
<Senior Functional Subject Matter Expert>	2006-2009	\$110
<Senior Technical Subject Matter Expert>	2006-2009	\$110
* Rates includes all expenses including travel		

Exhibit C  
Special Provisions  
Reference Article 20

Section 8.2.5 as follows has been added to the State of New Hampshire Terms and Conditions (P37):

The Contractor's and the State's monetary liability to one another shall not exceed two times the total contract price, and shall not include consequential damages. This limitation shall not apply to Contractor's indemnification obligations under Paragraph 13 of the General Provisions (Form P-37) or the following:

- MJM
- (a) death or bodily injury and physical damage to real or intangible personal property;
  - (b) misappropriation or infringement of any intellectual property including but not limited to any patent or copyright or any unauthorized use of any trade secret;
  - (c) personal injury;
  - (d) disclosure of confidential information; or
  - (e) failure to meet applicable statutes, regulations, codes or guidelines.

This provision shall not be subject to any modification; however, the State may modify the cap on liability presently set at two times the contract price for a particular project and any such modifications shall appear in the Request for Proposal.

Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is hereby reserved to the State. This covenant shall survive the termination of this Agreement.

EXHIBIT F

The Contractor identified in Section 1.3 of the General Provisions agrees to comply with the provisions of Section 319 of Public Law 101-121, Government wide Guidance for New Restrictions on Lobbying, and 31 U.S.C. 1352, and further agrees to have the Contractor's representative, as identified in Sections 1.11 and 1.12 of the General Provisions execute the following Certification:

CERTIFICATION REGARDING LOBBYING

US DEPARTMENT OF HEALTH AND HUMAN SERVICES --CONTRACTORS  
US DEPARTMENT OF EDUCATION - CONTRACTORS  
US DEPARTMENT OF AGRICULTURE - CONTRACTORS

Programs (indicate applicable program covered):

Aid to Families with Dependent Children Program under Title IV-A of the Social Security Act  
Child Welfare under Title IV-B of the Social Security Act  
Child Support Enforcement Program under Title IV-D of the Social Security Act  
Foster Care under Title IV-E of the Social Security Act  
Job Opportunities and BASIC Skills (JOBS) Program under Title IV-F of the Social Security Act  
Medicaid Program under Title XIX of the Social Security Act  
Social Services Block Grant Program under Title XX of the Social Security Act  
Refugee Resettlement Program under the Refugee Act of 1980  
Child Care and Development Block Grant Program  
US Department of Agriculture, Food and Consumer Service, Nutrition Program for the Elderly (NPE) and Food Stamp Program

Contract Period: \_\_\_\_\_

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement (and by specific mention sub-grantee or sub-contractor).
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement (and by specific mention sub-grantee or sub-contractor), the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions, attached and identified as Standard Exhibit E-1.
- (3) The undersigned shall require that the language of this certification be included in the award document for subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

  
Contractor Signature

Michael J. McBrady  
Contractor Name

President  
Contractor's Representative Title

January 31, 2005  
Date

(DHS 09/05/91)  
(CERTIFICATION 26-27)

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## EXHIBIT F

The Contractor identified in Section 1.3 of the General Provisions agrees to comply with the provisions of Executive Office of the President, Executive Order 12529 and 45 CFR Part 76 regarding Debarment, Suspension, and Other Responsibility Matters, and further agrees to have the Contractor's representative, as identified in Sections 1.11 and 1.12 of the General Provisions execute the following Certification:

### CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS

#### Instructions for Certification

1. By signing and submitting this proposal (contract), the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. If necessary, the prospective participant shall submit an explanation of why it cannot provide the certification. The certification or explanation will be considered in connection with the NH Department of Health and Human Services' (DHHS) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when DHHS determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, DHHS may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the DHHS agency to which this proposal (contract) is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549; 45 CFR Part 76. See attached definitions.
6. The prospective primary participant agrees by submitting this proposal (contract) that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by DHHS.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," provided by DHHS, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or involuntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List (of excluded parties).
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER  
RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS, cont'd

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participating in this transaction, in addition to other remedies available to the Federal government, DHHS may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other  
Responsibility Matters - Primary Covered Transactions

- The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

have not within a three-year period preceding this proposal (contract) been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

are not presently indicted for otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

- Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal (contract).

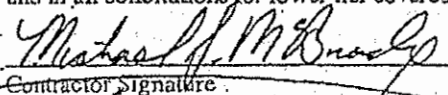
Certification Regarding Debarment, Suspension, Ineligibility and  
Voluntary Exclusion - Lower Tier Covered Transactions  
(To Be Supplied to Lower Tier Participants)

By signing and submitting this lower tier proposal (contract), the prospective lower tier participant, as defined in 45 CFR Part 76, certifies to the best of its knowledge and belief that it and its principals:

are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

where the prospective lower tier participant is unable to certify to any of the above, such prospective participant shall attach an explanation to this proposal (contract).

The prospective lower tier participant further agrees by submitting this proposal (contract) that it will include this clause entitled "Certification Regarding Debarment, Suspension Ineligibility, and Voluntary Exclusion - Lower Tier Covered Transactions," without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

  
Contractor Signature

Michael J. McBrady  
Contractor Name  
(DHS 09/05/91) (CERTIFICATION pg. 30-32)

President  
Contractor's Representative Title

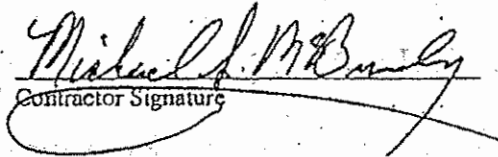
January 31, 2005  
Date

EXHIBIT G

CERTIFICATION REGARDING THE  
AMERICANS WITH DISABILITIES ACT COMPLIANCE

The Contractor identified in Section 1.3 of the General Provisions agrees by signature of the Contractor's representative as identified in Sections 1.11 and 1.12 of the General Provisions, to execute the following certification:

1. By signing and submitting this proposal (contract) the Contractor agrees to make reasonable efforts to comply with all applicable provisions of the Americans with Disabilities Act of 1990.

  
Contractor Signature

President  
Contractor's Representative Title

ImageTrend, Inc.

Michael J. McBrady  
Contractor Name

January 31, 2005  
Date

STATE OF NEW HAMPSHIRE  
DEPARTMENT  
OFFICE/DIVISION  
PROJECT NAME  
BUSINESS ASSOCIATE AMENDMENT

STANDARD EXHIBIT II

The Contractor identified in Section 1.3 of the General Provisions of the Agreement agrees to comply with the Health Insurance Portability and Accountability Act, Public Law 104-191, and with the Standards for Privacy of Individually Identifiable Health Information, 45 CFR Parts 160 and 164. As defined herein, "Business Associate" shall mean the Contractor and "Covered Entity" shall mean the state of New Hampshire, Department.

BUSINESS ASSOCIATE AGREEMENT

(I) Definitions.

- a. "Designated Record Set" shall have the same meaning as the term "designated record set" in 45 CFR Section 164.501.
- b. "Data Aggregation" shall have the same meaning as the term "data aggregation" in 45 CFR Section 164.501.
- c. "Health Care Operations" shall have the same meaning as the term "health care operations" in 45 CFR Section 164.501.
- d. "HIPAA" means the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191.
- e. "Individual" shall have the same meaning as the term "individual" in 45 CFR Section 164.501 and shall include a person who qualifies as a personal representative in accordance with 45 CFR Section 164.501(g).
- f. "Privacy Rule" shall mean the Standards for Privacy of Individually Identifiable Health Information at 45 CFR Parts 160 and 164, promulgated under HIPAA by the United States Department of Health and Human Services.
- g. "Protected Health Information" shall have the same meaning as the term "protected health information" in 45 CFR Section 164.501, limited to the information created or received by Business Associate from or on behalf of Covered Entity.
- h. "Required by Law" shall have the same meaning as the term "required by law" in 45 CFR Section 164.501.
- i. "Secretary" shall mean the Secretary of the Department of Health and Human Services or his/her designee.
- j. Other Definitions - All terms not otherwise defined herein shall have the meaning established under 45 CFR Parts 160, 162 and 164, as amended from time to time.



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BUSINESS ASSOCIATE AMENDMENT

(2) Use and Disclosure of Protected Health Information (PHI)

- a. Business Associate shall not use or disclose PHI except as reasonably necessary to provide the services outlined under Exhibit A of the Agreement, as amended to include this Exhibit H. Further, the Business Associate shall not, and shall ensure that its directors, officers, employees, and agents do not, use or disclose PHI in any manner that would constitute a violation of the Privacy Rule if so used by Covered Entity.
- b. Business Associate may use or disclose PHI:
- (i) For the proper management and administration of the Business Associate.
  - (ii) As required by law, pursuant to the terms set forth in paragraph c. below.
  - (iii) For data aggregation purposes for the health care operations of Covered Entity.
- c. To the extent Business Associate is permitted under the Agreement to disclose PHI to a third party, Business Associate must obtain, prior to making any such disclosure, (i) reasonable assurances from the third party that such PHI will be held confidentially and used or further disclosed only as required by law or for the purpose for which it was disclosed to the third party; and (ii) an agreement from such third party to immediately notify Business Associate of any breaches of the confidentiality of the PHI to the extent it has obtained knowledge of such breach.
- d. The Business Associate shall not, unless such disclosure is reasonably necessary to provide services under Exhibit A of the Agreement, as amended to include this Exhibit H, disclose any PHI in response to a request for disclosure on the basis that it is required by law, without first notifying Covered Entity so that Covered Entity has an opportunity to object to the disclosure and to seek appropriate relief. If Covered Entity objects to such disclosure, the Business Associate shall refrain from disclosing the PHI until Covered Entity has exhausted all remedies.
- e. If the Covered Entity notifies the Business Associate that Covered Entity has agreed to be bound by additional restrictions on the uses or disclosures of PHI pursuant to the Privacy Rule, the Business Associate shall be bound by such additional restrictions and shall not disclose PHI in violation of such additional restrictions.

(3) Obligations and Activities of Business Associate.

- a. Business Associate shall report to the designated Privacy Officer of Covered Entity, in writing, any use or disclosure of PHI in violation of the Agreement, as amended to include this Exhibit H, of which it becomes aware, within two (2) business days of becoming aware of such unauthorized use or disclosure.
- b. Business Associate shall use appropriate safeguards to prevent the use or disclosure of PHI other than as permitted by the Agreement, as amended to include this Exhibit H.

STATE OF NEW HAMPSHIRE  
DEPARTMENT  
OFFICE/DIVISION  
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BUSINESS ASSOCIATE AMENDMENT

- c. Business Associate shall make available all of its internal policies and procedures, books, and records relating to the use and disclosure of PHI received from or created or received by the Business Associate on behalf of Covered Entity to the Secretary for purposes of determining Covered Entity's compliance with HIPAA and the Privacy Rule.
- d. Business Associate shall require all of its directors, officers, employees, agents, subcontractors, and third parties that receive, use, or have access to PHI under the Agreement, as amended to include this Exhibit H, to agree in writing to adhere to the same restrictions and conditions on the use and disclosure of PHI contained herein, including the duty to return or destroy the PHI as provided under Section (3)k. herein. Business Associate shall also require its agents, subcontractors, and third parties to indemnify, defend, and hold harmless Covered Entity from and against any claim, liability, or expense arising out of or relating to any non-permitted use or disclosure of PHI by the agents, subcontractors, and third parties.
- e. Within five (5) business days of receipt of a written request from Covered Entity, Business Associate shall make available, during normal business hours, at its offices, all records, books, agreements, policies and procedures relating to the use and disclosure of PHI to the Covered Entity, for purposes of enabling Covered Entity to determine Business Associate's compliance with the terms of the Agreement, as amended to include this Exhibit H.
- f. Within ten (10) business days of receiving a written request from Covered Entity, Business Associate shall provide access to PHI, in a designated record set, to the Covered Entity, or as directed by Covered Entity, to an individual in order to meet the requirements under 45 CFR Section 164.524.
- g. Within ten (10) business days of receiving a written request from Covered Entity for an amendment of PHI or a record about an individual contained in a designated record set, the Business Associate shall make such PHI available to Covered Entity for amendment and incorporate any such amendment to enable Covered Entity to fulfill its obligations under 45 CFR Section 164.526.
- h. Business Associate shall document such disclosures of PHI and information related to such disclosures as would be required for Covered Entity to respond to a request by an individual for an accounting of disclosures of PHI in accordance with 45 CFR Section 164.528.
- i. Within ten (10) business days of receiving a written request from Covered Entity for a request for an accounting of disclosures of PHI, Business Associate shall make available to Covered Entity such information as Covered Entity may require to fulfill its obligations to provide an accounting of disclosures with respect to PHI in accordance with 45 CFR Section 164.528.
- j. In the event any individual requests access to, amendment of, or accounting of PHI directly from the Business Associate, the Business Associate shall, within two (2) business days, forward such request to Covered Entity. Covered Entity shall have the

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responsibility of responding to forwarded requests. However, if forwarding the individual's request to Covered Entity would cause Covered Entity or the Business Associate to violate HIPAA and the Privacy Rule, the Business Associate shall instead respond to the individual's request as required by such law and notify Covered Entity of such response as soon as practicable.

- k. Within ten (10) business days of termination of the Agreement, as amended to include this Exhibit H, for any reason, the Business Associate shall return or destroy, as specified by Covered Entity, all PHI received from or created or received by the Business Associate in connection with the Agreement and shall not retain any copies or back-up tapes of such PHI. If return or destruction is not feasible, Business Associate shall continue to extend the protections of the Agreement, as amended by this Exhibit H, to such PHI and limit further uses and disclosures of such PHI to those purposes that make the return or destruction infeasible for so long as Business Associate maintains such PHI. If Covered Entity, in its sole discretion, requires that the Business Associate destroy any or all PHI, the Business Associate shall certify to Covered Entity that the PHI has been destroyed.

(4) Obligations of Covered Entity

- a. Covered Entity shall notify Business Associate of any changes or limitation(s) in its Notice of Privacy Practices provided to individuals in accordance with 45 CFR Section 164.520 to the extent that such change or limitation may affect Business Associate's use or disclosure of PHI.
- b. Covered Entity shall promptly notify Business Associate of any changes in or revocation of permission provided to Covered Entity by individuals whose PHI may be used or disclosed by Business Associate under this Agreement, pursuant to 45 CFR Section 164.506 or 45 CFR Section 164.508.
- c. Covered entity shall promptly notify Business Associate of any restrictions on the use or disclosure of PHI that Covered Entity has agreed to in accordance with 45 CFR 164.522 to the extent that such restriction may affect Business Associate's use or disclosure of PHI.

(5) Term and Termination

- a. Term. The Agreement, as amended to include this Exhibit H, shall become effective as of the date approved by Governor and Council and shall continue in effect until (i) termination of the Agreement, (ii) termination as provided herein, or (iii) termination by mutual agreement of the parties.
- b. Termination for Cause.

Covered Entity may immediately terminate the Agreement, as amended to include this Exhibit H, if it determines that Business Associate has violated the Agreement. Upon Covered Entity's knowledge of a breach by Business Associate, Covered

STATE OF NEW HAMPSHIRE  
DEPARTMENT  
OFFICE/DIVISION  
PROJECT NAME  
BUSINESS ASSOCIATE AMENDMENT

Entity may either immediately terminate the Agreement or provide an opportunity for Business Associate to cure the alleged breach within a timeframe specified by Covered Entity. If Covered Entity determines that neither termination nor cure is feasible, Covered Entity shall report the violation to the Secretary.

(6) Miscellaneous

- a. Definitions and Regulatory References. All terms used but not otherwise defined herein shall have the same meaning as those terms in the Privacy Rule, as amended from time to time. A reference in the Agreement, as amended to include this Exhibit H, to a Section in the Privacy Rule means the Section as in effect or as amended.
- b. Amendment. Covered Entity and Business Associate agree to take such action as is necessary to amend the Agreement, as amended to include this Exhibit H, from time to time as is necessary for Covered Entity to comply with the changes in the requirements of HIPAA, the Privacy Rule, and applicable federal and State law.
- c. No Third Party Beneficiaries. Nothing express or implied in the Agreement, as amended to include Exhibit H, is intended or shall be deemed to confer upon any person or entity other than the Covered Entity, the Business Associate, and their respective successors and assigns, any rights, obligations, remedies or liabilities whatsoever.
- d. Data Ownership. The Business Associate acknowledges that it has no ownership rights with respect to the PHI provided by or created on behalf of Covered Entity.
- f. Interpretation. The parties agree that any ambiguity in the Agreement, as amended to include this Exhibit H, shall be resolved to permit Covered Entity to comply with HIPAA and the Privacy Rule.
- g. Indemnification. Business Associate shall indemnify, defend, and hold harmless Covered Entity from and against any claim, liability, or expense arising out of or relating to any non-permitted use or disclosure of PHI by the Business Associate, including without limitation its directors, officers, and employees.
- h. Segregation. If any term or condition of this Exhibit H or the application thereof to any person(s) or circumstance is held invalid, such invalidity shall not affect other terms or conditions which can be given effect without the invalid term or condition; to this end the terms and conditions of this Exhibit H are declared severable.
- i. Survival. Provisions in this Exhibit H regarding the use and disclosure of PHI, return or destruction of PHI, extensions of the protections of the Agreement in Section 3k., the defense and indemnification provisions of Section 3d., and Section 6g. shall survive the termination of the Agreement.

STATE OF NEW HAMPSHIRE  
DEPARTMENT  
OFFICE/DIVISION  
PROJECT NAME  
BUSINESS ASSOCIATE AMENDMENT

IN WITNESS WHEREOF, the parties hereto have duly executed this Amendment.

STATE OF NEW HAMPSHIRE  
DEPARTMENT

Date: \_\_\_\_\_

\_\_\_\_\_  
Name of Authorized Representative  
Title of Authorized Representative

IMAGETREND, Inc.

*Michael J. McBrady*

~~Michael J. McBrady, President~~

Date: January 31, 2005

\_\_\_\_\_  
Name of Authorized Representative  
Title of Authorized Representative

## ESCROW AGREEMENT

THIS ESCROW AGREEMENT (hereinafter, "Agreement") is effective this 31st day of January, 2005, between ImageTrend, Inc. of Lakeville, Minnesota (hereinafter, "ImageTrend"), the State of New Hampshire Department of Safety (hereinafter, "State"), and \_\_\_\_\_ (hereinafter, "Escrow Agent"), who collectively may be referred to in this Agreement as "the parties".

Whereas, IMAGETREND has granted a license to the State and all users thereunder for the use of software related to the Trauma and Emergency Medical Services Information System (hereinafter, the "Software"), pursuant to and in accordance with the terms and conditions of New Hampshire RFP Number 2005-005 (the "Contract"). and

Whereas, IMAGETREND has agreed to deposit in escrow a copy of the Source Code form of the Software, including all associated documentation and an updates, improvements, enhancements or modifications to the Software;

NOW THEREFORE, in accordance with the requirements of the Contract, and in consideration of the mutual covenants contained herein, the parties hereby agree as follows:

### 1. Definitions

As used in this Agreement, the term "Source Code" shall mean, flow charts; logic diagrams; operations applications and training manuals; program guides and listings in printed forms; design documents; and, all documentation, commentary, updates, improvements, enhancements, modifications and other materials related to and for use in conjunction with the Software. To the extent practical, elements of the Source Code shall be in both paper and Macromedia Cold Fusion formats.

### 2. Deposits

**2.1 Obligation to Make Deposit.** Within ten (10) business days of the signing of this Agreement by the parties, IMAGETREND shall deliver to the Escrow Agent the proprietary information, i.e., a copy of the Source Code for Software (hereinafter the "Source Code"), including all relevant commentary, explanations and other documentation of the Source Code. IMAGETREND further represents and warrants that the Source Code is the most updated version available; is suitable for reproduction by computer and/or photocopy equipment; and consists of a full source language statements of the Software which comprises the preceding detailed design specifications and all other material necessary to allow a reasonable skilled third party programmer or analyst to maintain or enhance the Software without the help of any other person or reference to any other material. Prior to the initial delivery of the Source Code to the Escrow Agent, IMAGETREND and the State shall identify and list the material to be deposited with the Escrow Agent. Such list will be identified as Exhibit A.

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2.2. Labeling. Prior to delivery of any deposit materials to the Escrow Agent, IMAGETREND shall conspicuously label for identification each document, magnetic tape, disk, or other tangible media upon which the deposit materials are written or stored.

2.3. Exhibits. Additionally, IMAGETREND shall complete as an Exhibit A, a list of each tangible media by item label description, type of media and quantity. Exhibit A must be signed by IMAGETREND and delivered to the Escrow Agent with the deposit materials.

2.4 Deposit Inspection. When the Escrow Agent receives any materials for deposit and Exhibit A, the Escrow Agent shall conduct a deposit inspection by visually matching the labeling of the tangible deposit materials to the item descriptions and quantity listed on Exhibit A.

2.5. Acceptance of Deposit. Upon completion of the deposit inspection, if the Escrow Agent determines that the labeling of the tangible media matches the item descriptions and quantity on Exhibit A, the Escrow Agent shall sign Exhibit A and mail a copy thereof to ImageTrend and the State. If the Escrow Agent determines the labeling does not match the item descriptions or quantity on Exhibit A, the Escrow Agent shall (a) note the discrepancies in writing on Exhibit A; (b) sign the Exhibit with the exceptions noted; and (c) provide a copy of Exhibit A to IMAGETREND and the State within ten days. The Escrow Agent's acceptance of the deposit occurs upon signing Exhibit A by the Escrow Agent. Delivery of the signed Exhibit A to the State shall be deemed notice that the deposit materials have been received and accepted by the Escrow Agent.

2.6 Obligation to Update. IMAGETREND further represents and warrants that it shall deposit with the Escrow Agent, at such times as they are made, copy of all revisions, corrections or other changes to the Source Code (including but not limited to those revisions, corrections or other changes made to the Software by IMAGETREND pursuant to the Contract or any Software Maintenance Agreement between the parties). Such deposit shall be made within ten (10) business days of acceptance of the changes by the State. Promptly after any such revisions, corrections or changes are deposited with the Escrow Agent, both IMAGETREND and the Escrow Agent shall give written notice thereof to the State in accordance with the provisions set forth herein within ten (10) business days. The Escrow Agent shall continue to hold any previous versions of the Source Code in addition to the updates that are provided.

2.7. Maintenance of Deposits. The Escrow Agent shall maintain the escrowed materials in a secure, environmentally safe, locked receptacle which is accessible only to authorized employees of Escrow Agent. The escrowed materials shall also be stored in a fire-resistant and fire-protected environment per NFPA Standard 232. The escrowed materials shall be protected from accidental erasure of magnetic materials and shall be stored in a location that is not in a flood plain.

2.8. Obligation of Escrow Agent. Unless and until IMAGETREND makes the initial deposit with the Escrow Agent, the Escrow Agent shall have no obligation with respect to

this Agreement, except the obligation to notify the parties regarding the status of the deposit accounts as required in Paragraph 9.2 below.

3. IMAGETREND's Representations. IMAGETREND represents as follows:

- (a) IMAGETREND lawfully possesses all of the materials deposited with the Escrow Agent.
- (b) With respect to all of the materials deposited with the Escrow Agent, IMAGETREND has the right and authority to grant to the Escrow Agent and the State the rights as provided in this Agreement.
- (c) The materials deposited with the Escrow Agent are not subject to any lien or other encumbrance; and
- (d) The materials deposited with the Escrow Agent consist of the Source Code and other materials identified in the Contract and this agreement.

4. Verification.

IMAGETREND shall actively review and update the Source Code in escrow to assure accuracy and completeness but not less than every six (6) months beginning on the date the last signatory executes the agreement.

5. Removal of Source Code.

The materials deposited with the Escrow Agent may be removed and/or exchanged from Escrow only on written instructions signed by IMAGETREND and the State.

6. Term.

This Agreement shall remain in effect during the term of the Contract and any renewals or extensions thereof. This Agreement shall terminate upon delivery of the deposited Source Code to the State in accordance with the provisions of the Contract and this Agreement.

7. Default and Release of Deposit.

7.1 A default by IMAGETREND shall be deemed to have occurred under this Agreement upon the occurrence of any of the following:

7.1.1. IMAGETREND ceases to support or maintain the Software in accordance with any agreement then in effect;

7.1.2. The sale either voluntary or involuntary, assignment or other transfer by IMAGETREND, without prior written consent of the State, of such of IMAGETREND's rights in the Software as would interfere with IMAGETREND's discharge of its obligations under the Contract, or adversely affect the performance of the Software, or interfere with IMAGETREND's discharge of its maintenance obligations with regard to the Software under any Software

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Maintenance Agreement from time to time in effect between IMAGETREND and the State;

7.1.3. IMAGETREND fails to update the escrowed Source Code in accordance with Paragraph 2.6 above;

7.1.4. IMAGETREND becomes insolvent, or liquidation or dissolution of IMAGETREND begins;

7.1.5. A filing is made by or against IMAGETREND of a petition under the U.S. Bankruptcy Code (11 U.S.C Sec. 1101 et. seq.) or any similar petition under any State insolvency law;

7.1.6. An appointment of a receiver, custodian, trustee or similar agent is made with respect to IMAGETREND's property or business.

7.1.7 Failure to pay fee pursuant to section 12

7.2. Filing for Release. If the State believes in good faith that default has occurred, the State may provide the Escrow Agent written notice of the occurrence of the default and a request for release of the Source Code. Upon receipt of such notice, the Escrow Agent shall provide a copy of the notice to IMAGETREND, by certified mail return receipt requested.

7.3. Contrary Instructions. From the date the Escrow Agent mails the notice requesting release of the Source Code, IMAGETREND shall have twenty (20) days to deliver contrary instructions to the Escrow Agent. "Contrary instructions" shall mean the written representations by IMAGETREND that default has not occurred or has been cured." Upon receipt of contrary instructions, the Escrow Agent shall send a copy to the State by the same method outlined above. The Escrow Agent shall notify both IMAGETREND and the State that a dispute as to default exists. The Escrow Agent shall continue to store the Source Code pending (a) joint instructions from IMAGETREND and the State, (b) resolution of the dispute, or (c) order of a court of competent jurisdiction.

7.4. Release of Deposit. If the Escrow Agent does not receive contrary instructions from IMAGETREND within the time period contemplated in Paragraph 7.3, the Escrow Agent shall release the deposited materials to the State.

## 8. Escrow Agent

The Escrow Agent shall not, by reason of its execution of this Agreement, incur any responsibility or liability for any transaction between IMAGETREND and the State, other than the performance of its obligations as Escrow Agent with respect to the Source Code and any other deposited materials held by it in accordance with this Agreement, further IMAGETREND agrees to indemnify and hold the Escrow Agent harmless from any and all claims, demands, causes of actions, costs and expenses, including attorneys fees, arising out of this Agreement.

## 9. Confidentiality and Recordkeeping

9.1. Confidentiality. Except as provided in this Agreement, the Escrow Agent agrees that it shall not divulge or disclose or otherwise make available to any third person whomever, or make any use whatsoever, of the Source Code without the express prior written consent of IMAGETREND and the State. In the event the Escrow Agent receives a subpoena or other order of a court or judicial tribunal pertaining to the disclosure or release of the Source Code, the Escrow Agent shall immediately notify the parties of this Agreement.

9.2. Status Report. The Escrow Agent shall issue to IMAGETREND and the State a report profiling the escrow account history at least semi-annually starting on the effective date of the Escrow Agreement. During the term of this Agreement, IMAGETREND and the State shall each have the right to inspect the any records of the Escrow Agent pertaining to this Agreement.

10. Notices.

Unless otherwise provided, all notices under this Agreement shall be deemed duly given upon delivery by Certified Mail, Return Receipt Requested to a party hereto at the address set forth below or to such other address as a party may designate by written notice pursuant hereto.

IMAGETREND:

Mike McBrady  
ImageTrend, Inc.  
20890 Kenbridge Court  
Lakeville, MN 55044

State:

Peter Croteau  
Director of Agency Software Division  
State of New Hampshire, Office of Information Technology  
33 Hazen Drive  
Concord, NH 03305

Escrow Agent:

The Central Trust Bank  
P.O. Box 779  
Jefferson City, MO 65102

11. Assignment

Neither this Agreement, nor any rights, liabilities or obligations hereunder shall be Assigned by the Escrow Agent without the prior written consent of the State and IMAGETREND.

12. Payment of Escrow Agent Fees

All fees and expenses incurred pursuant to this Agreement are the responsibility of and payable by IMAGETREND. Escrow Agent shall be paid fees and expenses as agreed to

between IMAGETREND and Escrow Agent . Escrow Agent shall issue an invoice to IMAGETREND following execution of this Agreement, upon commencement of any additional item hereunder, and in connection with the performance of any additional services hereunder.

13. Controlling Law.

This Agreement shall be governed by and construed in accordance with the laws of the State of New Hampshire, without regard to its conflict of law provisions.

14. Amendments in Writing

No amendment to this Agreement shall be effective unless it is in writing and signed by duly authorized representatives of the parties. No representation, request, instruction, directive or order, made or given by an official of any agency of the State of New Hampshire or any employee of IMAGETREND, whether verbal or written, shall be effective to amend this Agreement or excuse or modify performance hereunder unless reduced to a formal amendment and executed as set forth above. IMAGETREND shall not be entitled to rely on any such representation, request, instruction, directive or order and shall not, under any circumstances whatsoever, be entitled to additional compensation, delay in performance, or other benefit claimed for relying upon or responding to any such representation, request, instruction, directive or order.

15. General Provisions

15.1. **Severability.** In the event any provision of this Agreement is found to be invalid, voidable or unenforceable, the parties agree that unless it materially affects the entire intent and purpose of this Agreement, such invalidity, voidability or unenforceability shall affect neither the validity of this Agreement nor the remaining provisions herein, and the provision in question shall be deemed to be replaced with a valid and enforceable provision most closely reflecting the intent and purpose of the original provision.

15.2 **Successors.** This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the parties.

ImageTrend, Inc.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

State of New Hampshire Department of Safety

By: \_\_\_\_\_

Title: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

Escrow Agent

Name of Escrow Agent: \_\_\_\_\_

Address: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

	Units	Cost	Support Value	Year 1	Year 2	Year 3	Year 4	Year 5	
EMS Service Bridge Enterprise Edition License		\$120,000.00	\$120,000.00	\$18,000.00	\$18,000.00	\$18,000.00	\$18,000.00	\$18,000.00	
includes:									
ESB Data Warehouse									
ESB User Security and Permissions Module									
ESB NHSA V2.05 Dataset									
ESB Standard Report Writer									
ESB Service Administration									
ESB XML DataPort									
ESB Access DataPort									
ESB ODGC DataPort									
ESB Firehouse DataPort									
ESB Validation Module									
Data Collection via Webbrowser									
ESB Adhoc Report Writer									
30 each EMS Field Bridge 90 day evaluation copies for portable field level data entry in the pilot phase									
Development copy on ImageTrend Server									
Implementation									
Webinar status and review meetings									
Pilot Phase									
Train-the-Trainer									
Onsite Meeting in New Hampshire	1	\$6,000.00		\$950.00 /mo.	\$950	\$950	\$950	\$950	
Hosting on ImageTrend HIPAA Secure Servers					/mo.	/mo.	/mo.	/mo.	
Yearly Cost				\$11,400.00	\$11,400.00	\$11,400.00	\$11,400.00	\$11,400.00	
Options for functionality expansion:									
ESB Knowledgebase	1	\$0.00	\$16,900.00	\$3,900.00	\$3,900.00	\$3,900.00	\$3,900.00	\$3,900.00	
ESB Quality Assurance	1	\$12,000.00	\$12,000.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	
ESB Advanced Reporting Module with Syndromic, Response Time, Per Capita, and Clinical Analysis Cubes	1	\$24,000.00	\$24,000.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	
Census Tract Data Cube	1	\$8,000.00	\$8,000.00	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00	
Medication Data Cube	1	\$10,000.00	\$10,000.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	
Symptom Data Cube	1	\$6,000.00	\$6,000.00	\$900.00	\$900.00	\$900.00	\$900.00	\$900.00	
ESB Geotagging with Geotage®	1	\$0.00	\$36,000.00	\$5,400.00	\$5,400.00	\$5,400.00	\$5,400.00	\$5,400.00	
EMS Field Bridge Licenses	30	\$1,000.00	\$3,000.00	450	450	450	450	450	
		\$186,000.00		\$47,700.00	\$47,700.00	\$47,700.00	\$47,700.00	\$47,700.00	\$424,500.00
*Overlapping amortization				\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$22,500
				\$52,200.00	\$52,200.00	\$52,200.00	\$52,200.00	\$52,200.00	\$447,000.00
EMS Field Bridge Extended Price for 50 Units	50	\$50,000.00		\$12,500.00	18750	15000	15000	15000	\$136,250.00
		\$236,000.00							\$583,250.00

Year 6	Year 7	Year 8	
\$18,000.00	\$18,000.00	\$18,000.00	
950	950	950	
/mo.	/mo.	/mo.	
\$11,400.00	\$11,400.00	\$11,400.00	
\$3,900.00	\$3,900.00	\$3,900.00	
\$1,800.00	\$1,800.00	\$1,800.00	
\$3,600.00	\$3,600.00	\$3,600.00	
\$1,200.00	\$1,200.00	\$1,200.00	
\$1,500.00	\$1,500.00	\$1,500.00	
\$900.00	\$900.00	\$900.00	
\$5,400.00	\$5,400.00	\$5,400.00	
450	450	450	
\$47,700.00	\$47,700.00	\$47,700.00	\$567,600.00
\$4,500	\$4,500	\$4,500	\$58,500
\$52,200.00	\$52,200.00	\$52,200.00	\$626,100.00
15000	15000	15000	\$181,250.00
			\$807,350.00

# TITLE I

## THE STATE AND ITS GOVERNMENT

### CHAPTER 14

#### LEGISLATIVE OFFICERS AND PROCEEDINGS

#### Legislative Budget Assistant

##### Section 14:30-a

###### 14:30-a Fiscal Committee. –

I. There is hereby established a fiscal committee of the general court. Said committee shall consist of 10 members. Five shall be members of the house as follows: the chairperson of the finance committee and 2 other members of the committee, appointed by the chairperson; and 2 other house members appointed by the speaker of the house. Five members shall be members of the senate as follows: the chairperson of the finance committee and 2 other members of that committee, appointed by the chairperson; and 2 other senators appointed by the senate president. The chairperson of the house finance committee shall be the chairperson of the fiscal committee.

II. The committee shall, while the general court is in session and during the interim, consult with, assist, advise, and supervise the work of the legislative budget assistant, and may at its discretion investigate and consider any matter relative to the appropriations, expenditures, finances, revenues or any of the fiscal matters of the state. The members shall be paid the regular legislative mileage during the interim while engaged in their work as members of the committee.

III. The fiscal committee shall consider recommendations proposed to it by the legislative performance audit and oversight committee established under RSA 17-N:1. The fiscal committee shall adopt all recommendations proposed to it as provided in RSA 17-N:1, III by the performance audit and oversight committee unless the fiscal committee refuses by unanimous vote to adopt such recommendations.

IV. [Repealed.]

V. [Repealed.]

VI. Any non-state funds in excess of \$100,000, whether public or private, including refunds of expenditures, federal aid, local funds, gifts, bequests, grants, and funds from any other non-state source, which under state law require the approval of governor and council for acceptance and expenditure, may be accepted and expended by the proper persons or agencies in the state government only with the prior approval of the fiscal committee of the general court.

Source. 1965, 239:19. 1987, 416:7. 1989, 396:13; 408:2. 1991, 346:18, I. 1995, 9:8. 2005, 177:11. 2006, 290:21, eff. June 15, 2006. 2012, 247:10, eff. Aug. 17, 2012.

# TITLE I

## THE STATE AND ITS GOVERNMENT

### CHAPTER 21-P

#### DEPARTMENT OF SAFETY

#### General Provisions

##### Section 21-P:12-b

###### 21-P:12-b Bureau of Emergency Medical Services. –

I. There is established within the division of fire standards and training and emergency medical services a bureau of emergency medical services under the supervision of a classified chief of the bureau of emergency medical services reporting to the division director.

II. The bureau chief, under the supervision of the director of the division of fire standards and training and emergency medical services, shall:

(a) Be responsible for the day-to-day operations of the bureau of emergency medical services.

(b) Plan and provide operational resources as available, for the coordination of emergency medical and adult and pediatric trauma services recommended throughout the state with and between private units and local, county, and state agencies. Such a plan shall include provisions for response to mass casualty incidents. The plan shall be tested by exercises from time to time in coordination with other appropriate local and state agencies.

(c) Carry out public information and education relative to the availability and appropriate use of the emergency medical and trauma services system.

(d) Facilitate the establishment and maintenance of a communications network that addresses citizen access to the emergency medical and trauma services system and communications among emergency medical service units, health care facilities, and other local, county, and state agencies involved in the care or transportation of persons in need of appropriate medical attention.

(e) Provide for the training and for the written and practical testing of emergency medical care providers, in accordance with RSA 153-A:11.

(f) License emergency medical care providers, emergency medical service units, emergency medical service instructor/coordinators, emergency medical service training agencies, emergency medical services dispatchers, and emergency medical service vehicles, including wheelchair vans for hire.

(g) Establish a data collection and analysis capability that provides for the evaluation of the emergency medical and trauma services system and for modifications to the system based on identified gaps and shortfalls in the delivery of emergency medical and trauma services. The data and resulting analysis shall be provided to the bodies established under this chapter, provided that such use does not violate the confidentiality of recipients of emergency medical care. The provisions of RSA 126 shall be followed with regard to other uses of this data for research and evaluation purposes, and for protecting the confidentiality of data in those uses. All analyses shall be public documents, provided that the identity of the recipients of emergency medical care are protected from disclosure either directly or indirectly.

(h) Carry out investigations as provided under RSA 153-A:14.

(i) Provide administrative support, within the limits of available funding, to the coordinating board, emergency medical services medical control board, trauma medical review committee, and the councils.

(j) With the approval of the commissioner, be authorized to employ part-time instructors, evaluators, and practical skill examination aides for the purpose of delivering training and written and

practical examinations.

(k) Prepare budgets and grant requests for funds needed to maintain an effective emergency medical and trauma services system, and plan initiatives related to improving the general health of the public.

(l) With the approval of the commissioner, accept in the name of the state any and all donations, fees for tuition, rents, services, and any and all money and grants from any governmental unit, public agency, institution, person, firm, or corporation and receive, utilize, expend, and dispose of such funds subject to budgetary provisions, consistent with the rules of the department of safety and the purposes or conditions of the donation or grant.

(m) With the approval of the commissioner, establish fees to be collected for tuition, services, and licenses. The commissioner may for good cause waive any fees charged under this subparagraph and may authorize tuition reimbursement from the fire standards and training and emergency medical services fund.

(n) Develop and implement a plan for individuals possessing a New Hampshire emergency services license to provide non-emergency services at social or sporting events. Such plan shall be developed and implemented by July 1, 2013. The plan shall be distributed to the commissioner of safety, the director of the division of fire standards and training and emergency medical services, and the chair of the emergency medical and trauma services coordination board.

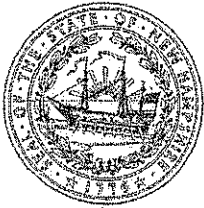
III. The receipt of a donation or grant under subparagraph II(l) shall be noted in the annual report of the department of safety, which will also identify the nature of the donation or grant and the conditions of the donation or grant, if any. Any moneys received by the division pursuant to subparagraph II(l) shall be deposited in the state treasury to the account of the department of safety and shall not lapse. In addition, the division may receive, hold, and use gifts, bequests, and devises either outright or in trust for purposes consistent with this chapter.

Source. 1999, 345:3. 2001, 91:3. 2004, 171:26. 2011, 169:1, eff. Jan. 1, 2012. 2012, 216:1, eff. June 13, 2012.



STATE OF NEW HAMPSHIRE  
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT  
OFFICE OF THE COMMISSIONER

172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856



February 11, 2013

**NHRECOVERY**  
putting new hampshire to work

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**


1. Pursuant to RSA 14:30-a, VI, authorize New Hampshire Department of Resources and Economic Development (DRED), Office of Workforce Opportunity (OWO) to amend Item #FIS13-010, approved by the Legislative Fiscal Committee on February 1, 2013 (original Item #FIS11-141 approved on May 2, 2011) and Item #49 approved by the Governor and Executive Council on February 6, 2013 (original Item #31A approved on April 27, 2011), our American Recovery and Reinvestment Act (ARRA) federal fund grant in the amount of \$744,000 from the United States Department of Labor (USDOL), for a time only extension from the amended end date of March 31, 2013 to September 30, 2013, upon Fiscal Committee and Governor and Council approval. 100% ARRA funds.
2. Pursuant to RSA 14:30-a, VI, authorize New Hampshire Department of Employment Security (NHES), the sub-grantee with DRED, to amend Item #FIS13-010, approved by the Legislative Fiscal Committee on February 1, 2013 (original Item #FIS11-141 approved on May 2, 2011) and Item #49 approved by the Governor and Executive Council on February 6, 2013 (original Item #31A approved on April 27, 2011), our American Recovery and Reinvestment Act (ARRA) federal fund grant in the amount of \$744,000 from the United States Department of Labor (USDOL), for a time only extension from the amended end date of March 31, 2013 to September 30, 2013, upon Fiscal committee and Governor and Council approval. 100% Transfer from Other Agency (ARRA funds).

3. Further authorize DRED-OWO and NHES to amend a Memorandum of Agreement (MOA) in the total amount of \$744,000 for reimbursement of the costs incurred by NHES administering the HCTC grant from March 31, 2013 through September 30, 2013, for a time only extension, upon Governor and Executive Council approval. The original submission was approved as Item #FIS11-141 by the Legislative Fiscal Committee on May 2, 2011, and amended as Item #FIS13-010 on February 1, 2013 and as Item #31A by the Governor and Executive Council on April 27, 2011, and amended as Item #49 on February 6, 2013. The MOA term represents the entire period covered under the USDOL grant.

### EXPLANATION

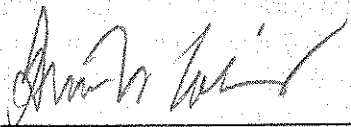
A joint application was submitted by DRED-OWO and NHES to USDOL for a Workforce Investment Act (WIA) National Emergency Grant (NEG) to assist unemployed citizens certified under the Trade Adjustment Assistance (TAA) program maintain their health insurance coverage by providing for reimbursement of up to 65 percent of the premium cost during the period of enrollment with the Internal Revenue Service (IRS). Once enrolled with the IRS, taxpayers may elect to claim the credit on their federal tax return when filing at the end of the tax year, or eligible individuals may request the 65 percent credit for qualified premiums be paid in advance by the IRS on their behalf on a monthly basis as they are due to their insurance providers. Taxpayers must pay the 35 percent premium difference if they choose the advance option.

DRED-OWO is the pass-through entity for this NEG; NHES is the sub-grantee. This item is to extend this federal program for another year and this request is labeled as retroactive due to the timing of the time-only extension approval receipt from USDOL.

Respectfully submitted, 

  
Philip A. Bryce  
Acting Commissioner

Attachment

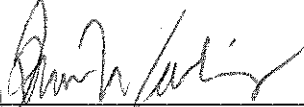
  
George Copadis  
Commissioner

MODIFICATION OF AGREEMENT WITH RESPECT TO THE IMPLEMENTATION OF  
THE NEG HEALTH CARE TAX CREDIT (HCTC) PROJECT


The Department of Resources and Economic Development, Office of Workforce Opportunity and NH Employment Security hereby mutually agree to amend their agreement (# 1015621) for HCTC services, which was originally approved by the Governor and Executive Council on 4/27/11 (Item #31A), and again on 2/6/13 (Item #49) and the Fiscal Committee on 5/2/11 (Item #FIS 11-141), and again on 2/1/13 (Item #FIS 13-010) with a completion date of March 31, 2013. This modification of an existing agreement is hereby incorporated by reference to the existing agreement by the parties and must be attached to the said agreement. CDFA #17.276

1. Extend the agreement end date to September 30, 2013. (No cost extension)
2. All other terms and conditions of this contract shall remain the same in full force and effect as originally set forth; and
3. This amendment is subject to approval by the Fiscal Committee and Governor and Executive Council.


IN WITNESS WHEREOF, the parties hereto have set their hands as of the day and year written below.

  
\_\_\_\_\_  
George Copadis  
NHES Commissioner

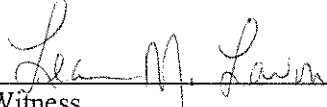
2/12/13  
Date

  
\_\_\_\_\_  
Philip A. Bryce,  
DRED Acting Commissioner

2-12-13  
Date

  
\_\_\_\_\_  
Witness

2/11/13

  
\_\_\_\_\_  
Witness

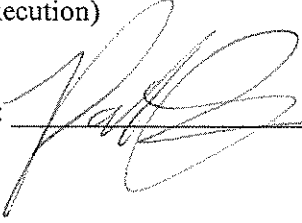
Witness

Approved by the Attorney General (Form, Substance and Execution)

Date: 2/12/13

Approved by Governor and Executive Council

Date: \_\_\_\_\_

By:   
\_\_\_\_\_  
Item \_\_\_\_\_

Item \_\_\_\_\_

## Tammy Moore

---

**From:** Martin, Thomas - ETA <Martin.Thomas@dol.gov>  
**Sent:** Friday, February 15, 2013 10:26 AM  
**To:** Philip Bryce; George.N.Copadis@nhes.nh.gov  
**Cc:** Theberge, Timothy - ETA; Holt, Diane - ETA; Sheelor, Janice - ETA  
**Subject:** EM-21292 (NH-12)

Acting Commissioner Bryce,

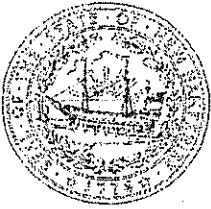
Unfortunately, we are currently experiencing technical difficulties with our automated grant systems. Please accept this email as official documentation from the NEG Grant Officer that your request for an extension for NH-12 HCTC Infrastructure [EM-21292] grant is conditionally approved. An official NOO documenting this extension will be issued once the electronic systems are again available.

All other terms and conditions of above grant remain unchanged and in full effect.

Revised End Date: September 30, 2013

Please contact me with any questions or concerns.

Thomas Martin  
*NEG Grant Officer*



STATE OF NEW HAMPSHIRE  
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT  
OFFICE OF THE COMMISSIONER

172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

December 18, 2012

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court

**NHRECOVERY**  
putting new hampshire to work

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

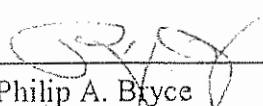
1. Pursuant to RSA 14:30-a, VI, authorize New Hampshire Department of Resources and Economic Development (DRED), Office of Workforce Opportunity (OWO) to retroactively amend item # 11-141 by the Legislative Fiscal committee on May 2, 2011 and Governor and Executive Council as item # 31A on April 27, 2011, our American Recovery and Reinvestment Act (ARRA) federal fund grant in the amount of \$744,000 from the United States Department of Labor (USDOL), for a time only extension from the original end date of September 30, 2012 to March 31, 2013, upon Fiscal Committee and Governor and Council approval. 100% ARRA funds.
2. Pursuant to RSA 14:30-a, VI, authorize New Hampshire Department of Employment Security (NHES), the sub-grantee with DRED, to retroactively amend item # 11-141 by the Legislative Fiscal committee on May 2, 2011 and Governor and Executive Council as item # 31A on April 27, 2011, our American Recovery and Reinvestment Act (ARRA) federal fund grant in the amount of \$744,000 from the United States Department of Labor (USDOL), for a time only extension from the original end date of September 30, 2012 to March 31, 2013, upon Fiscal committee and Governor and Council approval. 100% Transfer from Other Agency (ARRA funds).
3. Further authorize DRED-OWO and NHES to amend a Memorandum of Agreement (MOA) in the total amount of \$744,000 for reimbursement of the costs incurred by NHES administering the HCTC grant retroactively from September 30, 2012 through March 31, 2013, for a time only extension, upon Governor and Executive Council approval. The original submission was approved as item # 11-141 by the Legislative Fiscal Committee on May 2, 2011 and as item # 31A by the Governor and Executive Council on April 27, 2011. The MOA term represents the entire period covered under the USDOL grant.

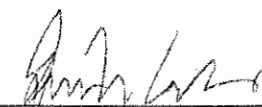
**EXPLANATION**

A joint application was submitted by DRED-OWO and NHES to USDOL for a Workforce Investment Act (WIA) National Emergency Grant (NEG) to assist unemployed citizens certified under the Trade Adjustment Assistance (TAA) program maintain their health insurance coverage by providing for reimbursement of up to 65 percent of the premium cost during the period of enrollment with the Internal Revenue Service (IRS). Once enrolled with the IRS, taxpayers may elect to claim the credit on their federal tax return when filing at the end of the tax year, or eligible individuals may request the 65 percent credit for qualified premiums be paid in advance by the IRS on their behalf on a monthly basis as they are due to their insurance providers. Taxpayers must pay the 35 percent premium difference if they choose the advance option.

DRED-OWO is the pass-through entity for this NEG; NHES is the sub-grantee. This item is to extend this federal program through March 31, 2013 and this request is labeled as retroactive due to the timing of the time-only extension approval receipt from USDOL.

Respectfully submitted, *TM*

  
\_\_\_\_\_  
Philip A. Bryce  
Acting Commissioner

  
\_\_\_\_\_  
George N. Copadis  
Commissioner

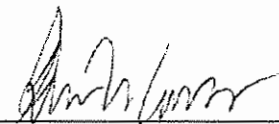
Attachments

MODIFICATION OF AGREEMENT WITH RESPECT TO THE IMPLEMENTATION OF THE NEG HEALTH CARE TAX CREDIT (HCTC) PROJECT

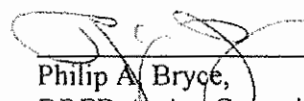
The Department of Resources and Economic Development, Office of Workforce Opportunity and NH Employment Security hereby mutually agree to amend their agreement (# 1015621) for HCTC services, which was originally approved by the Governor and Executive Council on 4/27/11 (Item #31A) and the Fiscal Committee on 5/2/11 (Item #FIS 11-141) with a completion date of March 31, 2013. This modification of an existing agreement is hereby incorporated by reference to the existing agreement by the parties and must be attached to the said agreement. CDFA #17.276

1. Extend the agreement end date to March 31, 2013. (No cost extension)
2. All other terms and conditions of this contract shall remain the same in full force and effect as originally set forth; and
3. This amendment is subject to approval by the Fiscal Committee and Governor and Executive Council.

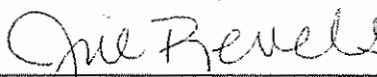
IN WITNESS WHEREOF, the parties hereto have set their hands as of the day and year written below.


  
\_\_\_\_\_  
George N. Copadis  
NHES Commissioner

12/19/12  
Date


  
\_\_\_\_\_  
Philip A. Bryce,  
DRED Acting Commissioner

12/27/12  
Date

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Witness

Approved by the Attorney General (Form, Substance and Execution)

Date:  1/2/13  
\_\_\_\_\_

By:  \_\_\_\_\_

Approved by Governor and Executive Council

Date: 2/16/13  
\_\_\_\_\_

Item # 49  
\_\_\_\_\_ AM

2/11/13

Fiscal - FIS13-010

## Grant Modification / Notice of Obligation

U.S. DEPARTMENT OF LABOR / EMPLOYMENT AND TRAINING ADMINISTRATION

<b>GRANT MODIFICATION</b>		<b>No. 5</b>	PROJECT: NEG	
			HCTC INFRASTRUCTURE/GAP FILLER	Project No. NH-12
GRANT NUMBER: EM-21292-11-60-A-33	EIN: 026000618	EFFECTIVE DATE: 11/26/2012	PAGE 1	
GRANTEE: NH DEPARTMENT OF RESOURCES & ECONOMIC DEVELOPMENT 172 PEMBROKE ROAD POST OFFICE BOX 1856 CONCORD, NEW HAMPSHIRE 00302-1856		ISSUED BY U.S. DEPARTMENT OF LABOR / ETA DIVISION OF FEDERAL ASSISTANCE 200 CONSTITUTION AVENUE NW - ROOM N-4716 WASHINGTON, DC 20210		

**Action:**

The Grantee's modification request of November 26, 2012 to extend the Grant Period to March 31, 2013, and to revise the budget and plan is approved. See incoming Grantee request, which is incorporated by reference.

FPO Change - The Federal Project Officer has been changed to Kathleen McLaughlin. Ms. McLaughlin may be reached at 617-788-0126 or via email at [mclaughlin.kathleen@dol.gov](mailto:mclaughlin.kathleen@dol.gov).

Additional Special Terms and Conditions: N/A

NOTE: If the Grantee needs to submit a subsequent modification request, the Planning Form must be revised to reflect actual enrollments and expenditures as reported on the Quarterly Performance Reports (OPRs), as the participant figures do not align for Quarters 6 and 7. In addition, Item 16b on the SF-424 must be revised to add Congressional District 1 to the existing entry. The Grantee is reminded that it must maintain an active and current Dun and Bradstreet Numbering System (DUNS) number; otherwise no further action is required.

YEAR / CFDA PROGRAM ACCOUNT ID	Mod 0-4 CURRENT LEVEL	Mod 5 MODIFICATION	NEW LEVEL	PMS DOC #
FY 09 / 17.276 RECOVERY ACT-WIA DIS WKRS NAT RES-EMERG- HCTC <small>11-1630-2011-050184090XBD201101840003115DW0R41141GAONR00AONR00- A90184-410023-ETA-DEFAULT TASK-</small>	\$744,000.00	\$0.00	\$744,000.00	EM212926C2
<b>TOTAL FUND AVAILABILITY</b>	<b>\$744,000.00</b>	<b>\$0.00</b>	<b>\$744,000.00</b>	

Except as modified, all terms and conditions of said grant /agreement remain unchanged and in full effect.

Approved  
by

Date Signed 12/06/2012

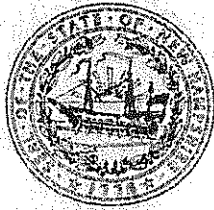
THOMAS C MARTIN

Grant Officer



Fiscal 5/2/11  
# FJS 11-141

G+C 4/27/11 # 31A



STATE OF NEW HAMPSHIRE  
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT  
OFFICE OF THE COMMISSIONER

172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

**NHRECOVERY**  
putting new hampshire to work

PO # 1015621

April 18, 2011

Representative Ken Weyler, Chairman  
Fiscal Committee of the General Court

His Excellency, Governor John H. Lynch  
And the Honorable Executive Council  
State House  
Concord, NH 03301

**REQUESTED ACTIONS**

- I. Pursuant to the provisions of RSA 14:30-a, VI, authorize New Hampshire Department of Resources and Economic Development (DRED), Office of Workforce Opportunity (OWO) to retroactively accept and expend \$744,000 in American Recovery and Reinvestment Act (ARRA) federal funds from the United States Department of Labor (USDOL) from October 1, 2010 through September 30, 2012 with Fiscal Committee and Governor and Council approval. These funds will be sub-granted to the NH Department of Employment Security (NHES) for the purpose of providing payments to Trade Adjustment Assistance (TAA) certified claimants seeking reimbursement of 65% percent of their qualified health insurance premium, and to defray the cost of NHUIS system enhancements specific to the tracking and reporting of Health Coverage Tax Credit (HCTC) activities. USDOL has authorized additional federal funds to be used as "gap filler" payments for eligible individuals who have enrolled with the Internal Revenue Service (IRS) for an advance tax credit but have not yet been processed and approved. 100% Federal ARRA funds. Funding to be budgeted as follows:

Account Titled: NHES-NEG				
Statement of Appropriations, Account 02-035-350510-86600000				
Class	Description	SFY 2011	SFY 2012	SFY 2013
072	Grants, Federal	561,450	147,000	35,550
	Totals:	561,450	147,000	35,550
Source of Funds				
000	Federal Income (RSRC 400338)	(561,450)	(147,000)	(35,550)
	Totals:	(561,450)	(147,000)	(35,550)

2. Pursuant to the provisions of RSA 14:30-a, VI, authorize New Hampshire Employment Security (NHES) to retroactively accept and expend \$744,000 in ARRA federal funds available from USDOL via DRED for the purpose of providing payments to TAA certified claimants seeking reimbursement of 65 percent of their qualified health insurance premium from October 1, 2010 through September 30, 2012 with Fiscal Committee and Governor and Council approval. 100% Agency Income (ARRA funds). Funding to be budgeted as follows:

Account Titled: HCTC-GAP FILLER				
Statement of Appropriations, Account 02-027-027-270010-09280000				
Class	Description	SFY 2011	SFY 2012	SFY 2013
020	Current Expense	91,981	121,063	29,066
022	Rents - Leases Other Than State	61	83	21
023	Heat, Electricity, Water	28	38	9
024	Maintenance, Other Than B&G	205	279	70
027	Transfer to DoIT	1,137	1,551	388
030	Equipment, New/Replacement	450,107	147	37
040	Indirect Cost	480	655	164
041	Audit Fund Set Aside	561	147	36
048	Contractual Maintenance, B&G	75	102	25
050	Personal Services, Part-time	10,584	14,436	3,610
060	Benefits	6,139	8,373	2,094
070	In-State Travel	92	126	30
	Totals:	561,450	147,000	35,550
Source of Funds				
009	Agency Income (RSRC 403085)	(561,450)	(147,000)	(35,550)
	Totals:	(561,450)	(147,000)	(35,550)

3. To authorize DRED-OWO and NHES to enter into a retroactive Memorandum of Agreement (MOA) in the total amount of \$744,000 for reimbursement of the costs incurred by NHES administering the HCTC grant from October 1, 2010 through September 30, 2012 with Fiscal Committee and Governor and Council approval. The MOA term represents the entire period covered under the USDOL grant.

### EXPLANATION

A joint application was submitted by DRED-OWO and NHES to USDOL for a Workforce Investment Act (WIA) National Emergency Grant (NEG) to assist unemployed citizens certified under the TAA program maintain their health insurance coverage by providing for reimbursement of up to 65 percent of the premium cost during the period of enrollment with the IRS. DRED-OWO is the pass-through entity for this NEG; NHES is the sub-grantee. In addition, funds may be used for NH Unemployment Insurance System (NHIUS) enhancements necessary to determine participant eligibility and track and report HCTC payments. This item is labeled as retroactive due to the funding period allowed by USDOL which provides NHES the ability, once approved through Fiscal Committee and Governor and Council, to reimburse unemployed citizens back to the beginning of the funding period or October 1, 2010. However, no services will be rendered until Fiscal Committee and Governor and Council approvals are obtained.

Once enrolled with the IRS, taxpayers may elect to claim the credit on their federal tax return when filing at the end of the tax year, or eligible individuals may request the 65 percent credit for qualified premiums be paid in advance by the IRS on their behalf on a monthly basis as they are due to their insurance providers. Taxpayers must pay the 35 percent premium difference if they choose the advance option.

Existing NHES personnel will perform the scope of work necessary under this grant.

Class 020 Current Expenses will be used to support the reimbursement payments to eligible individuals as well as for costs associated with the six (6) positions responsible for administration of this program.

Class 022 Rentals will be used to support the portion of operating costs associated with the six (6) positions.

Class 023 Utilities will be used to support the portion of operating costs associated with the six (6) positions.

Class 024 Maintenance, Other than Building & Grounds will be used to support the portion of operating costs associated with the six (6) positions.

Class 027 Transfer to DoIT will be used to support the portion of DoIT shared support costs associated with the six (6) positions.

Class 030 Equipment will be used to enhance NHUIS to enable the processing, tracking and reporting of reimbursement payments to eligible individuals.

Class 040 Indirect Costs will be used to cover indirect costs incurred under the program.

Class 041 Audit Fee Set Aside will be used to cover the 1/10% charge of the \$744,000 awarded in federal grant funds.

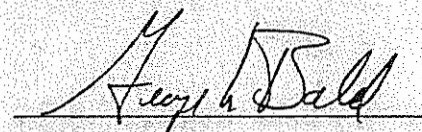
Class 048 Maintenance, Building & Grounds will be used to support the portion of operating costs associated with the six (6) positions.

Class 050 Personal Services – Part-time will be used to support a total of six (6) existing NHES positions responsible for processing, tracking and reporting reimbursement payments to eligible individuals.

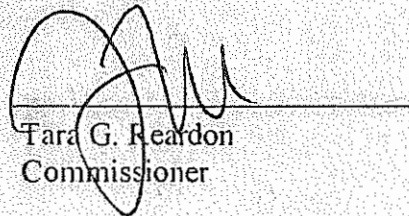
Class 060 Benefits will be used to cover the benefits cost associated with the six (6) positions.

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

Respectfully submitted,



George M. Bald  
Commissioner



Tara G. Reardon  
Commissioner

# Memorandum of Agreement

Between

NH Department of Resources & Economic Development  
Office of Workforce Opportunity  
172 Pembroke Road, Concord, NH 03302

And

New Hampshire Employment Security  
32 Main Street  
Concord, NH 03301

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## Section I. Parties and Purpose

The Department of Resources and Economic Development, Office of Workforce Opportunity (OWO) is the designated grant recipient for the State of New Hampshire for all federal National Emergency Grant (NEG) funds awarded to the State through the U.S. Department of Labor (USDOL). New Hampshire Employment Security (NHES) is the designated administrator of the Trade ACT (TAA) program benefits and services for the State of New Hampshire. Through the NEG program, states may apply for federal funds to: 1) cover costs incurred by the TAA administrator related to building information management system capacity needed to comply with new tracking and reporting requirements under the Trade Act specific to system development for health insurance coverage assistance for trade-impacted workers; and 2) provide funds for Health Care Tax Credit (HCTC) "gap" payments to eligible recipients. Working together the OWO as the NEG administrator and NHES as the TAA administrator applied for NEG funds for the purposes defined above.

On March 4, 2011 the OWO was awarded \$744,000.00 in NEG funds for the "NH HCTC Infrastructure/Gap Filler" project (Grant Number EM-21292-11-60-A-33; CFDA 17.276). The grant period for these funds is *retroactive* to October 1, 2010 and available through September 30, 2012. The purpose of this agreement is to establish a contractual relationship between OWO and NHES that allows for the transfer of these NEG grant funds from OWO to NHES. The primary focus for use of these funds will be to identify system-wide needs and issues relative to Healthcare Payment Systems for HCTC eligible recipients, and to develop operational policy and procedures to support findings and upgrade NH Unemployment Insurance System (NHUIS) capabilities to ensure accurate, timely and efficient information dissemination and access to services. NHES will be administering the HCTC gap payments effective with the receipt of the HCTC NEG funds.

NHES will develop a coordinated Healthcare Payment System consistent with the approved NEG Grantee application, which is incorporated by reference into this

agreement. The work of NHES will be guided by the Workforce Investment Act of 1998 (WIA), Public Law 105-220 and/or its successor legislation, the WIA Regulations, applicable DOL/ETA TEGLs, and their attachments and Changes, the Laws and Regulations of the State of New Hampshire, and any other Federal or State Laws, directives, or guidelines appropriate to the use of these NEG funds.

## **Section II. Scope of Function and Responsibilities**

NHES will use grant funds to support the following key project development and implementation strategies:

1. Design and implementation of enhancements to the UI system to be able to process New Hampshire's Emergency \$1 Rule, tracking mechanisms for HCTC recipients, and create new data fields to allow for the capture of all required information for the reporting of potential "eligible" for the HCTC program.
2. Offset the cost of existing NH Employment Security staff time (e.g. IT Hardware manager, TAA Statewide Coordinator, and other systems management staff) needed to upgrade computer systems and develop, install and/or implement new data management system requirements to support the HCTC program and Trade Act participants.

Although NH has a new UI system, most of the 2009 changes had not been included in the development. These funds will be used to upgrade New Hampshire Unemployment Insurance System (NHUIS) on the local level and to handle the new system data collection and tracking requirements.

NHES shall complete the following system development enhancement key activities between October 1, 2010 and September 30, 2012. Most activities are inter-related and ongoing.

- Eligibility Verification Key Activities
  - Build tracking system for potentially eligible TRA eligible workers
  - Develop system for determining ending eligibility for HCTC eligible recipients
  - Develop policy and procedures for the NHES TAA Coordinator to verify eligibility for HCTC
- Providing Assistance in Enrolling in Qualified Programs Key Activities
  - General Information Training Sessions for NH Works counseling staff (i.e. NHES, WIA, VR)
  - Develop enrollment procedures and train NHES counseling staff, and other appropriate staff in how to assist eligible workers enroll in a qualified program

- **Developing/Installing Data Management Systems Key Activities**
  - Requirements Validation, Design, and Development for Online components in NHUIS
  - System Test and User Acceptance Test for testing changes to test changes, both online and batch
  - Deployment of the functionality in production and support
- **Gap Filler Payments Key Activities**
  - Develop system for the payment of the gap-filler payments to HCTC recipients
  - Build tracking system for gap filler recipients
  - Develop system to assure that registration for the advance credit is timely (within 3 months)
  - Develop policy and procedures for the NHES TAA Coordinator to verify eligibility for gap filler payments
- **Marketing the Health Coverage Tax Credit Program Key Activities**
  - Communicate with frontline teams regarding the availability of materials they can share with customers
  - Train frontline staff on the application process for the gap-filler payments
  - Develop enrollment procedures and train NHES counseling staff, and other appropriate staff in how to assist eligible workers enroll in a qualified program
  - Develop mass mailings to adversely affected laid off workers regarding HCTC
  - Coordinate marketing activities with our partner agencies

In addition, NHES shall ensure a state level audit review of this project as required under OMB guidelines.

The Office of Workforce Opportunity shall monitor project performance, as required by WIA regulation, on an annual basis.

**Record Retention Requirements:** Consistent with WIA National Emergency Grant regulations, NHES agrees to maintain the records of all participants funded through this MOA for no less than 3 years from the project end date of September 30, 2012, and to make such information available upon request to state and federal representatives for federal review purposes.

### **Section III. Pricing / Payments / Financial Reporting**

- NHES agrees to implement the changes and provide the services indicated in Section I of this agreement

- The conditions and responsibilities outlined in this agreement are further subject to the availability of resources. Any party may, after thirty (30) days written notification, suspend this agreement if funds become unavailable to carry out this agreement or if the NHES is no longer willing to carry out the agreement. Upon termination, all allowable expenses incurred and paid by NHES prior to the termination date will be reimbursed.

**Total agreement not to exceed: \$744,000.00**

- For services performed and equipment, training, and travel expenses related to these services NHES shall be paid up to Seven Hundred Forty-four Thousand Dollars and 00/100 (\$744,000.00). Upon presentation of any invoice for such services and related expenses, which shall be billed monthly, the amount of the invoice shall be immediately due and payable to NHES.
- Support documentation for all charges to this MOA shall be maintained at NHES for no less than three years from the federal grant end date of September 30, 2012.

**Invoices shall be sent to:** DRED  
Office of Workforce Opportunity  
Attn: Tammy Moore  
172 Pembroke Road  
P.O. Box 1856  
Concord, NH 03302-1856

**Payment shall be made to:** Fiscal Management Section  
Attn: Jill Revels  
NHES  
32 South Main Street  
Concord, NH 03301-4857

- NHES shall complete the NEG federal financial report (Form 9130) by no later than one month from the end of each quarterly report period, and submit the report to the OWO fiscal officer to approve and submit to US DOL.
- NHES shall complete the NEG Quarterly Narrative report by no later than one month following the quarter end month for each quarterly report period, and submit the report to the OWO Director to approve and submit to US DOL.
- NHES shall compile the invoices and other related financial documents necessary to support payment draws from the federal Payment Management

System (PMS), and submit the draw request to the OWO fiscal officer on a monthly basis. The OWO fiscal officer shall ensure monthly draws are completed.

**Federal Quarterly Reporting Schedule (9130 Financial & NEG Narrative report)**

Quarter Ending Date	Report Due to OWO	Report Due to US DOL
December 31, 2010	Completed	Completed
March 31, 2011	April 30, 2011	May 15, 2011
June 30, 2011	July 31, 2011	August 14, 2011
September 30, 2011	October 31, 2011	November 14, 2011
December 31, 2011	January 31, 2012	February 14, 2012
March 31, 2012	April 30, 2012	May 15, 2012
June 30, 2012	July 31, 2012	August 14, 2012
September 30, 2012	October 31, 2012	November 14, 2012

- Costs associated with the required state audit review of the *NH HCTC Infrastructure/Gap Filler* project (Grant Number EM-21292-11-60-A-33; CFDA 17.276) shall be paid by NHES with audit set-aside grant funds consistent with the funding budget as approved by the NH Joint Legislative Fiscal Committee.

**Section IV. Other Provisions**

1. Nothing contained in this agreement shall be deemed to constitute a waiver of sovereign immunity of the State of New Hampshire, which immunity is hereby reserved to the State, its agencies and officials.
2. Both parties shall comply with the provisions of:
  - 29 CFR Part 93 Restrictions on Lobbying
  - 29 CFR Part 98 Government-wide Debarment and Suspension, Requirements for a Drug Free Workplace
  - 29 CFR Part 37 Nondiscrimination and Equal Opportunity Requirements
  - 29 CFR Part 97 Uniform Administrative Requirements for State, Local and Indian Tribal Governments (subject to the exceptions at 20 CFR Part 667-- Subpart B)
  - OMB Circular A-87 Cost Principles for State, Local and Indian Tribal Governments
  - 29 CFR Parts 96 and 99, Audit Requirements



- The Americans with Disabilities Act of 1990 (Pub. L. 101-336, 104 Stat. 327, 42 U.S.C. 12101-12213 and 47 U.S.C. 225 and 611)
- Hatch Act (5 U.S.C. Subsection 1501-1508 and 7324-7328) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds
- Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 as amended (P.L. 91-616) relating to nondiscrimination on the basis of alcoholism
- Section 504 of the Rehabilitation Act of 1973 as amended (29 U.S.C. Section 794, 29 CFR Part 32) which prohibits discrimination on the basis of handicap
- Title IX of the Education Amendments Act of 1972, as amended (20 U.S.C. Subsection 1681-1683, and 1685 and 1686) which prohibits discrimination on the basis of sex
- The Age Discrimination Act of 1975 as amended (42 U.S.C. Section 6101-6107) which prohibits discrimination on the basis of age
- Title VI of the Civil Rights Act of 1964 (P.L. 88-352/29 CFR Part 31) which prohibits discrimination on the basis of race, color or national origin
- Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255) as amended relating to nondiscrimination on the basis of drug abuse
- WIA Title I Program and Administrative Regulations: 20 CFR Part 671 -- National Emergency Grants, which (subject to the exceptions specified in 20 CFR Part 671) refers to the general WIA administrative and program regulations at 20 CFR Part 667, Subpart B -- Administrative Rules, Cost, and Limitations and to 20 CFR Part 663 -- Adult and Dislocated Workers Activities.

3. In accordance with the Workforce Investment Act of 1998 (WIA), Federal Regulations and State Policy, both parties assure and certify that:

A. Civil Rights

- 1) For the purpose of applying the prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 as amended, on the basis of a disability under the Rehabilitation Act of 1973 as amended and the Americans with Disabilities Act of 1990, on the basis of sex under the Title IX of the Education Amendments of 1972, or the basis of race, color, national origin or ethnicity under

Titles VI of the Civil Rights Act of 1964, on the basis of alcohol abuse or alcoholism under the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 as amended, on the basis of drug abuse under the Drug Abuse Office and Treatment Act of 1972 as amended, programs and activities funded or otherwise financially assisted in whole or in part under this Act are considered to be programs and activities receiving Federal financial assistance.

- 2) No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any such program because of race, color, religion, sex, national origin, ethnicity, age, handicap, political affiliation or belief, citizenship status as a lawfully admitted immigrant authorized to work in the United States, drug or alcohol abuse, or alcoholism.
- 3) With respect to terms and conditions affecting, or the rights of individuals who are participants in activities supported by funds provided under WIA, such individuals shall not be discriminated against because of their participant status.
- 4) Participation in programs and activities financially assisted in whole or in part under WIA shall be open to citizens and nationals of the United States, lawfully admitted permanent resident aliens, lawfully admitted refugees and parolees, and other individuals authorized by the Attorney General to work in the United States.

#### B. Equal Employment Opportunity

As a condition to the award of financial assistance under WIA from the Office of Workforce Opportunity, both parties (Office of Workforce Opportunity and NHES) assure, with respect to operation of the WIA funded program or activity, that they will comply fully with the nondiscrimination and equal opportunity provisions of Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Title IX of the Education Amendments of 1972 as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR part 37.

4. All notices and other communications in connection with this Agreement shall be in writing and shall be deemed to have been received by a party when actually received in the case of hand delivery, or two (2) days after mailing by a nationally recognized overnight carrier, to each party at the addresses shown below.

If to NHES, then to:

If to Office of Workforce Opportunity, then to:

Doris Lachance  
Operations Director  
NH Employment Security  
10 West Street  
Concord, NH 03301

Jackie Heuser  
Workforce Director  
DRED Office of Workforce Opportunity  
172 Pembroke Road  
Concord, NH 03302

5. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
6. The parties hereto do not intend to benefit any third parties and this Agreement shall not be construed to confer any such benefit.
7. NHES and OWO may self-insure and / or at its option purchase any insurance it considers appropriate.
8. Office of Workforce Opportunity shall be responsible for all claims, suits, damages, judgments, recoveries, settlements, or other liabilities incurred as a result of performance or failure to perform under this agreement arising out of the negligent or intentional actions of its officials, employees, subcontractors, and/or agents. NHES shall be responsible for all claims, suits, damages, judgments, recoveries, settlements, or other liabilities incurred as a result of performance or failure to perform under this agreement arising out of the negligent or intentional actions of its officials, employees, subcontractors, and/or agents. Both parties reserve all rights and defenses under the doctrine of sovereign immunity, which immunity is not waived. This covenant shall survive the termination of this Agreement.
9. In the event of an early termination of this Agreement for any reason other than the completion of the Services, NHES shall deliver to the Office of Workforce Opportunity, not later than forty-five (45) days after the date of termination, an invoice for services rendered which shall be paid by the Office of Workforce Opportunity within ten (30) business days consistent with the State payment system.
10. In connection with the performance of the Services, NHES shall comply with all statutes, laws, regulations, and orders of federal, state, county or municipal authorities which impose any obligation or duty upon the Office of Workforce Opportunity, including, but not limited to civil rights and equal opportunity laws.
11. The Contracting Officer specified on the signature page, or his or her successor, shall be the State's representative. In the event of any dispute concerning the interpretation of this Agreement, both parties agree to negotiate in good faith to resolve it, and failing resolution, the Attorney General's decision shall be final.

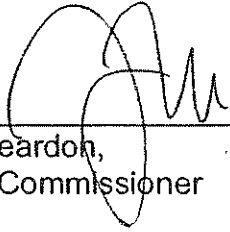
12. Any one or more of the following acts or omissions of the Office of Workforce Opportunity or NHES shall constitute an event of default hereunder ("Events of Default"):
  - a. failure to pay timely; or
  - b. failure to submit any report required hereunder; or
  - c. failure to perform any other covenant or condition of this Agreement.
13. Upon the occurrence of any Event of Default, the non-defaulting party may take any one, or more, or all, of the following actions:
  - a. give the defaulting party written notice specifying the Event of Default and requiring it to be remedied within, in the absence of a greater or lesser specification of time, thirty (30) days from the date of the notice; and if the Event of Default is not timely remedied, terminate this agreement, effective two (2) days after giving notice of termination; and
  - b. give the defaulting party written notice specifying the Event of Default and suspend all services under this Agreement until such time as the Event of Default has been cured; and
  - c. set off against any other obligations owed to the defaulting party any damages suffered by reason of any Event of Default; and
  - d. treat the agreement as breached and pursue any of its remedies at law or in equity, or both.
14. This agreement may be amended, waived or discharged only by an instrument in writing signed by the parties hereto.
15. Neither party shall be liable for delays caused by fire, accident, labor dispute, war, insurrection, riot, act of government, act of God, or any other cause reasonably beyond its control; but each party shall use all reasonable efforts to minimize the extent of any such delay.
16. Neither party may assign its rights or delegate its obligations hereunder without the prior written consent of the other party, which consent will not be unreasonably withheld, provided that NHES may assign its rights to receive monies due and becoming due.
17. Neither party shall be deemed to have waived any right hereunder unless such waiver is in writing and executed by a duly authorized officer of the waiving

party. No waiver by either party of any right hereunder shall constitute a waiver of any right on any other occasion.

18. The invalidity or unenforceability, in whole or in part, of any provision, term or condition hereof shall not affect the validity or enforceability of the remainder of such provision, term or condition or of any other provision, term or condition.
19. This Agreement shall be construed in accordance with the laws of the State of New Hampshire and is binding upon and inures to the benefits of the parties and their respective successors and assigns.
20. Captions of the sections of this Agreement are for reference purposes only and do not constitute terms or conditions hereof. The parties acknowledge that they have thoroughly reviewed this Agreement and bargained over its terms. Accordingly, neither party shall be considered responsible for the preparation of this Agreement, which shall be deemed to have been prepared jointly by both parties. The provisions of the Agreement allocate the risks between the parties. The terms and conditions included herein reflect this allocation of risk, and each provision herein is part of the bargained for consideration of this Agreement.
21. The General Provisions of this Agreement as written constitute the entire agreement between the Office of Workforce Opportunity and NHES, and supersedes all prior agreements and understandings.

New Hampshire  
Employment Security

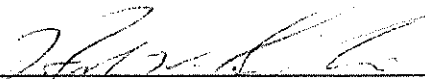
NH Department of Resources &  
Economic Development



Tara Reardon,  
NHES Commissioner

3/18/11

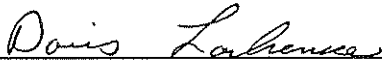
Date



George M. Bald,  
DRED Commissioner

3/29/11

Date



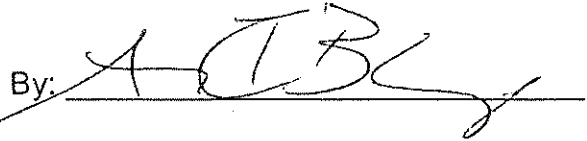
Witness



Witness

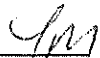
Approved by the Attorney General (Form, Substance and Execution)

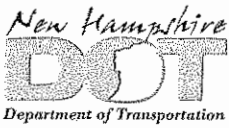
Date: 4/8/2011

By: 

Approved by the Governor and Executive Council

Date: 4/27/11

Item Number: 31A 



**THE STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF TRANSPORTATION**



**CHRISTOPHER D. CLEMENT, SR.**  
**COMMISSIONER**

**JEFF BRILLHART, P.E.**  
**ASSISTANT COMMISSIONER**

The Honorable Mary Jane Wallner, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, New Hampshire 03301

February 19, 2013  
 Bureau of Traffic

Her Excellency, Governor Margaret Wood Hassan  
 and the Honorable Council  
 State House  
 Concord, New Hampshire 03301

**REQUESTED ACTION**

Pursuant to RSA 14:30-a, VI, Fiscal Committee, authorize the Department of Transportation, Bureau of Traffic to accept and expend Congestion Mitigation & Air Quality (CMAQ) federal funding, in the amount of \$19,266.00, to fund training for computer network related maintenance, effective upon Fiscal Committee and Governor and Council approval through June 30, 2013. 100% Federal Funds.

Funds for this request are to be budgeted as follows:

04-096-096-963515-3054	Current Budget FY2013	Requested Change FY2013	Revised Budget FY2013
<b>Consolidated Federal</b>			
<b>Expenses:</b>			
018 500106 Overtime	\$245,354	\$0	\$245,354
020 500200 Current Expense	123,011	0	123,011
022 500255 Rents-Leases Other than State	33,207	0	33,207
023 500291 Heat, Electricity, Water	72,825	0	72,825
024 500225 Maint. Other than Bldg-Grounds	76,273	0	76,273
025 506467 State Owned Equipment Usage	47,205	0	47,205
026 500251 Organizational dues	105,250	0	105,250
030 500311 Equipment	877,270	0	877,270
041 500801 Audit Fund Set Aside	395,560	0	395,560
046 500463 Consulting	61,621,622	0	61,621,622
049-500294 Transfer to Other State Agency	122,279	0	122,279
050 500109 Personal Services - Temporary	508,780	0	508,780
052-500104 Masters FICA	1,705	0	1,705
060 500601 Benefits	93,214	0	93,214
066-500545 Employee Training	0	19,266	19,266
070 500704 In-State Travel	209,047	0	209,047
080 500712 Out of State Travel	20,963	0	20,963
400 500870 Construction-Repairs & Materials	321,548,586	0	321,548,586
401 500877 Land Interest	88,536,527	0	88,536,527
Total	\$474,638,678	\$19,266	\$474,657,944

<u>Source of Funds</u>			
<b>Revenue:</b>			
000-409151 Federal Funds	\$435,392,507	\$19,266	\$435,411,773
005-402851 Private Local Funds	34,922,416	0	34,922,416
000-000015 Highway Fund	4,323,755	0	4,323,755
Total	\$474,638,678	\$19,266	\$474,657,944

### EXPLANATION

In 2011, Congestion Mitigation Air Quality (CMAQ) funds were awarded to the Bureau of Traffic's Transportation Management Center (TMC), to enhance some of the measures that are currently being utilized to reduce the congestion and delay experienced by motorists traveling along the major corridors in southern New Hampshire.

A portion of this funding involved an Information Technology (IT) infrastructure upgrade at the TMC. Virtual servers and networking are being installed which will allow TMC/DoIT embedded personnel to deploy and streamline future maintenance. To hire a service through a consulting firm, we would expect to pay \$75 or more per hour of support, significantly more than the hourly wage of existing staff. The senior technicians identified for training are skilled and need information on the latest technology changes. They could then support these devices within their current job duties at no additional cost with their detailed knowledge of DOT's IT infrastructure.

The training requested is to support both core networking and server infrastructure equipment that the Department of Transportation's systems rely on to work. This equipment is supported by IT. This is core equipment that the Department of Transportation's operations rely on, and requires both a primary and backup network technician to be trained, limiting risk of down time for mission essential functions. The ITS network is growing as well as the DOT data requirements. Current equipment is at end of capacity and end of life. The new technology replacing it is more efficient with current technology improvements.

Below is a table that identifies the training attendees, classes, location and duration requested in addition to cost:

Training Classes	Attendee	Total Training Cost Fiscal Year 2013
<b>Data Storage Solution:</b>		
EMC CLARiiON Host Integration and Management with SnapView	Chris Condon, Server Administrator	\$3,450
<b>ITS Network Head End Solution:</b>		
Implementing Cisco Data Center Unified fabric v 4.0	Siegfried Baumer, Network Technician Tom Dunigan, Network Technician	5,272
Implementing Cisco MPLS v 2.3	Siegfried Baumer, Network Technician Tom Dunigan, Network Technician	5,272
Configuring BGP on Cisco Routers	Siegfried Baumer, Network Technician Tom Dunigan, Network Technician	5,272
	<b>Total</b>	<b>\$19,266</b>

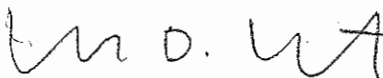


Class charges for 040 Indirect Costs and 041 Audit Fund Set Aside are not applicable to CDFA #20.205 Highway Planning and Construction (FHWA) Federal Funds. Class charge 042 Post Retirement Benefits is not applicable because this request is not for personnel related salary and benefit costs.

The Department of Transportation has contacted the Division of Personnel, Bureau of Education and Training to confirm if the Division of Personnel provides this training. The Division of Personnel does not provide the training that the Department of Transportation is seeking.

Your approval of this submission is respectfully requested.

Sincerely,

Handwritten signature of Christopher D. Clement, Sr. in black ink, appearing as 'C.D. Clement'.

Christopher D. Clement, Sr.  
Commissioner

Attachment

**Department of Transportation**  
**FISCAL SITUATION FISCAL YEAR 2013**  
**04-096-096-963515-3054**

Consolidated Federal

Estimated revenue budgeted:	\$ 184,765,710
Prior year carryforward revenue:	285,549,213
Additional non-budgeted revenue:	<u>-</u>
Amount available to budget:	\$ 470,314,923
Less current FY13 budget authorization:	<u>\$ 184,765,710</u>
Total available for budgeting:	\$ 285,549,213
Amount to be budgeted this request:	<u>\$ 19,266</u>
Amount available to budget with future requests:	<u>\$ 285,529,947</u>

Source of Non-Budgeted Revenue	Amount	Expenses through 6/30/13	Balance
000-409151 Federal Funds	\$ 19,266	\$ -	\$ 19,266
	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -
Totals	<u>\$ 19,266</u>	<u>\$ -</u>	<u>\$ 19,266</u>



# State of New Hampshire

FIS 13 080

DEPARTMENT OF ADMINISTRATIVE SERVICES  
OFFICE OF THE COMMISSIONER  
25 Capitol Street – Room 120  
Concord, New Hampshire 03301

LINDA M. HODGDON  
Commissioner  
(603) 271-3201

JOSEPH B. BOUCHARD  
Assistant Commissioner  
(603) 271-3204

February 11, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

## REQUESTED ACTION

1. Authorize the Department of Administrative Services to accept and expend from Great West Retirement Services ("GWRS"), administrator of the State of New Hampshire's 457(b) Deferred Compensation Plan (RSA 101-B) ("the Plan"), revenue-sharing in the amount of \$33,451 for the purpose of administering the Plan on behalf of its participants. This request is effective upon Governor and Executive Council approval through June 30, 2013. **100% Agency Income (DAS)**
2. Pursuant to RSA 124:15, subject to the approval of Requested Action #1, authorize the Department of Administrative Services to create one temporary full-time Administrator to the Deferred Compensation Plan position # 9T169, effective upon Fiscal Committee and Governor and Executive Council approval through June 30, 2013. This position would report operationally within the Department of Administrative Services and functionally to the Deferred Compensation Commission (RSA 101-B:2). **100% Agency Income (DAS)**

Funds will be budgeted in account 01-14-14-140010-13070000 Deferred Compensation as follows:

<u>Class</u>	<u>Description</u>	<u>Current Budget</u>	<u>Requested Action</u>	<u>New Budget</u>
009-407067	Deferred Comp	(110,000)	(33,451)	(143,451)
020-500200	Current Expense	-0-	3,500	3,500
026-500251	Organizational Dues	-0-	100	100
030-500311	Equipment	-0-	2,500	2,500
037-500173	Technology – Hardware	-0-	2,500	2,500
038-500175	Technology – Software	-0-	1,500	1,500
039-500188	Telecommunications	-0-	750	750
059-500117	Temp Full Time	-0-	14,580	14,580
060-500602	Benefits	-0-	7,521	7,521

070-500704	In-State Travel	-0-	500	500
080-500717	Out of State Travel	5,400		5,400
206-509206	Deferred Comp Advisors	<u>287,500</u>		<u>287,500</u>
		<b>\$292,900</b>	<b>\$33,451</b>	<b>\$326,351</b>

**EXPLANATION**

RSA 101-B created a public employees 457(b) deferred compensation plan and established the Deferred Compensation Commission (the "Commission") to provide fiduciary oversight for the Plan. The Commission currently has seven of the eight statutory members seated, with the post for a non-classified legislative employee and member of the Plan having been vacant for two years. Other appointees to the Commission include the State Treasurer or designee, the Commissioner of Administrative services or designee, the Insurance Commissioner or designee, the Attorney General or designee, the Secretary of State or designee, an unclassified state employee who is a member of the Plan and appointed by the Governor, and a public employee at-large appointed by the Governor with the advice and consent of the Executive Council.

Pursuant to RSA 101-B:7, the State's financial liability under the Plan is limited to the value of the fixed or variable life insurance policy or annuity contract or contracts entered into by the Plan on behalf of its employee-members. At present it is estimated that this value limitation could be as high as \$100 million dollars, which is the total amount Plan participants currently have invested in the specific fund that could be characterized as an annuity contract. While it is unlikely the State would ever be liable for this entire sum, should the Plan be declared as unqualified by the IRS as a 457(b) deferred compensation plan due to the State's negligence, the State's liability could be substantial given the potential for claims to be made by the Plan's 6,000 participants should their individual tax liabilities increase as a result of the Plan's disqualification.

RSA 101-B:3 provides the Commission the authority to contract with an administrator or custodian of deferred compensation plans for the administration of assets accumulated under each employee participant's account. It is common practice for administrators of such plans to enter into revenue-sharing agreements with the plan sponsor, in this case the State of New Hampshire. However pursuant to federal Treasury Regulation Section 1.457-8(a), such revenue is to be expended solely for the benefit of Plan participants and their beneficiaries:

- (2) Trust requirement. (i) A trust described in this paragraph (a) must be established pursuant to a written agreement that constitutes a valid trust under State law. The terms of the trust must make it impossible, prior to the satisfaction of all liabilities with respect to participants and their beneficiaries, for any part of the assets and income of the trust to be used for, or diverted to, purposes other than for the exclusive benefit of participants and their beneficiaries.

**Explanation for Requested Action #1**

During the Plan's administration under ING, which ended in January 2010, revenue-sharing was reflected in the State's accounting system and budgeted accordingly. Ongoing expenses of administering the Plan have been paid from these funds, which stood at approximately \$290,000 as of December 31, 2012. However from the inception of GWRS's administration of the Plan in early 2010 until now, the revenue-sharing of approximately \$300,000 as of December 31, 2012, has not been reflected in the State's accounting system. In order to correct this omission in the State's accounting system and ensure transparency and continued accountability, we request that the Governor and Council

authorize acceptance and expenditure of funds in the amount of \$33,451 which represents appropriations necessary to support the program through June 30, 2013. The balance of the revenue sharing will be used to support the administration of the deferred compensation plan in the state fiscal year budget for 2014-2015.

Explanation for Requested Action #2

As the Plan has grown in time to nearly one-quarter of a billion dollars in assets under management, and also to include several town and county political subdivisions, the complexity of administering the Plan has increased beyond the capacity of Commission members to provide thorough and timely fiduciary oversight. Evidence of this constraint is reflected in the following:

- 1) Under the Plan's prior administrator, ING, participants were permitted to exceed income deferral limits from 2007-2009. This triggered an Internal Revenue Service audit and findings that threatened the tax-qualified status of the Plan and its participants, but was ultimately remedied by the Department of Administrative Services pursuant to certain conditions being met. One of those conditions was the crafting of a new Plan Document, which has yet to be completed due to ongoing time constraints on the part of members of the Commission.
- 2) The Plan sponsor's fiduciary responsibilities include contracting for annual financial audits and periodic compliance audits (approximately every 10-15 years) in order to ensure the Plan's tax-qualified treatment under the tax code. From the inception of Great West Retirement Service's tenure as Plan administrator on February 1, 2010, neither of these types of audits has been conducted, as Commission members have not been able to devote the time to crafting and distributing a Request for Proposals, evaluating the resulting bids, and presenting the contract requests to Governor and Executive Council. This constraint jeopardizes the tax-qualified status of the Plan.
- 3) None of the Commission members has been able to provide the type of consistent monitoring required to ensure that Plan vendors, including the Plan administrator and Plan financial advisor, adhere to the provisions of their respective contracts, both in terms of services to be provided and revenue-sharing. Monitoring of this nature also provides critical protection under increasing Internal Revenue Service scrutiny of 457(b) plans and sponsors.
- 4) Commission members are unable to properly promote the Plan to political subdivisions in the State in order to increase the size of the Plan, which would result in investment management fee reductions to Plan participants. Outreach and assistance to political subdivision Plan partners has also been insufficient.
- 5) With at least two Commission meetings required per quarter, it has become increasingly difficult to ensure the timely drafting and posting of meeting minutes pursuant to RSA 91-A:2, II.
- 6) The Commission has found it increasingly difficult to coordinate the legal oversight necessary from the Attorney General in order to contractually enhance the Plan via new investment offerings. This constraint has also impaired the ability of the Commission to initiate and coordinate online enhancements for the benefit of Plan participants.

- 7) The Commission has been unable to pursue legislation that would result in the creation of a new Commission appointee to represent the political subdivisions.
- 8) Other ongoing responsibilities, such as Right-to-Know requests and unique inquiries, requests, and complaints on the part of current and former members of the Plan that require some degree of Plan sponsor intervention, are becoming increasingly difficult to address by members of the Commission.
- 9) The Commission's public employee at-large has shouldered the bulk of the administrative work required of the Commission and in doing so has had to utilize nearly three weeks of annual leave time in calendar year 2012 in order to attend to these responsibilities.

To the extent this request is not approved, the Commission has a fiduciary obligation under federal Treasury Regulations to distribute to Plan participants on a pro-rata basis up to \$400,000 in revenue-sharing that has accumulated under both ING's and GWRS's administration of the Plan. However it is the belief of the Commission that Plan participants, including those in the State's political subdivisions, are best served by first having a dedicated, full-time Executive Director in place to provide the crucial administration described above and currently lacking. Any funds remaining after funding both the cost of this position and the anticipated ongoing expenses of administering the Plan could then be distributed to Plan participants, at the fiduciary discretion of the Commission.

**Org 1307 SFY13**

- |           |  |
|-----------|--|
| Class 020 | To pay for photocopying, office supplies, promotional materials, etc             |
| Class 026 | To pay for potential membership dues   |
| Class 030 | To pay for any required office furniture or equipment that may not already exist |
| Class 037 | To pay for computer equipment for new employee                                   |
| Class 038 | To pay for software or software licensing  |
| Class 059 | To pay for full time temporary salary  |
| Class 060 | To pay for position's benefits   |
| Class 070 | To pay for in-state travel to other state agencies and/or political subdivisions |

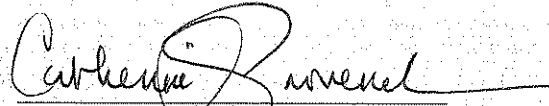
The Division of Personnel has approved the request for one (1) new temporary full time Administrator II position as per the attached documentation. This position will administer the deferred compensation plan with oversight by the deferred compensation commission.

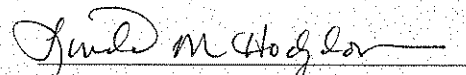
The following information is provided in accordance with the comptroller's instructional memo dated September 12, 1981.

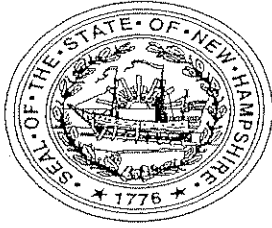
- 1) *List of personnel involved:* One (1) full time temporary position of Administrator II (LG 29, A000)

- 2) *Nature, Need, and Duration:* This new full time temporary position will advise the New Hampshire Deferred Compensation Commission on policy issues and supervises all functions of the State of NH Public Employees Deferred Compensation Plan. This request is for the remainder of fiscal year 2013 with the intention of budgeting a full time position in the FY 2014/15 budget.
- 3) *Relationship to existing agency programs:* The Administrator II is responsible for overseeing contractors that provide auditing services, investment consulting services, recordkeeping and custody, investment management services, and marketing of the State of New Hampshire Deferred Compensation Program.
- 4) *Has a similar program been requested of the legislature and denied?* No
- 5) *Why wasn't the funding included in the agency's budget request?* At the time the budget was created it was unknown that this position would be needed.
- 6) *Can portions of the grant funds be utilized?* Yes, 100% Agency Income
- 7) *Estimate the funds required to continue this position:* Based upon the 2011-2013 Collective Bargaining Agreement, within the pay scale of A000 – 37.5 hours per week, the amount needed to fund this position (LG29, step 5) for the remainder of the fiscal year would be \$14,580 for salary and approximately \$7,521 for benefits, for a total of \$22,101.

Respectfully submitted,

  
Catherine A. Provencher  
State Treasurer

  
Linda M. Hadgdon, Commissioner  
Department of Administrative Services



*State of New Hampshire*  
 DEPARTMENT OF ADMINISTRATIVE SERVICES  
 State House Annex - Room 419  
 25 Capitol Street  
 Concord, New Hampshire 03301

*REV 1/15/12*

LINDA M. HODGDON  
 Commissioner  
 (603) 271-3201

CAROL B. JERRY  
 Human Resources Administrator

January 15, 2013

Karen D. Hutchins, Director  
 Division of Personnel  
 25 Capitol Street  
 Concord, NH 03301

(603) 271-2260  
 APPROVED *Karen D. Hutchins*  
 JAN 25 2013  
 DIRECTOR OF PERSONNEL  
 BY *Carrie A. Elberfeld*

Re: Request to Establish a Full-Time Temporary Position  
Administrator II, LG 29

Dear Ms. Hutchins:

The Department of Administrative Services requests permission to establish a full-time temporary Administrator II / Executive Director position, LG (29). The position will be located in the Department of Administrative Services/ NH Deferred Compensation Commission.

As the Plan has grown in time to nearly one-quarter of a billion dollars in assets under management, and also to include several town and county political subdivisions, the complexity of administering the Plan has increased beyond the capacity of Commission members to provide thorough and timely fiduciary oversight. (Specific examples of Commission requirements that are currently pending are attached).

Funding for this position is available in Account 01-14-14-140010-13070000-500109.

Attached is a proposed supplemental job description for this position for the NH Deferred Compensation Commission and the current and revised organizational chart for the Commissioner's Office.

If you need any further information regarding this request, please feel free to contact me at 271-2260. Thank you for your consideration.

Sincerely,  
  
 Carol B. Jerry  
 Human Resources Administrator

Attachments  
 cc: File





**STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF INFORMATION TECHNOLOGY**  
 27 Hazen Dr., Concord, NH 03301  
 Fax: 603-271-1516 TDD Access: 1-800-735-2964  
 www.nh.gov/ doit

**Peter C. Hastings**  
*Acting Commissioner*

February 13, 2013

The Honorable Mary Jane Wallner, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, NH 03301

Her Excellency, Governor Margaret Wood Hassan  
 and the Honorable Executive Council  
 State House  
 Concord, NH 03301

**REQUESTED ACTION**

1. In accordance with the provisions of RSA 14:30-a, VI, authorize the Department of Information Technology to accept and expend \$958,950.00 in State Fiscal Year 2013 (SFY 13) of additional other funds available from the Department of Health and Human Services (DHHS) for the procurement of information technology hardware, software, consultants and the establishment of Class 026-Organizational Dues. Effective upon Fiscal Committee and Governor and Council approval through June 30, 2013. 100% Other Funds (Agency Class 027) Funds; the agency class 027 used by DHHS to reimburse DoIT is 60% General Funds, 40% Federal Funds.
  
2. In accordance with the provisions of RSA 124:15, authorize the Department of Information Technology to fund class 046 consultant in support of the Deloitte contract to provide the ongoing maintenance and operation of the New HEIGHTS public assistance eligibility system. Effective upon Fiscal Committee and Governor and Council approvals through June 30, 2013. 100% Other Funds; the funds used by DHHS to reimburse DoIT is 60% General Funds, 40% Federal Funds.

In SFY13, funds shall be budgeted as follows:

To	Account	SFY 13 Appropriation	Increase	Revised Appropriation
IT for DHHS Technology-Hardware	01-03-03-030010- 76950000-037	\$1,105,662.40	\$98,950.00	\$1,204,612.40
IT for DHHS Technology-Software	01-03-03-030010- 76950000-038	2,120,746.32	459,999.00	2,580,745.32
IT for DHHS Consultants	01-03-03-030010- 76950000-046	6,332,551.84	400,000.00	6,732,551.84
	Subtotals	9,558,960.56	958,949.00	10,517,909.56
Central IT Svcs and Ops	01-03-03-030010-	0.00	1.00	1.00

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Executive Council

February 13, 2013

Page 2

To	Account	SFY 13 Appropriation	Increase	Revised Appropriation
Organizational Dues	77030000-026			
	Subtotals	0.00	1.00	1.00
Source of Funds				
001	Transfers from Other Agencies	9,558,960.56	958,950.00	10,517,910.56
	Totals	\$9,558,960.56	\$958,950.00	\$10,517,910.56

#### EXPLANATION

The Department of Health and Human Services, through a separate Joint Legislative Fiscal Committee agenda item, processed a department-wide transfer of appropriation. As part of that item, additional funds were transferred into DHHS' DoIT Funding Class (59520000 Class 027). The fiscal item by the Department of Health and Human Services restored funds to Class 27 in support of the needed procurement of hardware, software, IT consultants and the establishment of Class 026-Organizational Dues.

The transfer of accounts as noted above are requested by both agencies in order to replace the reduction to the Department of Information Technology budget caused by a reconciliation issue between the Department of Information Technology and the Department of Health and Human Services' budget requests. The additional funding represents costs associated with the operations of the Department of Health and Human Service's Office of Information Services. The requested change creates the corresponding appropriation at DoIT so that the funds are available for use in support of DHHS.

The funds are to be budgeted as follows:

The funds in class 037- Technology-Hardware are required for the funding of computer hardware identified by DHHS as necessary for the efficient operation of the department.

The funds in class 038-Technology Software are required for the funding of the Truven contract and for other necessary software purchases from now until June 30, 2013.

The funds in class 046-Consultants are required for consultants in support of the Deloitte contract to provide the ongoing maintenance and operation of the New HEIGHTS public assistance eligibility system.

The funds in class 026-Organizational Dues are required in support of NASCIO dues. NASCIO is a national organization for state CIOs and provides valuable information to the CIO and the Department of Information Technology.

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Executive Council

February 13, 2013

Page 3

The following information is provided in accordance with the Comptroller's instructional memorandum dated September 21, 1981.

1. List of personnel involved: Temporary consultants.
2. Nature, Need and Duration: The temporary consultants will provide for the increased needs for subject matter experts beyond the limited resources of in-house personnel.
3. Relationship to existing agency programs: Fully funds the Deloitte contract in support of New HEIGHTS.
4. Has a similar program been requested of the legislature and denied? No.
5. Why wasn't funding included in the agency's budget request? The transfer of accounts as noted above are requested by both agencies in order to replace the reduction to the Department of Information Technology budget caused by a reconciliation issue between the Department of Information Technology and the Department of Health and Human Services' budget.
6. Can portions of the grant funds be utilized? No. The funds are 60% General Funds, 40% Federal Funds.
7. Estimate the funds required to continue this positions: The temporary consulting positions are estimated at \$400,000.00

Respectfully submitted,



Peter C. Hastings  
Acting Commissioner

PCH/rc



**The State of New Hampshire  
Insurance Department**

21 South Fruit Street, Suite 14  
Concord, NH 03301  
(603) 271-2261 Fax (603) 271-1406  
TDD Access: Relay NH 1-800-735-2964

Roger A. Sevigny  
Commissioner

Alexander K. Feldvebel  
Deputy Commissioner

February 15, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

Her Excellency, Governor Margaret Wood Hassan  
And the Honorable Executive Council  
State House  
Concord, NH 03301

Requested Action

1. Pursuant to RSA 14:30-a, VI, authorize the Insurance Department to accept and expend federal grant funds in the amount of \$409,690.00 for FY 2013 from the U.S. Department of Health and Human Services for the purpose of planning, development and design of plan management tasks relating to a partnership health benefit exchange to preserve the state's insurance regulatory authority, to the greatest extent possible, for insurance plans sold on the exchange. Approval is sought for the period of Fiscal Committee and Governor and Executive Council through June 30, 2013. Source of Funds is 100% Federal Funds.
2. Pursuant to RSA 124:15 authorize the Insurance Department to establish a Class 050 (Personal Service – Part Time Temporary) position for one Grants & Contracts Technician in Account No. 02-24-24-2400-12240000 for the period of Fiscal Committee and Governor and Executive Council approval through June 30, 2013.
3. Pursuant to RSA 124:15 authorize the Insurance Department to establish a Class 046 (Consultants) to enter into contracts for consulting services with various vendors in Account Number 02-24-24-2400-12240000 for the period of Fiscal Committee and Governor and Executive Council approval through June 30, 2013.

Funds will be budgeted as set forth in the table below. Source of funds: 100% Federal Funds.

FY 2013 Level One Establishment Grant  
02-24-24-2400-12240000

		<b>Fiscal Year 2013</b>
Class	Description	New Appropriation
020	Current Expense	\$1,400
030	Equipment	\$500
041	Audit Set Aside	\$410
046	Consultants	\$395,965
050	Personal Services Part Time Temp	\$9,353
060	Benefits	\$895
062	Workers Comp	\$1,167
	Total Appropriation	\$409,690
	Source of Funds	
000	Federal Funds	\$409,690

EXPLANATION

The New Hampshire Insurance Department has received a federal grant to support a plan management partnership with the federally-facilitated health benefit exchange that will be established for New Hampshire. The purpose of the partnership is to preserve the state's insurance regulatory authority, to the greatest extent possible, with respect to insurance plans sold on the exchange. The Level One Establishment Grant is made available pursuant to Public Law 111-148 and Public Law 111-152 (The Patient Protection and Affordable Care Act). Grant funds will be used to establish new procedures and work flows necessary to continue the State's traditional regulatory authority as applied to the health insurance sold through the Exchange, including such areas as licensure, solvency review, form and rate review, review of marketing, consumer complaints and determination of network adequacy.

The acceptance of the grant funds, in the amount of \$409,690, available for expenditure during Fiscal 2013 is requested.

1. Class 020 – Current Expenses – FY13 - \$1,400. These funds are required in order to provide general supplies to the part-time employee.
2. Class 030 – Equipment (new/replacement) – FY13 - \$500. These funds are required to purchase necessary computer systems, software, and technical support for the new part time position.
3. Class 041 – Audit set aside – FY13 - \$410. These funds are required in order to meet audit costs associated with the grant program.
4. Class 046 – Consultants – FY13 - \$395,965. These funds are required to hire consultants to plan, develop and implement a Plan Management partnership health benefit exchange.
5. Class 050 – Personal Services – PT Temp – FY13 - \$9,353. These funds are set aside in order to pay the part time employee to administer the grant program.
6. Class 060 – Benefits – FY13 - \$895. These funds are necessary for the payroll contributions for a part-time employee.
7. Class 062 – Workers Compensation – FY13 - \$1,167. These funds are necessary for the insurance support of the new employee.

The following information is provided in accordance with the Comptroller's instructional memorandum dated September 21, 1981:

1. List of personnel involved: This federal grant creates a part time temporary position of Grants and Contracts Technician (Labor Grade 15). We are using the Supplemental Job Description that was approved by the Director of Personnel on December 1, 2010. A copy of the director's approval is attached.
2. Nature, need, and duration: The position of Grants and Contracts Technician will be serving as the financial records assistant, maintaining all financial records and creating requisite financial reports for the grant. Department will also employ various contractors to work on this project. Funding for this position and various consultant contracts will be good through June 30, 2013.
3. Relationship to existing agency program: This grant will provide enhancements to current Insurance Department functions by funding the planning, development and design of a partnership health benefit exchange to preserve the state's insurance regulatory

3. Relationship to existing agency program: This grant will provide enhancements to current Insurance Department functions by funding the planning, development and design of a partnership health benefit exchange to preserve the state's insurance regulatory authority, to the greatest extent possible, for insurance plans sold on the exchange.

4. Has a similar program been requested of the legislature and denied? The nature of the work to be completed under the grant has never been requested and denied by the General Court.

5. Why wasn't funding included in the agency's budget request? The February 15, 2013 notification of the federal government's funding of this grant has prompted this Insurance Department request, and is the reason for not including funding for this activity in the department's budget request for FY 2013.

6. Can portions of the grant funds be utilized? 100% of federal grant funds can be used to fund the personnel costs and all program costs associated with this request.

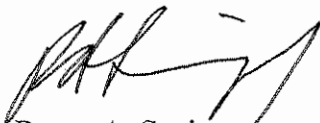
7. Estimate the funds required to continue this position(s): There will be no cost to the State of New Hampshire associated with this position or any consultants as it will terminate at the end of the grant period.

#### FISCAL SITUATION

U.S. Department of Health and Human Services Appropriation	\$894,406.00
FY2013 Requested Appropriation	\$409,690.00
FY2014 Reserved Funds	<u>\$484,716.00</u>
Total Appropriations	\$894,406.00

In the event that federal funds become no longer available, General Funds will not be requested to support this program. Thank you for your consideration.

Respectfully submitted,



Roger A. Sevigny  
Enclosures

## **SUPPLEMENTAL JOB DESCRIPTION**

---

**Classification:** Grants and Contracts Technician  
**Position Title:** Bookkeeper – Grants  
**Position Number:** 9TEMP

**Function Code:** 4863-024  
**Date Established:** 12-1-10  
**Date of Last Amendment:**

### **SCOPE OF WORK:**

Develop and administer a combination of fiscal and technical support (including bookkeeping), for federally funded grants awarded to the New Hampshire Insurance Department. Provide fiscal management, budget development, account monitoring, analysis, and reporting; maintain financial data and personnel data entry relative to grant funded activities. 100% of this position's 20 hour work week is devoted to the implementation of the Federal Affordable Care Act.

### **ACCOUNTABILITIES:**

- Completes regular and ongoing systematic analysis of business processes to ensure compliance with State of New Hampshire and Federal requirements and applicable auditing standards with respect to federal grant administration.
- Implements and monitors Insurance Department and federal grant financial and administrative procedures, including monitoring and reporting on federal grant budgets and expenditures.
- Complies with federal and state requirements for internal controls to monitor cash receipts and expenditures for federal grant funds.
- Prepares various State of New Hampshire and Federal financial and business reports, related to federal grant funds.
- Ensures appropriate audit trails, and properly completes assigned State of New Hampshire and Federal financial tasks.
- Completes financial reporting and data entry into applicable systems for Federal grant fund receipts and expenditures.
- Completes accounting tasks and financial reporting procedures in compliance with State of New Hampshire and federal grant requirements.

### **MINIMUM QUALIFICATIONS:**

**EDUCATION :** Associate's degree from a recognized college or technical institute with a major study in business administration, accounting, or public administration, or related field. Each additional year of approved formal education may be substituted for one year of required work experience.



**EXPERIENCE:** Two years' experience in responsible office or business management activities with experience in grants and/or contracts processing or review. Each additional year of approved work experience may be substituted for one year of required formal education.

**LICENSE/CERTIFICATION:** None required

**PREFERRED QUALIFICATIONS:** Experience with, and training in the Lawson System and Excel software applications. Bookkeeping or business administration involving financial recordkeeping and reporting, preferably with federal grant bookkeeping and/or financial accounting experience preferred.

**DISCLAIMER STATEMENT:** The supplemental job description lists typical examples of work and is not intended to include every job duty and responsibility specific to a position. An employee may be required to perform other related duties not listed on the supplemental job description provided that such duties are characteristic of that classification.

**SIGNATURES:**

**I have reviewed the above job description with my supervisor.**

\_\_\_\_\_  
Employee's Name and Signature

\_\_\_\_\_  
Date Reviewed

Supervisor's Name and Title: \_\_\_\_\_

The above supplemental job description accurately describes this employee's job responsibilities and duties.

\_\_\_\_\_  
Appointing Authority/Supervisor

\_\_\_\_\_  
Date

*Jennifer J. Elberfeld*  
MR

12-1-10

\_\_\_\_\_  
Division of Personnel

\_\_\_\_\_  
Date Approved

1. DATE ISSUED MM/DD/YYYY 02/15/2013 2. CFDA NO. 93.525 3. ASSISTANCE TYPE Cooperative Agreement

Department of Health and Human Services  
Centers for Medicare & Medicaid Services  
Office of Acquisitions and Grants Management  
7500 Security Boulevard  
Baltimore, MD 21244-1850

1a. SUPERSEDED AWARD NOTICE dated  
except that any additions or restrictions previously imposed remain  
in effect unless specifically rescinded

4. GRANT NO. 1. HBEIE130153-01-00 Formerly 5. ACTION TYPE New

6. PROJECT PERIOD MM/DD/YYYY From 02/15/2013 Through 02/14/2014

7. BUDGET PERIOD MM/DD/YYYY From 02/15/2013 Through 02/14/2014

**NOTICE OF AWARD**  
AUTHORIZATION (Legislation/Regulations)  
Section 1311 of the Affordable Care Act, Health Insurance Exchange

8. TITLE OF PROJECT (OR PROGRAM)  
Cooperative Agreement funding opportunity; Cooperative Agreement to Support Establishment of the Af

9a. GRANTEE NAME AND ADDRESS  
State of New Hampshire Insurance Department  
21 S Fruit St  
Concord, NH 03301-2428

9b. GRANTEE PROJECT DIRECTOR  
Mr. Alexander Feldvebel  
21 S Fruit St Ste 14  
Concord, NH 03301-2428  
Phone: 603-271-2261

10a. GRANTEE AUTHORIZING OFFICIAL  
Mr. Alexander Feldvebel  
21 S Fruit St Ste 14  
Concord, NH 03301-2428  
Phone: 603-271-2261

10b. FEDERAL PROJECT OFFICER  
Ms. Susan Lumsden  
200 Independence Ave Sw Rm 738-G  
Washington, DC 20201-0094  
Phone: 301-492-0000

**ALL AMOUNTS ARE SHOWN IN USD**

11. APPROVED BUDGET (Excludes HHS Direct Assistance)	
I HHS Grant Funds Only	
II Total project costs including grant funds and all other financial participation	II
a. Salaries and Wages	23,383.00
b. Fringe Benefits	5,154.00
c. Total Personnel Costs	28,537.00
d. Equipment	500.00
e. Supplies	0.00
f. Travel	0.00
g. Construction	0.00
h. Other	4,384.00
i. Contractual	860,985.00
j. TOTAL DIRECT COSTS	894,406.00
k. INDIRECT COSTS	0.00
l. TOTAL APPROVED BUDGET	894,406.00
m. Federal Share	894,406.00
n. Non-Federal Share	0.00

12. AWARD COMPUTATION FOR GRANT	
a. Amount of HHS Financial Assistance (from item 11 m)	894,406.00
b. Less Unobligated Balance From Prior Budget Periods	0.00
c. Less Cumulative Prior Award(s) This Budget Period	0.00
d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION	894,406.00
13. Total Federal Funds Awarded to Date for Project Period	
	894,406.00

14. RECOMMENDED FUTURE SUPPORT (Subject to the availability of funds and satisfactory progress of the project):			
YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL DIRECT COSTS
a. 2		d. 5	
b. 3		e. 6	
c. 4		f. 7	

15. PROGRAM INCOME SUBJECT TO 45 CFR PART 74, SUBPART F, OR 45 CFR 92.25, SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:

- a. DEDUCTION
- b. ADDITIONAL COSTS
- c. MATCHING
- d. OTHER RESEARCH (Add / Deduct Option)
- e. OTHER (See REMARKS)

b

16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, HHS ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:

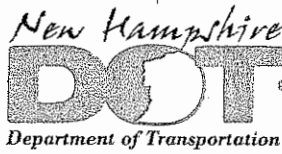
- a. The grant program legislation cited above.
- b. The grant program regulations cited above.
- c. This award notice including terms and conditions, if any, noted below under REMARKS.
- d. HHS Office Policy Statement evolving awards in effect as of the beginning date of the budget period.
- e. 45 CFR Part 74 or 45 CFR Part 92 as applicable.

In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.

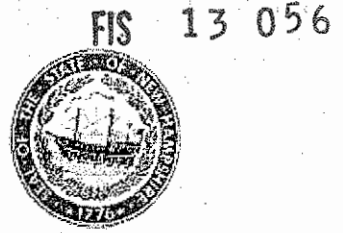
REMARKS (Other Terms and Conditions Attached -  Yes  No)  
Please see Standard Terms and Conditions.

GRANTS MANAGEMENT OFFICER, Michelle Feagins, Grants Management Officer

17. OBJ CLASS 4115	18a. VENDOR CODE 1026000618M1	18b. EIN 026000618	19. DUNS 808591051	20. CONG. DIST. 02
FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	AMT ACTION FIN ASST	APPROPRIATION
21. a 3-5992638	b. HBEIE0153A	c. SEPI	d. \$894,406.00	e. 7530115
22. a	b	c	d	e
23. a	b	c	d	e



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

February 1, 2013
Bureau of Rail and Transit

The Honorable Mary Jane Wallner, Chairman
Fiscal Committee of the General Court
State House
Concord, New Hampshire 03301

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

1. Pursuant to RSA 14:30-a, VI, authorize the Department of Transportation, Bureau of Rail and Transit to budget and expend prior year carry forward funds in the amount of \$346,497 from the Special Railroad Fund for maintenance and repair of active State-owned railroad lines effective upon Fiscal Committee and Governor and Council approval through June 30, 2013.

Funds are to be budgeted as follows: 100% Other Funds (Special Railroad Funds).

Table with 4 columns: Fund Code, FY2013 Budget, Requested Change, Revised Budget. Rows include Special Railroad Fund, Expenses (Current Expense, Rents-Leases, Grants, Construction), Total, Source of Funds, and Revenue (Agency Income).

2. Pursuant to RSA 228:69, I (b), authorize the Department of Transportation, Bureau of Rail and Transit to expend an amount not to exceed \$346,497 for maintenance and repair of active state-owned railroad lines, effective upon Fiscal Committee and Governor and Council approval through June 30, 2013.

EXPLANATION

RSA 228:68 establishes the Special Railroad Fund for the deposit of revenues produced on the state-owned railroad corridors through user fees paid by railroads, leases and fees paid by other landowners, and other revenues. This dedicated fund is required to comply with Federal regulations that require lease or other income on property acquired with Federal funds to be used to maintain those properties.

RSA 228:69, I (a) requires that 20 percent of the 2012 calendar year railroad user fees deposited in the Special Railroad Fund be paid to the cities and towns through which the state-owned railroad lines pass. These amounts will be paid out to the respective towns at the end of fiscal year 2013.

RSA 228:69, I (b) authorizes the Department of Transportation to expend funds from the Special Railroad Fund on maintenance and repair of state-owned railroad lines. The Department will use these funds to continue repairs and maintenance activities on state-owned lines in 2013. The cost of engineering and construction administration will also be paid from these funds. The Special Railroad Fund receives revenues derived from railroad user fees, leases and crossing agreements, and a portion of the state railroad tax. The Department of Transportation, Bureau of Rail and Transit will reimburse responsible parties for their railroad infrastructure maintenance expenses. The operating railroads are:

Plymouth & Lincoln Railroad (Vendor 157711)  
New Hampshire Central Railroad (Vendor 157337)  
Conway Scenic Railroad (Vendor 154819)  
New England Southern Railroad (Vendor 161682)  
Milford-Bennington Railroad (Vendor 156441)  
Claremont-Concord Railroad (Vendor 156559)

These funds will be encumbered upon issuance of purchase orders by the Bureau of Purchase and Property. Your approval is respectfully requested.

Sincerely,



Christopher D. Clement, Sr.  
Commissioner

ATTACHMENT

**Department of Transportation**  
**FISCAL SITUATION FISCAL YEAR 2013**  
**04-096-096-960010-2991**

Special Railroad Fund

Estimated revenue budgeted:	\$ 394,317
Prior year carryforward revenue:	\$ 523,827
Additional non-budgeted revenue:	-
	<hr/>
Amount available to budget:	\$ 918,144
Less current FY13 budget authorization:	\$ 394,317
	<hr/>
Total available for budgeting:	\$ 523,827
Amount to be budgeted this request:	\$ 346,497
	<hr/>
Amount available to budget with future requests:	\$ 177,330
	<hr/>

**JOINT BOARD OF LICENSURE AND CERTIFICATION**

**STATE OF NEW HAMPSHIRE**

57 Regional Drive

Concord, N.H. 03301-8518

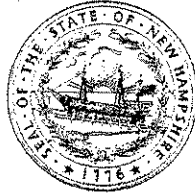
Telephone 603-271-2219 • Fax 603-271-6990

**FIS 13 055**

Professional Engineers  
Architects  
Land Surveyors  
Professional Geologists  
Foresters  
Real Estate Appraisers  
Manufactured Housing Installers

Louise Lavertu • Executive Director

Electricians  
Natural Scientists  
Landscape Architects  
Court Reporters  
Home Inspectors  
Accountancy  
Manufactured Housing



February 11, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

Pursuant to RSA 21-I:56, II, authorize the New Hampshire Joint Board of Licensure and Certification to reclassify position number 18095 from Administrator II, salary grade 29 to Executive Director, Joint Board, salary grade 35, effective upon the date of Fiscal Committee approval. 100% General Funds.

**EXPLANATION**

The Joint Board of Licensure and Certification hereby submits the February 6, 2013 approval of the Division of Personnel to reclassify position number 18095 from Administrator II, salary grade 29 to Executive Director, Joint Board salary grade 35. The New Hampshire Joint Board is a consolidated licensing agency that consists of thirteen separate licensing Boards and one adjudicative Board that share one centralized administration. The Boards regulate approximately 31,500 licensed or certified individuals and businesses that consist of approximately thirty technical license or certification categories. The fourteen Boards are comprised of ninety-two volunteer Board members and fifteen staff members. The component Boards are as follows: Professional Engineers, Architects, Certified Public Accountants, Land Surveyors, Professional Geologists, Foresters, Natural Scientists, Landscape Architects, Court Reporters, Home Inspectors, Real Estate Appraisers, Manufactured Housing Installers, Electricians and the Board of Manufactured Housing.

The complexity of position #18095 has increased exponentially since the position classification was last reviewed in May, 2008. Chapter, 339:1, Laws of 2008, added the Board of Home Inspectors to the Joint Board. Chapter 224:99, Laws of 2011, increased the number of Boards under the Joint Board from nine Boards to thirteen Boards with the addition of the Board of Accountancy, Installation Standards Board, Real Estate Appraiser Board, and Board of Manufactured Housing. Additionally, Chapter 0237:2, Laws of 2012 added the Electricians' Board to the Joint Board. The responsibility to transform the newly added Boards from stand-alone agencies or Boards attached to another agency, to Boards consolidated within the Joint Board has resulted in increased accountability and complexity of this position.

Page 2  
February 11, 2013

The expansion of the Joint Board has required extensive reorganization. Position # 18095 is responsible for establishment, maintenance and oversight of programs for the large number of highly diverse, complex professions, which includes oversight of an increased number of Boards, Board members and staff. The appropriate classification of position #18095 is required to represent the Joint Board, administer the growth and expansion of the agency, interface with State and Federal authorities, represent the professions and review and participate in the feasibility of legislation that affect proposed new and existing licensing and agency programs. Evaluation and adjustment of the organizational structure of the Boards and the agency is an essential and ongoing responsibility of position #18095. The incumbent of this position is responsible for all aspects of administration of the Joint Board.

The difference in salary for the remainder of fiscal year 2013 is \$1,228.50. Funding for this increase is available from salary savings from vacant positions.

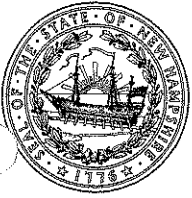
Please let me know if you have any questions regarding this request. Your consideration is greatly appreciated.

Respectfully submitted,



Louise Lavertu  
Executive Director

Enclosure



# State of New Hampshire

DIVISION OF PERSONNEL  
Department of Administrative Services  
State House Annex-25 Capitol Street  
Concord, New Hampshire 03301

LINDA M. HODGDON  
Commissioner  
(603) 271-3201

KAREN D. HUTCHINS  
Director  
(603) 271-3261

February 6, 2013

Louise Lavertu, Executive Director  
Joint Board of Licensure and Certification  
57 Regional Dr.  
Concord, NH 03301-8518

**Regarding:** Request to reclassify your position #18095 from Administrator II, labor grade 29 to Administrator of the Joint Board, labor grade 35.

Dear Ms. Lavertu:

On January 10, 2013, we received a request from you to review and reclassify your position to a new classification title of Administrator of the Joint Board, labor grade 35. In your letter, you cite many factors, including the expansion of the Joint Board from eight licensing Boards to fourteen Boards, and a corresponding increase in scope of work, accountability and complexity regarding your position. This function includes the ongoing responsibility to administer the growth and expansion of the Joint Board. You point out that the classification and salary level of Administrator II is inconsistent with that of similar State of New Hampshire positions and those in other states with a similar role.

We agree with your assessment that labor grade 35 is now an appropriate level for your position, and that a new classification title would be appropriate. We find that your position has similarity to other positions at labor grade 35 with responsibility to administer large boards, such as the Executive Director, Board of Nursing and the Executive Director, Board of Medicine. We recommend that instead of classifying your position as "Administrator of the Joint Board", we assign the title of "Executive Director, Joint Board", for consistency with similar classifications.

Although we have agreed with your request, our decision is not final until the approval of: 1. the Fiscal Committee; and 2. Governor and Council. The requirement of Fiscal Committee approval is stated in the RSA below:

#### Section 21-I:56

##### 21-I:56 Reclassification of Positions or Increases. --

II. Any request to increase the salary of a classified position beyond grade 34 as provided in RSA 99:8 shall require the approval of the fiscal committee of the general court before it is submitted to the governor and council for its approval.

It will be your responsibility to bring the request for labor grade 35 before the Fiscal Committee. You may use this letter as confirmation of our decision. Once you have obtained Fiscal Committee approval, please notify me with documentation, and we will begin the process necessary to bring your position reclassification/upgrade to Governor and Council for waiver approval per HB 2-FN-A-LOCAL, 224:315 Reclassification of Positions. Thank you.

Very truly yours,

Jennifer J. Elberfeld  
Classification & Compensation Administrator

Cc: Karen Hutchins, Director of Personnel



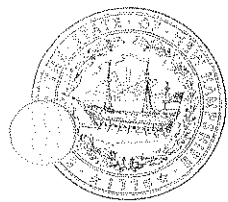
# State of New Hampshire

FIS 13 082

## DEPARTMENT OF ADMINISTRATIVE SERVICES

OFFICE OF THE COMMISSIONER

25 Capitol Street – Room 120  
Concord, New Hampshire 03301



LINDA M. HODGDON  
Commissioner  
(603) 271-3201

JOSEPH B. BOUCHARD  
Assistant Commissioner  
(603) 271-3204

February 27, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire

### REQUESTED ACTION

Pursuant to RSA 21-I:56, I authorize the Department of Administrative Services to reclassify Position #10082 Administrator II, Health and Safety Coordinator, Labor Grade 29 to Administrator Plant and Property Management, Labor Grade 35 effective upon Fiscal Committee approval.

100% General Funds

### EXPLANATION

The Department of Administrative Services requests that Fiscal Committee approve the February 27, 2013 decision by the Division of Personnel to reclassify position # 10082, Administrator II, Health and Safety Coordinator, Labor Grade 29, to a new classified position entitled Administrator Plant and Property Management, Labor Grade 35.

The Department of Administrative Services approached the Division of Personnel with this re-classification request on January 28, 2013, in an effort to best address our staffing needs through a change in our administrative structure to better match the expanded responsibilities assigned to multiple areas within our Division of Purchase and Property Management.

During the last 8 to 10 years, the legislature has added several areas of new responsibilities to the Department of Administrative Services. New areas of responsibility include the transfer of the Bureau of Public Works Design and Construction, the transfer of building and property management responsibilities for Health and Human Services buildings as well as building and property management for property formerly occupied by the Department of Corrections in Laconia. Other additions include statewide fleet data recording and management, credit card oversight, surplus land disposition and statewide

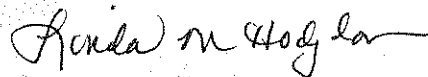
recycling. Most recent additions include consolidation of back office functions including human resource consolidation. Several of these responsibilities and respective personnel have been added over the years to the Division of Plant and Property Management creating a situation where the span of control is excessive and puts the state at risk.

As a result, the Department asked for authorization from the Division of Personnel to separate some of the duties in the Division of Plant and Property Management and create a new position to oversee building maintenance and related activities under the direction of the Director of Plant and Property Management.

Attached are copies of the proposed class specification, supplemental job description and organization charts that detail our current and proposed modifications which were submitted to the Division of Personnel for their review.

The attached letter from the Division of Personnel, noted above, approved the Department's request for this reclassification of an existing position to manage these increased responsibilities contingent upon authorization from the Fiscal Committee pursuant to RSA 21-I:56, II.

Respectfully submitted,



Linda M. Hodgdon  
Commissioner

# State of New Hampshire

DIVISION OF PERSONNEL  
Department of Administrative Services  
State House Annex - 25 Capital Street  
Concord, New Hampshire 03301

LINDA M. HODGDON  
Commissioner  
603-271-1300

KAREN D. HUTCHINS  
Director  
603-271-3261

February 27, 2013

Linda M. Hodgdon, Commissioner  
Dept. of Administrative Services  
State House Annex  
25 Capital St., Room 120  
Concord, NH 03301

**Regarding:** Request to reclassify vacant position #10082 from Administrator II, labor grade 29 to Administrator Plant and Property Management, labor grade 35.

Dear Commissioner Hodgdon:

On January 29, 2013, we received a request from you to review and reclassify vacant position #10082 to a new classification title of Administrator Plant and Property Management, labor grade 35. This position currently exists in the Division of Plant and Property Management and functions as an Occupational Health and Safety Coordinator at the Administrator II, labor grade 29 level. You propose that this position be reclassified and given oversight of building maintenance and related activities under the direction of Michael Connor, Director of Plant and Property Management, position #9U021. In your letter, you cite the transfer of new areas of responsibility to the Department of Administrative Services by the Legislature, which have impacted the Division of Plant and Property Management, as justification for your request. These responsibilities include: the transfer of the Bureau of Public Works Design and Construction; the expansion of the number of buildings and properties managed by the Division; statewide fleet data recording and management; credit card oversight; surplus land disposition; statewide recycling; and office consolidation. You state that this impact to the Division has created a situation where the span of control is excessive and puts the state at risk.

I have consulted with Director Karen Hutchins on this matter, and we agree with your assessment that the creation of a new classification at labor grade 35 to add an additional level of supervision to the Division of Plant and Property Management is appropriate in this situation. We therefore recommend that a new classification of "Administrator, Plant and Property Management", labor grade 35 be created, and that position #10082 be reclassified to this level. Although we have agreed with your request, our decision is not final until the approval of: 1. the Fiscal Committee; and 2. Governor and Council. The requirement of Fiscal Committee approval is stated in the RSA below:

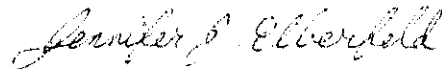
#### Section 21-I:56

##### 21-I:56 Reclassification of Positions or Increases. -

II. Any request to increase the salary of a classified position beyond grade 34 as provided in RSA 99:8 shall require the approval of the fiscal committee of the general court before it is submitted to the governor and council for its approval.

It will be your responsibility to bring the request for labor grade 35 before the Fiscal Committee. You may use this letter as confirmation of our decision. Once you have obtained Fiscal Committee approval, please notify me with documentation, and we will begin the process necessary to bring this position reclassification/upgrade to Governor and Council for waiver approval per HB 2-FN-A-LOCAL, 224:315 Reclassification of Positions. Thank you.

Very truly yours,



Jennifer J. Elberfeld  
Classification & Compensation Administrator

Cc: Michael Connor, Director of Plant and Property Management  
Karen Hutchins, Director of Personnel

# State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES

OFFICE OF THE COMMISSIONER

25 Capitol Street - Room 120

Concord, New Hampshire 03301



LINDA M. HODGDON  
Commissioner  
(603) 271-3201

JOSEPH B. BOUCHARD  
Assistant Commissioner  
(603) 271-3204

Ms. Karen D. Hutchins  
Director, Division of Personnel  
25 Capitol Street  
Concord, NH 03301

January 28, 2013

RE: Reclassification Request - Position # 10082

Dear Ms. Hutchins:

Enclosed please find the required documentation to process this request to reclassify position # 10082, Administrator II, Health and Safety Coordinator, Labor Grade 29 to a new proposed classified position entitled Administrator Plant and Property Management, Labor Grade 35.

During the last 8 to 10 years, the legislature has added several areas of new responsibilities to the Department of Administrative Services. New areas of responsibility include the transfer of the Bureau of Public Works Design and Construction, the transfer of building and property management responsibilities for Health and Human Services buildings as well as building and property management for property formerly occupied by the Department of Corrections in Laconia. Other additions include statewide fleet data recording and management, credit card oversight, surplus land disposition and statewide recycling. Most recent additions include consolidation of back office functions including human resource consolidation. Several of these responsibilities and respective personnel have been added over the years to the Division of Plant and Property Management creating a situation where the span of control is excessive and puts the state at risk.

As a result, I am requesting that we separate some of the duties in the Division of Plant and Property Management and create a new position to oversee building maintenance and related activities under the direction of the Director of Plant and Property Management. In order to achieve this goal I am requesting that position #10082, Administrator II, Health and Safety Coordinator, Labor Grade 29 be reclassified to a new proposed classified position entitled Administrator Plant and Property Management, Labor Grade 35.

I am assuming that we will be able to select someone with a start date of May 3, 2013. The cost to reclassify this position for FY 13 is estimated to be \$1,895.

Funds are available in 01-14-14-141510-7886-010.

Enclosed are copies of the proposed class specification, supplemental job description and organization charts that detail our current and proposed modifications.

Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Linda M. Hodgdon".

Linda M. Hodgdon

Enclosure  
cc: Michael Connor, Director

Class Specification

STATE OF NEW HAMPSHIRE  
HUMAN RESOURCES

Classification: ADMINISTRATOR PLANT & PROPERTY MANAGEMENT

Class Code:

Date Established:

Occupational Code:

Date of Last Revision:

**BASIC PURPOSE:** To direct and implement all the aspects of facility and security management for state owned buildings under the care of the department, including programs, policy, financial and personnel activities.

**CHARACTERISTIC DUTIES AND RESPONSIBILITIES:**

- Develops department policies and procedures to ensure that all state owned buildings under the care of the department are maintained properly and in the most cost effective manner.
- Directs and monitors development of policies and procedures for security of all department buildings and grounds including security staff, building access systems, fire, burglar and building monitoring alarms and system testing.
- Develops and maintains health and safety policy for higher levels of management, applying safety and occupational health laws, regulations, principles and procedures to ensure that department buildings and office spaces are in compliance with state and federal health and safety guidelines.
- Serves as the Risk Management Coordinator for the department and acts as a liaison between the Joint Loss Management Committee and the Commissioner and executive staff for all department issues.
- Directs and monitors development of biennial operating and capital budgets for all state owned buildings under the care of the department, to ensure that the department has adequate resources to maintain buildings according to code and in the most effective manner.
- Directs and monitors the development of department energy reduction plans to ensure that the department is operating their facilities in the most energy efficient and cost effective manner.
- Meets with department heads and legislative leaders to coordinate life safety issues, building maintenance and renovation projects.
- Supervises management level staff to include hiring, approval of leave, performance evaluations and disciplinary action to ensure efficiency and productivity for the overall operations of the agency.
- Oversees the development of department wide service contracts to ensure that all state buildings are maintained according to local, state and federal requirements.
- Directs and monitors leasing of office space by state agencies; works with administrative staff to maximize the use of state office space.

## **DISTINGUISHING FACTORS:**

**Skill:** Requires skill in evaluating, planning or integrating analysis of data to formulate current and long-range solutions, strategies or policies of a specialized or technical nature.

**Knowledge:** Requires expertise in a highly specialized, technical or professional discipline to manage or create policy at a system wide administrative level.

**Impact:** Requires overall administrative responsibility for achieving agency objectives by directing all aspects of operations management. Errors at this level result in disruption of system wide programs or services as well as long-term adverse impact on agency image and the future success of organizational operations.

**Supervision:** Requires agency-wide administrative supervision, including the responsibility for developing and evaluating internal personnel policies. This level also involves the administrative management of a program which affects more than one agency, including overseeing the interaction of agency employees or policies to accomplish organizational objectives or goals.

**Working Conditions:** Requires performing regular job functions in a controlled environment with minimal exposure to disagreeable job elements and little risk of hazard to physical or mental health.

**Physical Demands:** Requires light work, including continuous walking or operating simple equipment for extended periods of time as well as occasional strenuous activities such as reaching or bending.

**Communication:** Requires acting as the official representative of the agency, including explaining and defending current and long-range goals or objectives which directly affect public policy decisions regarding major state programs and services.

**Complexity:** Requires formulating the combination of overall job functions in order to address highly diverse or novel situations requiring new concepts and imaginative approaches to a wide range of intellectual and practical problems.

**Independent Action:** Requires administrative decision-making in authorizing and monitoring the implementation of major department policies and procedures.

## **MINIMUM QUALIFICATIONS:**

**Education:** Master's degree from a recognized college or university with major study in business administration, engineering, architecture, or a related field.

**Experience:** Ten years experience at a high level supervisory administrative or business management work in a large public or private organization having responsibility for making decisions, with at least five years experience in the field of facilities or plant operation and maintenance and or occupational health.

OR

**Education:** Bachelor's degree from a recognized college or university with major study in business administration, engineering, architecture or a related field.

**Experience:** Twelve years' at a high level supervisory administrative or business management work in a large public or private organization having responsibility for making decisions, with at least seven years experience in the field of facilities or plant operation and maintenance and or occupational health.

**License/Certification:** Valid State of New Hampshire driver's license.

**RECOMMENDED WORK TRAITS:** Knowledge of building codes. In depth knowledge of applicable State and Federal workplace safety and health standards and codes, i.e. NH DOL, OSHA, NH DES, EPA, NIOSH, and NFPA. Ability to develop, implement and evaluate operational and technical policies and procedures relating to a variety of areas including building and equipment maintenance, building and grounds security, energy management and workplace safety and health standards. Ability to develop reports, analyze research results, and present findings. Ability to speak before legislators, agency officials, and public groups. Ability to establish and maintain effective working relationships with associates, subordinates, public and state officials and contractors. Must be proficient in communication and computer skills associated with preparing and presenting reports and presentations to the legislature and to all levels of management. Must be willing to maintain appearance appropriate to assigned duties and responsibilities as determined by the agency appointing authority.

**SPECIAL REQUIREMENTS:** None

**DISCLAIMER STATEMENT:** The supplemental job description lists typical examples of work and is not intended to include every job duty and responsibility specific to a position. An employee may be required to perform other related duties not listed on the supplemental job description provided that such duties are characteristic of that classification.



## SUPPLEMENTAL JOB DESCRIPTION

Classification: ADMINISTRATOR PLANT & PROPERTY  
MANAGEMENT

Function Code:

Position Title: ADMINISTRATOR, PLANT AND PROPERTY  
MANAGEMENT

Date Established:

Position Number: 10082

Date of Last Amendment:

**SCOPE OF WORK:** To direct and implement all the aspects of facility and security management for state owned buildings under the care of the department, including programs, policy, financial and personnel activities.

### ACCOUNTABILITIES:

- Develops department policies and procedures to ensure that all state owned buildings under the care of the department are maintained properly and in the most cost effective manner. Directs and monitors the development of preventative maintenance programs and schedules in order to implement department wide programs and initiatives.
- Directs and monitors development of policies and procedures for security of all department buildings and grounds including security staff, building access systems, fire, burglar and building monitoring alarms and system testing to ensure that all security systems are tested and operating properly. Monitors and verifies that all building alarm systems are operating properly.
- Develops and maintains health and safety policy to higher levels of management, applying safety and occupational health laws, regulations, principles and procedures to ensure that department buildings and office spaces are in compliance with state and federal health and safety guidelines. Directs and monitors the development and compliance with safety and health program elements including but not limited to Hazard Communication Program, Lock Out Tag Out, Confined Space, Blood Borne Pathogens, Workstation Ergonomics, and Accident Reporting/Investigations. Serves as the Risk Management Coordinator for the department and acts as a liaison between the Joint Loss Management Committee and the Commissioner and executive staff for all department issues.
- Directs and monitors development of biennial operating and capital budgets for all state owned buildings under the care of the department to ensure that the department has adequate resources to maintain buildings according to code and in the most effective manner.
- Directs and monitors the development of department energy reduction plans to ensure that the department is operating their facilities in the most energy efficient and cost effective manner. Directs and coordinates development of the annual department energy plan and directs department efforts to comply with Executive Order 2011-1, "State Government to Lead by Example in Energy Efficiency."
- Meets with department heads and legislative leaders to coordinate building maintenance and renovation projects.
- Supervises management level staff to include hiring, approval of leave, performance evaluations and disciplinary action to ensure efficiency and productivity of the overall operations of the department.
- Oversees the development of department wide service contracts to ensure that all state buildings are maintained according to local, state and federal requirements.

- Directs and monitors leasing of office space by state agencies; works with administrative staff to maximize the use of state office space.
- Recognizes that everyone we come into contact with is a customer, and consistently treats all with courtesy, respect and professionalism, striving to exceed customer service expectations.

**MINIMUM QUALIFICATIONS:**

**Education:** Master's degree from a recognized college or university with major study in business administration, engineering, architecture, or a related field.

**Experience:** Ten years experience at a high level supervisory administrative or business management work in a large public or private organization having responsibility for making decisions, with at least five years experience in the field of facilities or plant operation and maintenance and or occupational health.

OR

**Education:** Bachelor's degree from a recognized college or university with major study in business administration, engineering, architecture or a related field.

**Experience:** Twelve years at a high level supervisory administrative or business management work in a large public or private organization having responsibility for making decisions, with at least seven years experience in the field of facilities or plant operation and maintenance and or occupational health.

**License/Certification:** Valid State of New Hampshire driver's license.

**RECOMMENDED WORK TRAITS:** Knowledge of building codes. In depth knowledge of applicable State and Federal workplace safety and health standards and codes, i.e. NH DOL, OSHA, NH DES, EPA, NIOSH, and NFPA. Ability to develop, implement and evaluate operational and technical policies and procedures relating to a variety of areas including building and equipment maintenance, building and grounds security, energy management and workplace safety and health standards. Ability to develop reports, analyze research results, and present findings. Ability to speak before legislators, agency officials, and public groups. Ability to establish and maintain effective working relationships with associates, subordinates, public and state officials and contractors. Must be proficient in communication and computer skills associated with preparing and presenting reports and presentations to the legislature and all levels of management. Must be willing to maintain appearance appropriate to assigned duties and responsibilities as determined by the agency appointing authority.

**SPECIAL REQUIREMENTS:** None

**DISCLAIMER STATEMENT:** The supplemental job description lists typical examples of work and is not intended to include every job duty and responsibility specific to a position. An employee may be required to perform other related duties not listed on the supplemental job description provided that such duties are characteristic of that classification.

**SIGNATURES:**

I have reviewed the content of the above job description with my supervisor.

Employee's Name and Signature

Date Reviewed

Supervisors Name and Title Michael P. Connor, Director Plant and Property Management Pos # 9U021

I have discussed the work responsibilities outlined by this job description with the above employee (s).

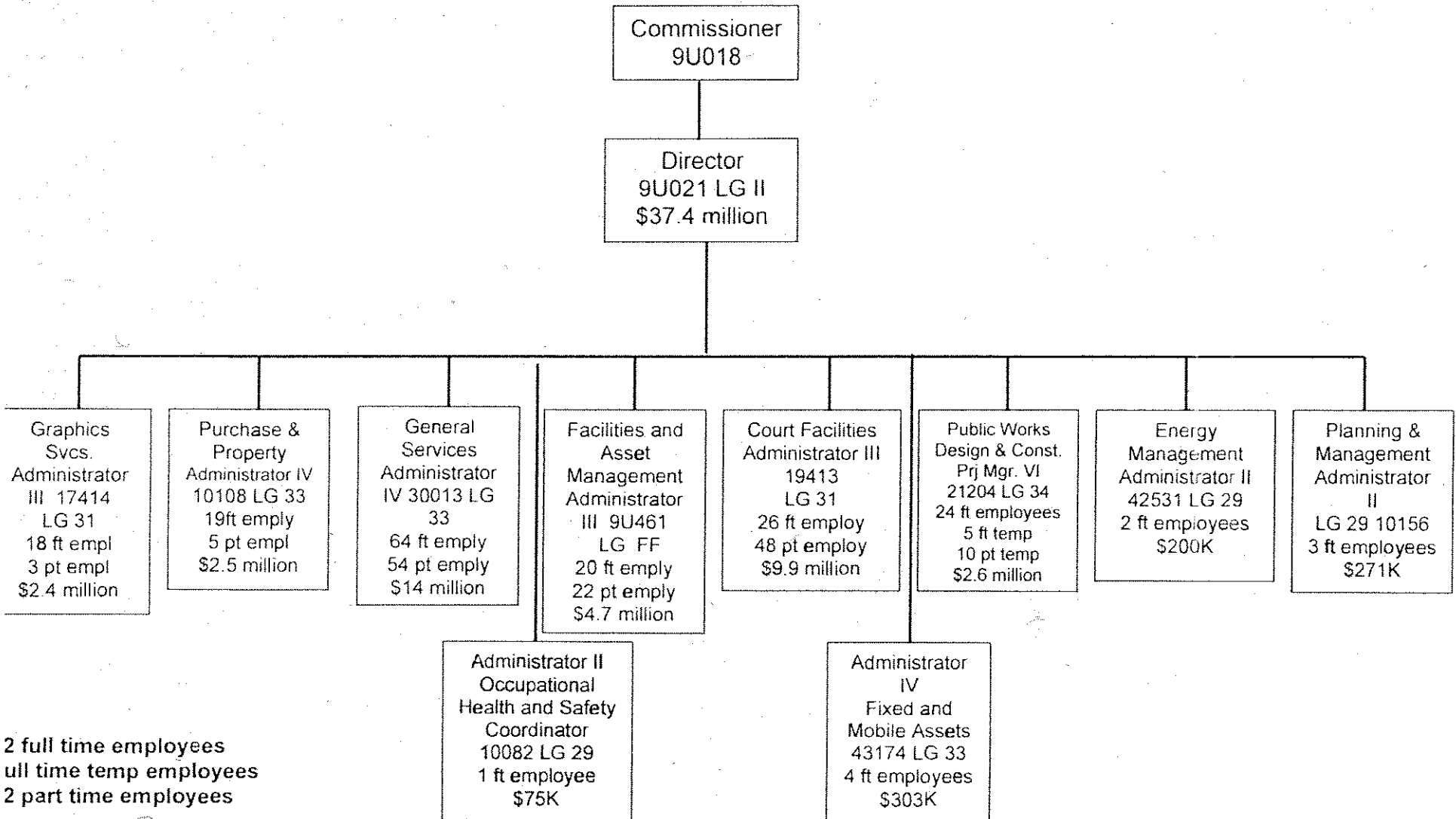
Supervisor's Signature

Date Reviewed

Division of Personnel

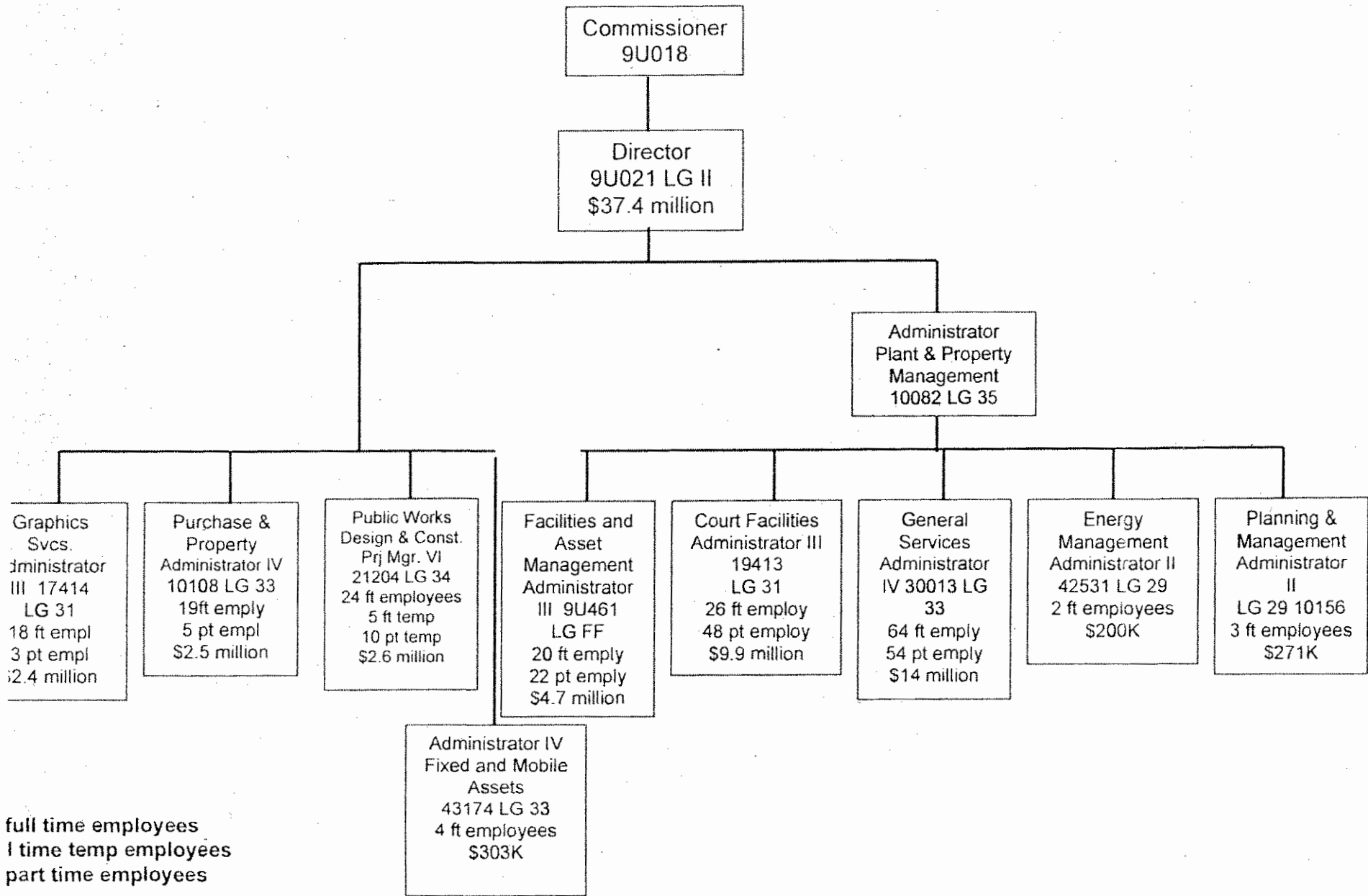
Date Approved

**Administrative Services**  
**Division of Plant and Property Management**  
**1/20/2013 Current**



2 full time employees  
 ull time temp employees  
 2 part time employees

**Administrative Services  
Division of Plant and Property Management  
1/20/2013 Proposed**



full time employees  
part time employees

STATE OF NEW HAMPSHIRE

CONSUMER ADVOCATE  
Susan W. Chamberlin, Esq.



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

Tel. (603) 271-1172

Website:  
www.oca.nh.gov

ASSISTANT CONSUMER ADVOCATE  
Rorie E.P. Hollenberg, Esq.

OFFICE OF CONSUMER ADVOCATE

21 S. Fruit St., Suite 18  
Concord, NH 03301-2429

February 22, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

1. Pursuant to RSA 363:28 authorize the Office of the Consumer Advocate (OCA) to employ experts for assistance to complete its participation in the New Hampshire Public Utilities Commission (NHPUC) docket DE 11-250, Re Public Service Company of New Hampshire (PSNH), Investigation of Scrubber Costs and Cost Recovery.
2. Authorize the OCA to amend a contract for professional services with Exeter Associates, Inc. (Vendor #226093), by increasing the contract amount by \$39,500.00 from \$30,000.00 to \$69,500.00 and extending the expiration date of the contract from June 30, 2013 to December 31, 2013, to permit the OCA to complete its participation in the New Hampshire Public Utilities Commission (NHPUC) docket DE 11-250, Re Public Service Company of New Hampshire (PSNH), Investigation of Scrubber Costs and Cost Recovery. The original contract was approved by Governor and Executive Council on May 9, 2012, Item Number 51.

Funds will be available as follows with the authority to adjust encumbrances in each of the State Fiscal years through the Budget Office, if needed and justified:

02-81-81-812010-33470000 Special Assessment – Exeter Associates

	<u>FY 2013</u>	<u>FY 2014</u>	<u>Total</u>
02-81-81-812010-33470000-046-500464 Gen Consultants – Non-Benefit	\$29,000.00	\$10,500.00	\$39,500.00

G&C 02/20/2013  
Initials *ALC*  
Date *2/22/13*  
Page 1 of 3

## EXPLANATION

The OCA is requesting this action pursuant to RSA 363:28, III which states:

The consumer advocate shall have authority to contract for outside consultants within the limits of funds available to the office. With the approval of the fiscal committee of the general court and the governor and council, the office of the consumer advocate may employ experts to assist it in proceedings before the public utilities commission, and may pay them reasonable compensation. The public utilities commission shall charge a special assessment for any such amounts against any utility participating in such proceedings and shall provide for the timely recovery of such amounts for the affected utility.

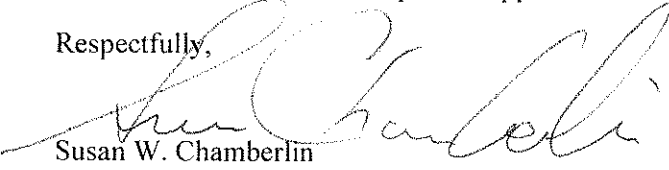
On May 9, 2012 the OCA entered into a contract for services with Exeter Associates in the amount of \$30,000 (\$7,500 in FY12 – ending 6/30/12; and \$22,500 in FY13 – 7/1/12 through 6/30/13). To date, the OCA has spent \$7,500 in FY12 and \$7,500 in FY13. Consistent with the scope of the original contract, which included assistance in several utility petitions before the NHPUC, Exeter Associates assisted the OCA in the initial phase of a proceeding to investigate the prudence of PSNH's \$450 million dollar investment in its Merrimack Station electric generation plant, DE 11-250. At this point in the proceeding, the opportunity remains for the OCA, through Exeter Associates, to file testimony and defend its position at a merits hearing. Exeter Associates estimates that such assistance will cost approximately \$39,500, which is \$39,500 more than the original contract authorized.

Consequently, the OCA requests approval of a contract amendment, to increase the cost limitation of its original contract with Exeter Associates by an additional \$39,500, and to extend the time period of the contract by an additional 6 months. The additional funds will be used to present and support testimony on the prudence of PSNH's costs. By law, such costs, if approved by the PUC, are recovered from default electric service customers, the majority of which are residential customers. RSA 369-B:3, IV(b)(1)(A).

It is efficient and cost effective to proceed with an amendment to Exeter Associates's existing contract rather than through a new solicitation of bids. The existing contract with the OCA was the product of an open, competitive solicitation process. Exeter Associates assisted the OCA in the first half of the scrubber proceeding, and, based upon this work as well as its prior experience in other jurisdictions, they are well qualified to evaluate the prudence of the scrubber costs. They are also currently assisting the OCA in another PSNH docket, DE 11-216, which concerns the migration of PSNH customers and the resulting decrease in the number of PSNH energy service customers from whom to recover the costs of the scrubber. Consequently, they are uniquely situated to assist the OCA in developing a consistent and cohesive response to all of the circumstances currently facing PSNH in terms of the recovery of its prudent scrubber costs. A new consultant may also charge the OCA additional costs for familiarizing itself with the case. For all these reasons, the contract amendment with Exeter accomplishes the OCA's objective of effective advocacy in an efficient and economic manner.

Your consideration of our request is appreciated.

Respectfully,

  
Susan W. Chamberlin  
Consumer Advocate

G&C 02/20/2013

Initials *SWC*

Date *2/22/13*

Page 2 of 3

Enclosures:   Amendment to Professional Services Contract  
                  Certificate of Authority  
                  Exhibit A: Proposed Scope of Services  
                  Exhibit B: Payment Terms  
                  Exhibit C: Special Provisions  
                  Original Agreement and Enclosures as Submitted April 26, 2012



**AMENDMENT TO  
PROFESSIONAL SERVICES CONTRACT**

Now comes the Office of Consumer Advocates, hereinafter "the Agency", and Exeter Associates, hereinafter "the Contractor," and, pursuant to an agreement between the parties which was approved by Governor and Council on May 9, 2012, hereby agree to modify same as follows:

1. The Price Limitation in Item 1.8 is hereby increased by \$39, 500, from \$30,000 to \$69,500 effective upon Governor and Council approval.
2. Item 1.7 of said contract is hereby modified such that the completion date is changed from June 30, 2013 to December 31, 2013.
3. All other provisions of the contract remain in effect.

This modification of an existing agreement is hereby incorporated by reference to the existing agreement by the parties and must be attached to said agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands as indicated below:

EXETER ASSOCIATES, INC.

By: Thomas S. Catlin  
Thomas S. Catlin, Vice President

STATE OF MARYLAND  
County of Prince George's

On this the 4 day of January, 2013, before the undersigned officer, personally appeared Thomas S. Catlin and acknowledged that he executed this document in the capacity indicated. In witness whereof I hereto set my hand and official seal.

Abigail M Adams  
Notary Public/Justice of the Peace

THE STATE OF NEW HAMPSHIRE  
Office of Consumer Advocate

By: Susan W. Chamberlin  
Susan W. Chamberlin, Consumer Advocate

STATE OF NEW HAMPSHIRE  
County of Merrimack

On this the 8 day of January, 2013 before me personally appeared, Susan W. Chamberlin who acknowledged herself to be the individual who executed the forgoing instrument for the purpose therein contained. In witness whereof I hereto set my hand and official seal.

Christina Martin  
Notary Public/Justice of the Peace Expires 6-18-2016

Approved as to form, substance and execution by Attorney General this 23 day of January 2013.

By: [Signature]

**CERTIFICATE OF AUTHORITY/VOTE**  
(Corporation with Notary Seal)

1. Dwight D. Etheridge, do hereby certify that:  
(Name of Clerk of the Corporation, cannot be the one who signed the contract)

1. I am a duly elected Clerk of Exeter Associates, Inc.  
(The Corporation)

2. The following are true copies of two resolutions duly adopted at a meeting of the Board of Directors of the Corporation duly held on 06/24/2011.  
(Date given authority)

RESOLVED: That this Corporation enter into a contract with the State of New Hampshire, acting through its Office of Consumer Advocate, for the provision of Consulting services.

RESOLVED: That the Thomas S. Catlin  
(Title of one who signed the contract)

is hereby authorized on behalf of this Corporation to enter into the said contract with the State and to execute any and all documents, agreements and other instruments, and any amendments, revisions, or modifications thereto, as he/she may deem necessary, desirable or appropriate.

3. The forgoing resolutions have not been amended or revoked, and remain in full force and effect as of 01/04/13.  
(Date Contract Signed)

4. Thomas S. Catlin (is/are) the duly elected Vice President  
(Name of Contact Signatory) (Title of Contract Signatory)

of the Corporation.

Dwight D. Etheridge  
(Signature of the Clerk of the Corporation)

STATE OF MD  
County of PG

The foregoing instrument was acknowledged before me this 23rd day of January, 2013, by Dwight D. Etheridge  
(Name of person signing above, Clerk of the Corporation)

(NOTARY SEAL)

Deborah M Adams  
Notary Public / Justice of the Peace

Commission Expires: 2/2015

DEBORAH M ADAMS Notary Public - Maryland Prince George's County My Commission Expires <u>2/2015</u>
---

**Scope of Services**

Exeter Associates's original contract, approved by Governor and Council on May 9, 2012, Item Number 51, included assistance with this proceeding. Consistent with the scope of the original contract, Exeter Associate has assisted the OCA in the initial phase of this proceeding opened by the PUC to investigate the prudence of PSNH's \$450 million dollar investment in its Merrimack Station electric generation plant, DE 11-250. At this point in the proceeding, the opportunity remains for the OCA, through Exeter Associates, to file testimony and defend its position at a merits hearing.

The work on this project will include, but not be limited to, frequent consultation with OCA staff, participation in the discovery process (including assisting with the preparation and analysis of discovery), analyzing data, preparing for and attending meetings and technical conferences, preparing testimony and supporting schedules and workpapers (including rebuttal testimony, if required), responding to discovery requests, preparing for and attending hearings, assisting in the preparation of settlement agreements if appropriate, assistance with pleadings, and providing other assistance as required by the pending docket.

**PAYMENT TERMS**

There are no limitations on the number of hours per month Exeter Associates, Inc. is available. Invoices will be based on actual time expended to perform all work required by the OCA, from contract approval through December 31, 2013, the total not-to-exceed price is \$39,500.

**Personnel Hourly Rates:**

<b>Name</b>	<b>Position</b>	<b>Specialization</b>	<b>Hourly Rate</b>
Thomas S. Catlin	Principal/Senior Analyst	Electric, Gas, and Water/Regulatory Policy & Accounting, Revenue Requirement	\$205.00
Matthew L. Kahal	Consultant/Senior Economist	Electric and Gas/Economics, POLR/POR, and Rate of Return	\$205.00
Dwight D. Etheridge	Principal/Senior Analyst	Electric/Regulatory Policy, Economics, and Transmission Issues	\$190.00
Steven L. Estomin	Principal/Senior Economist	Electric and Gas/Economics, Load Forecasting, and POLR Issues	\$195.00
Jerome D. Mierzwa	Principal/Senior Analyst	Gas and Water/Regulatory Policy & Analysis, Cost Allocation/ Rate Design	\$170.00
Kevin L. Porter	Principal/Senior Economist	Electric and Renewables/Economics	\$170.00
Christina R. Mudd	Principal/Senior Analyst	Regulatory Policy/Green House Gas, Energy Efficiency, and Smart Meter	\$150.00
Emma L. Nicholson	Senior Economist	Electric/Economics, Cost Allocation/Rate Design	\$130.00
Sari A. Fink	Economist	General, and Rate Design	\$100.00
Jennifer L. Rogers	Economist	General	\$80.00
Krista M. Ozarowski	Research Assistant	General	\$70.00
Michael T. Buckley	Research Assistant	General	\$70.00

**Estimated Travel Expenses:**

Office of Consumer Advocate  
Exhibit B

Expense	Estimated Cost
Roundtrip Flight BWI to MHT	\$375.00
Lodging (1 night, 2012 per diem rate)	\$89.00
Meals (1 day, 2012 per diem rate)	\$46.00
Car Rental (per day)	\$40.00

**SPECIAL PROVISIONS**

No special provisions are needed.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
9/13/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Welch, Graham & Ogden Ins., Inc. 7723 Ashton Avenue Manassas VA 20109	CONTACT NAME: Cheryl Hohing, ACSR	
	PHONE (A/C No. Ext): (703) 530-1300	FAX (A/C No.): (703) 530-9994
	E-MAIL ADDRESS: chohing@wgoins.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Peerless Insurance Co	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: 12-13 GL/Auto/WC/Umb REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		CBP9515762	9/28/2012	9/28/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	CBP9515762	9/28/2012	9/28/2013	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0					
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	WC9516762	9/28/2012	9/28/2013	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> DTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

<b>CERTIFICATE HOLDER</b>  Office of Consumer Advocate 21 S. Fruit Street, Ste 18 Concord, NH 03301	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	<b>AUTHORIZED REPRESENTATIVE</b>  C Hohing, ACSR/CHC <i>Cheryl A. Hohing</i>

ACTING CONSUMER ADVOCATE  
Rorie E.P. Hollenberg, Esq.



OFFICE OF CONSUMER ADVOCATE  
21 S. Fruit St., Suite 18  
Concord, NH 03301-2429

April 26, 2012

His Excellency Governor John H. Lynch  
And the Honorable Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

Authorize the Office of the Consumer Advocate (OCA) to enter into a contract with Exeter Associates, Inc. (vc # 226093) of Columbia, Maryland (Exeter), in an amount not to exceed \$30,000.00, to provide expert testimony, litigation assistance, training, and other services related to representing the interests of residential utility customers in dockets at the New Hampshire Public Utilities Commission (PUC), as described below, for the period from Governor and Executive Council approval through June 30, 2013. Funds are provided 100% through the public utility assessment pursuant to RSA 363-A:1.

Funding is available in account Consumer Advocate as follows, with the authority to adjust encumbrances in each of the State fiscal years through the Budget Office if needed and justified:

**02-81-81-812010-28160000 Public Utilities Commission – Office of Consumer Advocate**

	<u>FY 2012</u>	<u>FY 2013</u>
010-081-28160000-233-500769 Litigation	\$14,000.00	\$16,000.00



**EXPLANATION**

The OCA is a small agency with five full-time employees (although the Consumer Advocate position is currently vacant), and we participate in dozens of legal proceedings at the PUC each year. By necessity, the OCA utilizes outside experts in the area of public utility operation and regulation to fulfill its statutory mandate of residential ratepayer advocacy and our approved budget includes limited funds for this purpose.

On February 7, 2012, the OCA issued a request for proposals (RFP) (Exhibit D) seeking expert assistance related to its participation in PUC dockets involving natural gas, electric, water, and telecommunications utilities. On March 7, 2012, the Governor and Executive Council considered and approved one contract arising from that RFP, between the OCA and Scott J. Rubin. The contract with Exeter, for which the OCA now seeks approval, expands the scope of the expertise available to the OCA through June 2013.

Specifically, Exeter offers a team of experienced professionals with extensive experience in the areas of economics and public utility regulation. For years, Exeter has worked regularly with the OCA's counterpart in Maine, the Office of Public Advocate, as well as with public utilities commission staffs, other consumer advocates, and federal and state government clients. Exeter's team possesses knowledge of and experience with the regulation of water, gas and electric utilities. Among other assistance, Exeter could help the OCA in proceedings at the PUC involving issues related to electric utility restructuring, electric industry competition, electric customer migration and the prudence of investments in electric utility plant.

Exeter Associate's assistance to the OCA will include, but not be limited to:

- Review and analysis of filings, focusing on the impacts of such filings on residential customers;
- Assistance in the preparation, review, and analysis of materials in PUC dockets;
- Assistance with hearing preparation including drafting questions for cross examination;
- Attendance at technical sessions, settlement conferences and/or hearings as needed to assist the OCA;
- Assistance with the preparation of legal pleadings, including motions to compel responses to discovery requests and post-hearing briefs; and
- Other assistance as needed.

The OCA is currently a party to many cases pending at the Commission for which we may require assistance, including but not limited to:

DT 07-011	FairPoint Purchase of Verizon's Assets; Service Quality Penalties
DE 08-103	Investigation of PSNH Installation of Scrubber Technology at Merrimack Station
DE 10-188	CORE Energy Efficiency Programs
DE 11-105	Unitil Petition for Adjustment to Certain Account Balances

DE 11-215	PSNH 2012 Energy Service Rate
DE 11-216	PSNH Alternative Default Service Rate Proposal
DE 11-250	PSNH Investigation of Scrubber Costs and Cost Recovery
DT 11-248	FairPoint Municipal Property Tax Surcharge
DG 12-001	National Grid Excess Capacity
DW 12-085	Aquarion Water Company Rate Case

We expect that there will be several other cases filed by utilities and others in the coming months for which the OCA will also require expert assistance.

### **RFP Process and Selection**

The OCA provided the RFP to thirteen consulting firms that work in the field of utility regulation, many which were recommended by other Consumer Advocate offices around the country. The consultants who received the RFP are listed in Exhibit E. The OCA also posted the RFP on our website and published a legal notice in the Union Leader. Five firms responded with proposals, three of which met the requirements of the RFP: Scott J. Rubin, Exeter Associates, Inc., and Backus, Meyer & Branch, LLP. Exeter Associates, Inc. proposed a competitive hourly rate, access to a wide range of experts on utility issues, and negotiated a not-to-exceed price of \$30,000.00 over the proposed 21 months of the contract. Staff at Exeter Associates, Inc. have significant experience in a wide range of issues related to the utility industry, including rate making, prudence review, and mergers and acquisitions, and have represented consumer advocates on a wide range of issues. As a result, the OCA chose Exeter Associates, Inc. as one of two winning bidders. Information about Exeter Associates, Inc. is included in Exhibit F.

### **Terms of Payment**

Payment will be made pursuant to Exhibit B. Funds are provided 100% through the public utility assessment.

The Attorney General's Office has reviewed and approved this contract as to form, substance and execution.

Thank you for your consideration. Please do not hesitate to contact me if you have any questions.

Respectfully submitted,



Rorie E. P. Hollenberg, Esq.  
Acting Consumer Advocate

Enclosures: General Provisions Agreement, P-37  
Certificate of Good Standing  
Certificate of Insurance  
Exhibit A – Scope of Services  
Exhibit B – Method of Payment  
Exhibit C – Special Provisions  
Exhibit D – Request for Proposal  
Exhibit E – Consultants Contacted  
Exhibit F – Vitae  
Bid Summary

Subject:

[Redacted Subject Box]

**AGREEMENT**

The State of New Hampshire and the Contractor hereby mutually agree as follows:

**GENERAL PROVISIONS**

**1. IDENTIFICATION.**

1.1 State Agency Name NH Office of Consumer Advocate		1.2 State Agency Address 21 S. Fruit Street, Ste 12, Concord, NH 03301	
1.3 Contractor Name Exeter Associates, Inc.		1.4 Contractor Address 10480 Little Patuxent Parkway, Ste 300, Columbia, MD 21044	
1.5 Contractor Phone Number 410-992-7500	1.6 Account Number 226093	1.7 Completion Date 6/30/13	1.8 Price Limitation 30,000
1.9 Contracting Officer for State Agency Rorie E.P. Hollenberg		1.10 State Agency Telephone Number 603-271-1172	
1.11 Contractor Signature <i>Thomas S. Catlin</i>		1.12 Name and Title of Contractor Signatory Thomas S. Catlin	
1.13 Acknowledgement: State of MD, County of Prince George's On 2-27-12, before the undersigned officer, personally appeared the person identified in block 1.12, or satisfactorily given to be the person whose name is signed in block 1.11, and acknowledged that s/he executed this document in the capacity indicated in block 1.12.			
1.13.1 Signature of Notary Public or Justice of the Peace [Seal] <i>Deborah M Adams</i>			
1.13.2 Name and Title of Notary or Justice of the Peace Deborah M Adams; Business Manager			
1.14 State Agency Signature <i>Rorie E.P. Hollenberg</i>		1.15 Name and Title of State Agency Signatory Rorie E.P. Hollenberg, Assistant Consumer Advocate	
1.16 Approval by the N.H. Department of Administration, Division of Personnel (if applicable) By: _____ Director, On: _____			
1.17 Approval by the Attorney General (Form, Substance and Execution) By: <i>Joe M. L...</i> On: 4/20/2012			
1.18 Approval by the Governor and Executive Council By: _____ On: _____			

**2. EMPLOYMENT OF CONTRACTOR/SERVICES TO BE PERFORMED.** The State of New Hampshire, acting through the agency identified in block 1.1 ("State"), engages contractor identified in block 1.3 ("Contractor") to perform, and the Contractor shall perform, the work or sale of goods, or both, identified and more particularly described in the attached EXHIBIT A which is incorporated herein by reference ("Services").

**3. EFFECTIVE DATE/COMPLETION OF SERVICES.**

3.1 Notwithstanding any provision of this Agreement to the contrary, and subject to the approval of the Governor and Executive Council of the State of New Hampshire, this Agreement, and all obligations of the parties hereunder, shall not become effective until the date the Governor and Executive Council approve this Agreement ("Effective Date").

3.2 If the Contractor commences the Services prior to the Effective Date, all Services performed by the Contractor prior to the Effective Date shall be performed at the sole risk of the Contractor, and in the event that this Agreement does not become effective, the State shall have no liability to the Contractor, including without limitation, any obligation to pay the Contractor for any costs incurred or Services performed. Contractor must complete all Services by the Completion Date specified in block 1.7.

**4. CONDITIONAL NATURE OF AGREEMENT.**

Notwithstanding any provision of this Agreement to the contrary, all obligations of the State hereunder, including, without limitation, the continuance of payments hereunder, are contingent upon the availability and continued appropriation of funds, and in no event shall the State be liable for any payments hereunder in excess of such available appropriated funds. In the event of a reduction or termination of appropriated funds, the State shall have the right to withhold payment until such funds become available, if ever, and shall have the right to terminate this Agreement immediately upon giving the Contractor notice of such termination. The State shall not be required to transfer funds from any other account to the Account identified in block 1.6 in the event funds in that Account are reduced or unavailable.

**5. CONTRACT PRICE/PRICE LIMITATION/PAYMENT.**

5.1 The contract price, method of payment, and terms of payment are identified and more particularly described in EXHIBIT B which is incorporated herein by reference.

5.2 The payment by the State of the contract price shall be the only and the complete reimbursement to the Contractor for all expenses, of whatever nature incurred by the Contractor in the performance hereof, and shall be the only and the complete compensation to the Contractor for the Services. The State shall have no liability to the Contractor other than the contract price.

5.3 The State reserves the right to offset from any amounts otherwise payable to the Contractor under this Agreement those liquidated amounts required or permitted by N.H. RSA 80:7 through RSA 80:7-c or any other provision of law.

5.4 Notwithstanding any provision in this Agreement to the contrary, and notwithstanding unexpected circumstances, in no event shall the total of all payments authorized, or actually made hereunder, exceed the Price Limitation set forth in block 1.8.

**6. COMPLIANCE BY CONTRACTOR WITH LAWS AND REGULATIONS/ EQUAL EMPLOYMENT OPPORTUNITY.**

6.1 In connection with the performance of the Services, the Contractor shall comply with all statutes, laws, regulations, and orders of federal, state, county or municipal authorities which impose any obligation or duty upon the Contractor, including, but not limited to, civil rights and equal opportunity laws. In addition, the Contractor shall comply with all applicable copyright laws.

6.2 During the term of this Agreement, the Contractor shall not discriminate against employees or applicants for employment because of race, color, religion, creed, age, sex, handicap, sexual orientation, or national origin and will take affirmative action to prevent such discrimination.

6.3 If this Agreement is funded in any part by monies of the United States, the Contractor shall comply with all the provisions of Executive Order No. 11246 ("Equal Employment Opportunity"), as supplemented by the regulations of the United States Department of Labor (41 C.F.R. Part 60), and with any rules, regulations and guidelines as the State of New Hampshire or the United States issue to implement these regulations. The Contractor further agrees to permit the State or United States access to any of the Contractor's books, records and accounts for the purpose of ascertaining compliance with all rules, regulations and orders, and the covenants, terms and conditions of this Agreement.

**7. PERSONNEL.**

7.1 The Contractor shall at its own expense provide all personnel necessary to perform the Services. The Contractor warrants that all personnel engaged in the Services shall be qualified to perform the Services, and shall be properly licensed and otherwise authorized to do so under all applicable laws.

7.2 Unless otherwise authorized in writing, during the term of this Agreement, and for a period of six (6) months after the Completion Date in block 1.7, the Contractor shall not hire, and shall not permit any subcontractor or other person, firm or corporation with whom it is engaged in a combined effort to perform the Services to hire, any person who is a State employee or official, who is materially involved in the procurement, administration or performance of this Agreement. This provision shall survive termination of this Agreement.

7.3 The Contracting Officer specified in block 1.9, or his or her successor, shall be the State's representative. In the event of any dispute concerning the interpretation of this Agreement, the Contracting Officer's decision shall be final for the State.

**8. EVENT OF DEFAULT/REMEDIES.**

8.1 Any one or more of the following acts or omissions of the Contractor shall constitute an event of default hereunder ("Event of Default"):

- 8.1.1 failure to perform the Services satisfactorily or on schedule;
- 8.1.2 failure to submit any report required hereunder; and/or
- 8.1.3 failure to perform any other covenant, term or condition of this Agreement.

8.2 Upon the occurrence of any Event of Default, the State may take any one, or more, or all, of the following actions:

- 8.2.1 give the Contractor a written notice specifying the Event of Default and requiring it to be remedied within, in the absence of a greater or lesser specification of time, thirty (30) days from the date of the notice; and if the Event of Default is not timely remedied, terminate this Agreement, effective two (2) days after giving the Contractor notice of termination;
- 8.2.2 give the Contractor a written notice specifying the Event of Default and suspending all payments to be made under this Agreement and ordering that the portion of the contract price which would otherwise accrue to the Contractor during the period from the date of such notice until such time as the State determines that the Contractor has cured the Event of Default shall never be paid to the Contractor;
- 8.2.3 set off against any other obligations the State may owe to the Contractor any damages the State suffers by reason of any Event of Default; and/or
- 8.2.4 treat the Agreement as breached and pursue any of its remedies at law or in equity, or both.

**9. DATA/ACCESS/CONFIDENTIALITY/RESERVATION.**

As used in this Agreement, the word "data" shall mean all information and things developed or obtained during the performance of, or acquired or developed by reason of, this Agreement, including, but not limited to, all studies, reports, files, formulae, surveys, maps, charts, sound recordings, video recordings, pictorial reproductions, drawings, analyses, graphic representations, computer programs, computer printouts, notes, letters, memoranda, papers, and documents, all whether finished or unfinished.

9.2 All data and any property which has been received from the State or purchased with funds provided for that purpose under this Agreement, shall be the property of the State, and shall be returned to the State upon demand or upon termination of this Agreement for any reason.

9.3 Confidentiality of data shall be governed by N.H. RSA chapter 91-A or other existing law. Disclosure of data requires prior written approval of the State.

**10. TERMINATION.** In the event of an early termination of this Agreement for any reason other than the completion of the Services, the Contractor shall deliver to the Contracting Officer, not later than fifteen (15) days after the date of termination, a report ("Termination Report") describing in detail all Services performed, and the contract price earned, to and including the date of termination. The form, subject matter, content, and number of copies of the Termination

Report shall be identical to those of any Final Report described in the attached EXHIBIT A.

**11. CONTRACTOR'S RELATION TO THE STATE.** In the performance of this Agreement the Contractor is in all respects an independent contractor, and is neither an agent nor an employee of the State. Neither the Contractor nor any of its officers, employees, agents or members shall have authority to bind the State or receive any benefits, workers' compensation or other emoluments provided by the State to its employees.

**12. ASSIGNMENT/DELEGATION/SUBCONTRACTS.** The Contractor shall not assign, or otherwise transfer any interest in this Agreement without the prior written consent of the N.H. Department of Administrative Services. None of the Services shall be subcontracted by the Contractor without the prior written consent of the State.

**13. INDEMNIFICATION.** The Contractor shall defend, indemnify and hold harmless the State, its officers and employees, from and against any and all losses suffered by the State, its officers and employees, and any and all claims, liabilities or penalties asserted against the State, its officers and employees, by or on behalf of any person, on account of, based or resulting from, arising out of (or which may be claimed to arise out of) the acts or omissions of the Contractor. Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is hereby reserved to the State. This covenant in paragraph 13 shall survive the termination of this Agreement.

**14. INSURANCE.**

14.1 The Contractor shall, at its sole expense, obtain and maintain in force, and shall require any subcontractor or assignee to obtain and maintain in force, the following insurance:

14.1.1 comprehensive general liability insurance against all claims of bodily injury, death or property damage, in amounts of not less than \$250,000 per claim and \$2,000,000 per occurrence; and

14.1.2 fire and extended coverage insurance covering all property subject to subparagraph 9.2 herein, in an amount not less than 80% of the whole replacement value of the property.

14.2 The policies described in subparagraph 14.1 herein shall be on policy forms and endorsements approved for use in the State of New Hampshire by the N.H. Department of Insurance, and issued by insurers licensed in the State of New Hampshire.

14.3 The Contractor shall furnish to the Contracting Officer identified in block 1.9, or his or her successor, a certificate(s) of insurance for all insurance required under this Agreement. Contractor shall also furnish to the Contracting Officer identified in block 1.9, or his or her successor, certificate(s) of insurance for all renewal(s) of insurance required under this Agreement no later than fifteen (15) days prior to the expiration date of each of the insurance policies. The certificate(s) of insurance and any renewals thereof shall be

Contractor Initials 15C  
Date 02/27/12

attached and are incorporated herein by reference. Each certificate(s) of insurance shall contain a clause requiring the insurer to endeavor to provide the Contracting Officer identified in block 1.9, or his or her successor, no less than ten (10) days prior written notice of cancellation or modification of the policy.

**15. WORKERS' COMPENSATION.**

15.1 By signing this agreement, the Contractor agrees, certifies and warrants that the Contractor is in compliance with or exempt from, the requirements of N.H. RSA chapter 281-A ("*Workers' Compensation*").

15.2 To the extent the Contractor is subject to the requirements of N.H. RSA chapter 281-A, Contractor shall maintain, and require any subcontractor or assignee to secure and maintain, payment of Workers' Compensation in connection with activities which the person proposes to undertake pursuant to this Agreement. Contractor shall furnish the Contracting Officer identified in block 1.9, or his or her successor, proof of Workers' Compensation in the manner described in N.H. RSA chapter 281-A and any applicable renewal(s) thereof, which shall be attached and are incorporated herein by reference. The State shall not be responsible for payment of any Workers' Compensation premiums or for any other claim or benefit for Contractor, or any subcontractor or employee of Contractor, which might arise under applicable State of New Hampshire Workers' Compensation laws in connection with the performance of the Services under this Agreement.

**16. WAIVER OF BREACH.** No failure by the State to enforce any provisions hereof after any Event of Default shall be deemed a waiver of its rights with regard to that Event of Default, or any subsequent Event of Default. No express failure to enforce any Event of Default shall be deemed a waiver of the right of the State to enforce each and all of the provisions hereof upon any further or other Event of Default on the part of the Contractor.

**17. NOTICE.** Any notice by a party hereto to the other party shall be deemed to have been duly delivered or given at the time of mailing by certified mail, postage prepaid, in a United States Post Office addressed to the parties at the addresses given in blocks 1.2 and 1.4, herein.

**18. AMENDMENT.** This Agreement may be amended, waived or discharged only by an instrument in writing signed by the parties hereto and only after approval of such amendment, waiver or discharge by the Governor and Executive Council of the State of New Hampshire.

**19. CONSTRUCTION OF AGREEMENT AND TERMS.**

This Agreement shall be construed in accordance with the laws of the State of New Hampshire, and is binding upon and inures to the benefit of the parties and their respective successors and assigns. The wording used in this Agreement is the wording chosen by the parties to express their mutual

intent, and no rule of construction shall be applied against or in favor of any party.

**20. THIRD PARTIES.** The parties hereto do not intend to benefit any third parties and this Agreement shall not be construed to confer any such benefit.

**21. HEADINGS.** The headings throughout the Agreement are for reference purposes only, and the words contained therein shall in no way be held to explain, modify, amplify or aid in the interpretation, construction or meaning of the provisions of this Agreement.

**22. SPECIAL PROVISIONS.** Additional provisions set forth in the attached EXHIBIT C are incorporated herein by reference.

**23. SEVERABILITY.** In the event any of the provisions of this Agreement are held by a court of competent jurisdiction to be contrary to any state or federal law, the remaining provisions of this Agreement will remain in full force and effect.

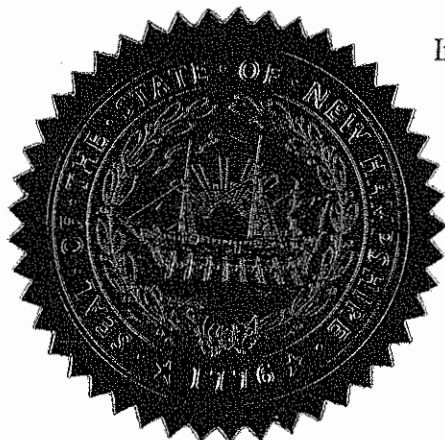
**24. ENTIRE AGREEMENT.** This Agreement, which may be executed in a number of counterparts, each of which shall be deemed an original, constitutes the entire Agreement and understanding between the parties, and supersedes all prior Agreements and understandings relating hereto.

# State of New Hampshire

## Department of State

### CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that EXETER ASSOCIATES, INC. doing business in New Hampshire as EXETER ASSOCIATES OF MARYLAND, a(n) Maryland corporation, is authorized to transact business in New Hampshire and qualified on September 30, 1999. I further certify that all fees and annual reports required by the Secretary of State's office have been received.



In TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this 18<sup>th</sup> day of April, A.D. 2012

A handwritten signature in cursive script, appearing to read "William M. Gardner".

William M. Gardner  
Secretary of State





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
7/25/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Welch, Graham & Ogden Ins., Inc. 7723 Ashton Avenue Manassas VA 20109		<b>CONTACT NAME:</b> Cheryl Hohing, ACSR <b>PHONE (A/C No. Ext):</b> (703) 530-1300 <b>E-MAIL ADDRESS:</b> chohing@wgoins.com <b>FAX (A/C No.):</b> (703) 530-9994	
<b>INSURED</b> Exeter Associates, Inc. 10480 Little Patuxent Pkwy Suite 300 Columbia MD 21044		<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A: Peerless Insurance Co INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COPY

**COVERAGES** CERTIFICATE NUMBER: 11-12 GL/NOB/WC/Umb REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC		CBP9515762	9/28/2011	9/28/2012	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		CBP9515762	9/28/2011	9/28/2012	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> RETENTION \$ 0		CU8482475	9/28/2011	9/28/2012	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y N/A	WC9S16762	9/28/2011	9/28/2012	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
Sustainable Energy Advantage, LLC (SEA) and New York State Energy Research and Development Authority (NYSERD) are Additional Insured with regard to the General Liability as required by written contract. Umbrella follows form.

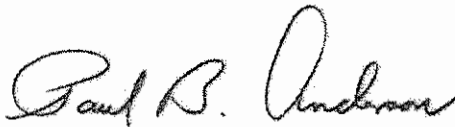
<b>CERTIFICATE HOLDER</b> (508) 665-5850	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  Cheryl A. Hohing, ACSR
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**STATE OF MARYLAND**  
*Department of Assessments and Taxation*

I, PAUL B. ANDERSON OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE DEPARTMENT, BY LAWS OF THE STATE, IS THE CUSTODIAN OF THE RECORDS OF THIS STATE RELATING TO THE FORFEITURE OR SUSPENSION OF CORPORATIONS, OR THE RIGHTS OF CORPORATIONS TO TRANSACT BUSINESS IN THIS STATE, AND THAT I AM THE PROPER OFFICER TO EXECUTE THIS CERTIFICATE.

I FURTHER CERTIFY THAT EXETER ASSOCIATES, INC., INCORPORATED JUNE 29, 1981, IS A CORPORATION DULY INCORPORATED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF MARYLAND AND THE CORPORATION HAS FILED ALL ANNUAL REPORTS REQUIRED, HAS NO OUTSTANDING LATE FILING PENALTIES ON THOSE REPORTS, AND HAS A RESIDENT AGENT. THEREFORE, THE CORPORATION IS AT THE TIME OF THIS CERTIFICATE IN GOOD STANDING WITH THIS DEPARTMENT AND DULY AUTHORIZED TO EXERCISE ALL THE POWERS RECITED IN ITS CHARTER OR CERTIFICATE OF INCORPORATION, AND TO TRANSACT BUSINESS IN MARYLAND.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY SIGNATURE AND AFFIXED THE SEAL OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF MARYLAND AT BALTIMORE ON THIS MARCH 08, 2012.



Paul B. Anderson  
Charter Division



301 West Preston Street, Baltimore, Maryland 21201  
Telephone Balto. Metro (410) 767-1340 / Outside Balto. Metro (888) 246-5941  
MRS (Maryland Relay Service) (800) 735-2258 TT/Voice  
Fax (410) 333-7097

**Scope of Services**

Exeter Associates, Inc. proposes to provide expert witness, litigation support, training, and related services to assist the OCA with representing the interests of residential customers in a wide range of cases at the NH Public Utilities Commission (PUC). The scope of the proposal is to assist the OCA with the review of filings, the development of OCA positions, testimony, and pleadings as appropriate and as needed in cases.

The work on this project will include, but not be limited to, frequent consultation with OCA staff, participation in the discovery process (including assisting with the preparation and analysis of discovery), analyzing data, drafting memoranda, preparing for and attending meetings and technical conferences, preparing testimony and supporting schedules and workpapers (including rebuttal testimony, if required), responding to discovery requests, preparing for and attending hearings, assisting in the preparation of settlement agreements if appropriate, assistance with briefs and other pleadings, reviewing compliance filings, and providing other assistance in the transition to a new Consumer Advocate, including providing training if appropriate.

**PAYMENT TERMS**

There are no limitations on the number of hours per month Exeter Associates, Inc. is available. Invoices will be based on actual time expended to perform all work required by the OCA, from contract approval through June 30, 2013, the total not-to-exceed price is \$30,000.

**Personnel Hourly Rates:**

Name	Position	Specialization	Hourly Rate
Thomas S. Catlin	Principal/Senior Analyst	Electric, Gas, and Water/Regulatory Policy & Accounting, Revenue Requirement	\$205.00
Matthew L. Kahal	Consultant/Senior Economist	Electric and Gas/Economics, POLR/POR, and Rate of Return	\$205.00
Dwight D. Etheridge	Principal/Senior Analyst	Electric/Regulatory Policy, Economics, and Transmission Issues	\$190.00
Steven L. Estomin	Principal/Senior Economist	Electric and Gas/Economics, Load Forecasting, and POLR Issues	\$195.00
Jcrome D. Mierzwa	Principal/Senior Analyst	Gas and Water/Regulatory Policy & Analysis, Cost Allocation/ Rate Design	\$170.00
Kevin L. Porter	Principal/Senior Economist	Electric and Renewables/Economics	\$170.00
Christina R. Mudd	Principal/Senior Analyst	Regulatory Policy/Green House Gas, Energy Efficiency, and Smart Meter	\$150.00
Emma L. Nicholson	Senior Economist	Electric/Economics, Cost Allocation/Rate Design	\$130.00
Sari A. Fink	Economist	General, and Rate Design	\$100.00
Jennifer L. Rogers	Economist	General	\$80.00
Krista M. Ozarowski	Research Assistant	General	\$70.00
Michael T. Buckley	Research Assistant	General	\$70.00

**Estimated Travel Expenses:**

Expense	Estimated Cost
Roundtrip Flight BWI to MHT	\$375.00
Lodging (1 night, 2012 per diem rate)	\$89.00
Meals (1 day, 2012 per diem rate)	\$46.00
Car Rental (per day)	\$40.00

**SPECIAL PROVISIONS**

No special provisions are needed.

APPENDIX A

RESUMES

### THOMAS S. CATLIN

Mr. Catlin is a principal and Vice-President of Exeter Associates, Inc. He is a senior utility rate analyst with a combination management and analytical background. His areas of specialization are revenue requirements and cost of service. Mr. Catlin is currently a member of the American Water Works Association (AWWA) Rates and Charges Subcommittee and the AWWA Water Utility Council's Technical Advisory Group on Economics.

Mr. Catlin has extensive experience in the review and analysis of the operations of public utilities. The emphasis of this work has been on utility rate regulation and has involved telephone, natural gas, electric and water companies. He is familiar with all aspects of utility ratemaking, the use of economic and engineering analytical techniques, rate base and operating income determination, income taxes, and utility accounting. Mr. Catlin has provided expert testimony before the Arizona, California, Colorado, Delaware, District of Columbia, Florida, Idaho, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Montana, Nevada, New Jersey, Ohio, Oklahoma, Pennsylvania, Rhode Island, Utah, Virginia and West Virginia public utility commissions as well as before the Federal Energy Regulatory Commission. This testimony has addressed all aspects of utility regulation including revenue requirements, cost of service, and rate design. Mr. Catlin has also been responsible for conducting cost of service, rate, and financial studies involving municipal and investor-owned water, wastewater, and storm drainage utilities.

#### Education:

B.S. (Physics with minor in Math) - State University of New York at Stony Brook, 1974.

M.S. (Water Resources Engineering & Management) - Arizona State University, 1976.

Graduate courses in Accounting - Suffolk University, 1978-79.

#### Previous Employment:

1978-1981 Utility Rates Specialist, Camp Dresser & McKee, Inc.

1977-1978 Engineer, Camp Dresser & McKee, Inc.

1976-1977 Engineer, Arthur Beard Engineers, Inc.



Professional Work:

Mr. Catlin has participated in rate cases and other regulatory proceedings for telephone, natural gas, electric and water utilities. This work has included the review, analysis and presentation of expert testimony regarding all aspects of revenue requirements including rate base, revenues, expenses, and income taxes. Mr. Catlin has also been extensively involved in analyzing alternatively regulatory mechanisms and regulatory restructuring issues, including the determination of stranded costs. Mr. Catlin's work has also included conducting and testifying on marginal and embedded cost studies and rate design. In the natural gas area, Mr. Catlin has been involved in conducting management audits and similar reviews of the gas supply and procurement policies and practices of natural gas distribution companies, as well as the review of PGA filings at both the state and federal level. In the telecommunications area, Mr. Catlin has conducted and testified with regard to cost of service and rate design studies and analyses for a variety of both monopoly and competitive services. In addition to providing testimony and assisting in the litigation of rate cases, Mr. Catlin has also been involved in negotiating settlements of a number of cases.

At Camp Dresser & McKee, Inc., Mr. Catlin was a project manager for utility rates, financial, and economic studies. He performed studies on approximately 15 municipal and private water, wastewater and storm drainage utilities. His assignments involved: determining the total costs of service; developing capital asset and depreciation bases; preparing cost allocation studies; evaluating alternative rate structures and designing rates; bill analyses; cost and revenue projections; preparing rate filings; and expert testimony.

Prior to transferring to the Camp Dresser & McKee's management service group, Mr. Catlin was an environmental engineer with CDM. He was involved in both project administration and design. Project administration and control responsibilities included budget preparation, labor and cost monitoring and forecasting, and contract preparation.

At Arthur Beard Engineers, Inc., Mr. Catlin served as project coordinator for a major environmental impact statement. He also served as project engineer for a county-wide water supply study and two utility valuation studies.

Publications and Presentations:

"Effects of Pricing Policy on Residential Water Use," Masters Degree research paper, Arizona State University, 1976.

"Water Rate Policy," presented to Water Resources Policy Committee of California Section of AWWA, 1977.

"Try Capacity Charges to Generate Water Utility Capital," American City and County, February 1981.

"Rate Structure Alternative for Utilities," with John J. Gall, Public Works Magazine, June 1982.

"A First Look at the Effect of the Tax Reform Act of 1986 on Public Utility Ratemaking," with Matthew I. Kahal, October 1986.

"State Implementation of the Tax Reform Act Changes," presented to the National Association of State Utility Consumer Advocates, November 1986.

"Three Ratemaking Issues Arising from The Tax Reform Act of 1986," presented to the National Association of State Utility Consumer Advocates, November 1987.

"SFAS No. 106 and Public Utility Ratemaking," with Randy M. Allen, May 1991.

"Competition Issues in Rate Design" (for water utilities) with William M. Stout and Brian Kalcic. Presented to the Public Utility Law Conference of the Pennsylvania Bar Institute, October 1998.

"Designing Rates for the Small to Medium Size Public Utility," presented at workshop on Fundamentals of Conservation Rates at AWWA CONSERV 1999 conference, February 1999.

"Use of the Cash and Utility Bases in Municipal Rate Setting," prepared for workshop for the presentation of the fifth edition of AWWA Manual M1 at the AWWA Annual Conference and Exposition, June 2000.

"The Role of Consumer Advocate in Regulatory Proceedings," presented at workshop on Rates and Charges and the Legal Environment at the AWWA Annual Conference and Exposition, June 2002.

"Rates for Small Systems-Special Considerations," presented at workshop on Rates for Small Systems at the AWWA Annual Conference and Exposition, June 2003.

Reports:

"Letter Report Regarding Allocation of Costs Associated With Unaccounted For Water. Prepared for the City of Duluth, City of Hermantown, City of Proctor, and Rice Lake Township with David B. LaFrance and Janice A. Beecher, February 1997.

Prior Expert Testimony

of Thomas S. Catlin

Before State and Federal Commissions:

Providence Water Supply Board (Rhode Island Public Utilities Commission, Docket 1513), February 1981. Testified on revenue requirements, cost of service and rate design on behalf of the Providence Water Supply Board.

Bell Telephone Company of Pennsylvania (Pennsylvania Public Utility Commission, Docket RID 1819), April & May 1982. Testified on cost analyses and rate design on behalf of the Office of Consumer Advocate.

Washington Gas Light Company (Maryland Public Service Commission, Case No. 7649), October 1982. Testified on cost of service issues on behalf of the Maryland People's Counsel.

Bell Telephone Company of Pennsylvania (Pennsylvania Public Utility Commission, Docket R-832316), August 1983. Testified on cost analyses and rate design on behalf of the Office of Consumer Advocate.

Chesapeake & Potomac Telephone Company (D.C. Public Service Commission, Formal Case No. 798), October 1983. Testified on cost of service on behalf of the Public Service Commission Staff.

Columbia Gas of Pennsylvania (Pennsylvania Public Utility Commission, Docket R-832493), April 1984. Testified on revenue, expense, and rate base issues on behalf of the Pennsylvania Office of Consumer Advocate.

Generic Investigation Concerning Intrastate Access Charges (Pennsylvania Public Utility Commission, Docket P-830452), August 1984. Testified on telephone access service costs and subscriber access charge issues on behalf of the Pennsylvania Office of Consumer Advocate.

Gulf Power Company (Florida Public Service Commission, Docket 840086-EI), August 1984. Testified on rate base issues on behalf of the Federal Executive Agencies.

Western Pennsylvania Water Company (Pennsylvania Public Utility Commission, Docket R-842621, et al.), August 1984. Testified on revenue, expense, rate base, and income tax issues on behalf of the Pennsylvania Office of Consumer Advocate.

ALLTEL Pennsylvania (Pennsylvania Public Utility Commission, Docket R-842710), January 1985. Testified on revenue, expense, rate base and income tax issues on behalf of the Pennsylvania Office of Consumer Advocate.

Prior Expert Testimony  
of Thomas S. Catlin

Chesapeake & Potomac Telephone Company (D.C. Public Service Commission, Formal Case No. 827), March 1985. Testified on cost of service matters on behalf of the Office of People's Counsel.

Chesapeake & Potomac Telephone Company (Maryland Public Service Commission, Case No. 7851), March 1985. Testified on cost of service matters on behalf of the Public Service Commission Staff.

West Penn Power Company (Pennsylvania Public Utility Commission, Docket No. R-842632), March 1985. Testified on rate base, expense and income tax issues on behalf of the Office of Consumer Advocate.

New England Telephone and Telegraph Company (Rhode Island Public Utilities Commission, Consolidated Docket 1560(R), 1631, 1654), April 1985. Testified on category cost of service and service cost matters on behalf of the Division of Public Utilities and Carriers.

Chesapeake & Potomac Telephone Company (West Virginia Public Service Commission, Case No. 84-747-T-42T), June 1985. Testified on rate base and expense issues, impacts of divestiture, and separations issues on behalf of the Public Service Commission, Consumer Advocate Division.

Oklahoma Gas & Electric Company (Oklahoma Corporation Commission, Cause No. 29450), July 1985. Testified on rate base, operating income and income tax issues on behalf of the Attorney General.

Bristol County Water Company (Rhode Island Public Utilities Commission, Docket No. 1811), August 1985. Testified on rate base, operating income and income tax issues on behalf of the Division of Public Utilities and Carriers.

Continental Telephone Company of Pennsylvania and Quaker State Telephone Company (Pennsylvania Public Utility Commission, Docket Nos. R-850044 and R-850045, Consolidated hearings), September 1985. Testified on rate base, toll revenue, expense and income tax matters on behalf of the Office of Consumer Advocate.

Philadelphia Suburban Water Company (Pennsylvania Public Utility Commission, Docket No. R-850174), November 1985. Testified on rate base, revenue, expense and income tax issues on behalf of the Office of Consumer Advocate.

West Penn Power Company (Pennsylvania Public Utility Commission, Docket No. R-850220), January 1986. Testified on rate base and net operating income issues on behalf of the Office of Consumer Advocate.

Prior Expert Testimony

of Thomas S. Catlin

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission, Docket No. R-860296), March 1986. Testified regarding purchased gas costs and cost recovery on behalf of the Office of Consumer Advocate.

Idaho Power Company (Idaho Public Utilities Commission, Case No. U-1006-265), April 1986. Testified on rate base, operating expense, and income tax matters on behalf of the Federal Executive Agencies.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission, Docket No. R-850287), July 1986. Testified regarding rate base, revenue, expense, and income tax issues on behalf of the Office of Consumer Advocate.

Dauphin Consolidated Water Supply Company (Pennsylvania Public Utility Commission, Docket No. R-860350), July 7, 1986. Testified in rate base, operating revenue and expense, and income tax issues on behalf of the Office of Consumer Advocate.

Blackstone Valley Electric Company (Rhode Island Public Utilities Commission, Docket No. 1849), August 1986. Testified on rate base, revenue, expense and income tax issues on behalf of the Division of Public Utilities and Carriers.

Dayton Power and Light Company (Public Utilities Commission of Ohio, Case No. 86-17-GA-GCR), August 1986. Testified regarding audit of management and performance of gas purchasing policies and practices on behalf of the Public Utilities Commission of Ohio.

West Virginia Water Company (West Virginia Public Service Commission, Case No. 86-212-W-42T), October 1986. Testified on rate base and operating income issues on behalf of the Public Service Commission, Consumer Advocate Division. (Case settled prior to cross-examination.)

Kentucky West Virginia Gas Company (Federal Energy Regulatory Commission, Docket No. RP86-52-000), November 1986. Testified on elimination of the minimum bill and take or pay exposure on behalf of the Pennsylvania Office of Consumer Advocate.

Huntington Water Corporation (West Virginia Public Service Commission, Case No. 86-341-W-42T), December 1986. Testified on rate base and operating income issues on behalf of the Public Service Commission, Consumer Advocate Division. (Case settled prior to cross-examination.)

Louisiana Power and Light Company (Louisiana Public Service Commission, Docket No. 16945), December 1986. Testified on rate base, revenue, expense, income tax and phase-in issues on behalf of the Staff of the Commission.

Prior Expert Testimony  
of Thomas S. Catlin

Mountain States Telephone and Telegraph Company (Colorado Public Utilities Commission, Docket No. 1720), December 1986. Testified on the measurement of dial tone or access line costs and separations procedures on behalf of the Colorado Office of Consumer Counsel.

Columbia Gas Transmission Corporation (Federal Energy Regulatory Commission, Docket No. RP86-168-000), April 1987. Testified on rate base, operating income, and income taxes on behalf of the Commonwealth of Pennsylvania Office of Consumer Advocate.

Transcontinental Gas Pipe Line Corporation (Federal Energy Regulatory Commission, Docket No. RP87-7-000), May 1987. Testified on appropriate regulatory treatment of surplus proceeds resulting from termination of pension plan on behalf of the Pennsylvania Office of Consumer Advocate.

Monongahela Power Company (West Virginia Public Service Commission, Case No. 86-524-E-SC), May 1987. Testified on rate base and operating income issues on behalf of the Public Service Commission, Consumer Advocate Division.

Atlantic City Sewerage Company (New Jersey Board of Public Utilities, Docket No. WO 8606654), June and August 1987. Presented testimony on behalf of Resorts International, Inc., addressing responsibility of Company to pay cost of extending facilities.

Newport Electric Corporation (Rhode Island Public Utilities Commission, Docket No. 1872), July 1987. Testified on rate base and operating income issues, including the effects of the Tax Reform Act of 1986 on behalf of the Division of Public Utilities and Carriers.

General Telephone of the South (West Virginia Public Service Commission, Case No. 86-870-T-42T), July 1987. Testified on rate base, operating income and jurisdictional separations issues on behalf of the Consumer Advocate Division of the Public Service Commission. (Case settled prior to cross-examination.)

Philadelphia Electric Company-Gas Operations (Pennsylvania Public Utility Commission, Docket No. R-870629), August 1987. Testified on operating income and income tax matters on behalf of the Office of Consumer Advocate.

West Penn Power Company (Pennsylvania Public Utility Commission, Docket No. R-850220 Reconsideration), August 1987. Testified on issue of retroactive ratemaking and revenue requirement effects of alternative excess capacity adjustments recommended by others on behalf of Pennsylvania Office of Consumer Advocate.

Prior Expert Testimony

of Thomas S. Catlin

Dauphin Consolidated Water Supply Company (Pennsylvania Public Utility Commission, Docket No. R-860350 Reconsideration), September 1987. Testified on recognition of proper balance of deferred income taxes collected from ratepayers on behalf of Pennsylvania Office of Consumer Advocate.

Cincinnati Gas & Electric Company (Public Utilities Commission of Ohio Case No. 87-29-GA-GCR), October 1987. Co-authored report on audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio. (Findings and recommendations were stipulated to and accepted without cross-examination.)

GTE North, Inc. (Pennsylvania Public Utility Commission, Docket No. M-860105, F. 18), November 1987. Testified on effects of Tax Reform Act of 1986 on behalf of Pennsylvania Office of Consumer Advocate.

Panhandle Eastern Pipe Line Company (Federal Energy Regulatory Commission, Docket No. RP87-103-000), February 1988. Testified on rate base, operating income and income tax issues on behalf of Indiana Office of Utility Consumer Counselor.

Philadelphia Suburban Water Company (Pennsylvania Public Utility Commission, Docket No. R-870840), February 1988. Testified on revenue, expense, income tax, and rate base issues on behalf of the Pennsylvania Office of Consumer Advocate.

Sierra Pacific Power Company-Water Department (Nevada Public Service Commission, Docket No. 87-1226), April 1988. Testified on cost of service allocation on behalf of the Nevada Office of Consumer Advocate.

System Energy Resources, Inc. (Federal Energy Regulatory Commission Docket No. FA86-19-001), April 1988. Testified regarding cost of service tariff (formula rate) issues on behalf of the Louisiana Public Service Commission.

The Peoples Natural Gas Company (Pennsylvania Public Utilities Commission Docket No. R-880961), August 1988. Testified on revenue, expense and income tax issues on behalf of the Pennsylvania Office of Consumer Advocate.

South Central Bell Telephone Company (Kentucky Case No. 10105), August 1988. Testified with regard to South Central Bell's proposed incentive regulation plan on behalf of the Attorney General of the Commonwealth of Kentucky.

Louisiana Power and Light Company (Louisiana Public Service Commission Docket No. U-17906), September 1988. Testified on operating income and rate making policy issues on behalf of the Staff of the Commission.

Prior Expert Testimony

of Thomas S. Catlin

National Gas and Oil Corporation (Public Utilities Commission of Ohio Case No. 88-22-GA-GCR), September 1988. Co-authored report on audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio. (Findings and recommendations were stipulated to without cross-examination).

Columbia Gas of Ohio, Inc. (Public Utilities Commission of Ohio Case No. 88-24-GA-GCR), October 1988. Co-authored report on audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio. (Findings and recommendations were stipulated to without cross-examination).

Providence Gas Company (Rhode Island Public Utilities Commission Docket No. 1914), December 1988. Testified on operating income and regulatory policy issues on behalf of the Division of Public Utilities and Carriers.

Kentucky-West Virginia Gas Company (Federal Energy Regulatory Commission Docket No. RP86-52-000), February 1989. Testified on rate base and cost of service issues on behalf of the Pennsylvania Office of Consumer Advocate.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission Docket No. R-881125), March 1989. Testified on purchased gas costs and take-or-pay cost recovery on behalf of the Pennsylvania Office of Consumer Advocate.

Chesapeake Utilities Corporation (Maryland Public Service Commission Case No. 8154), April 1989. Testified on take-or-pay cost recovery on behalf of Maryland People's Counsel.

Pennsylvania-American Water Company (Pennsylvania Public Utility Commission Docket No. R-891208), May 1989. Testified on cost allocation and rate design issues on behalf of the Pennsylvania Office of Consumer Advocate.

Peoples Natural Gas Company (Pennsylvania Public Utility Commission Docket No. R-891232), May 1989. Testified on purchased gas costs and take-or-pay cost recovery on behalf of the Pennsylvania Office of Consumer Advocate.

Maryland Natural Gas and Frederick Gas Company, Inc. (Maryland Public Service Commission Case Nos. 8153 and 8155), May 1989. Testified on take-or-pay cost recovery on behalf of Maryland People's Counsel.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission Docket No. R-891218), July 1989. Testified on revenue, expense and income tax issues on behalf of the Pennsylvania Office of Consumer Advocate.



Prior Expert Testimony

of Thomas S. Catlin

The River Gas Company (Public Utilities Commission of Ohio Case No. 89-31-GA-GCR), August 1989. Co-authored report on audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio. (Findings and recommendations were stipulated to without cross-examination.)

Central Maine Power Company (Maine Public Utilities Commission Docket No. 89-68), August 1989. Testified on revenue, expense, rate base and income tax issues, as well as selection of proper test year on behalf of the Maine Public Advocate.

Public Service of Indiana, Inc. (Indiana Utility Regulatory Commission Cause No. 37414-S2), October 1989. Testified on rate base, net operating income, and accounting issues on behalf of the Indiana Utility Consumer Counselor.

National Fuel Gas Supply Corporation (Federal Energy Regulatory Commission Docket No. RP89-49-000), December 1989 and February 1990. Testified on rate base and cost of service issues on behalf of the Pennsylvania Office of Consumer Advocate.

System Energy Resources, Inc. (Federal Energy Regulatory Commission), February 1990. Testified on one-eighth formula working capital requirement on behalf of the Louisiana Public Service Commission.

Bangor Hydro-Electric Company (Maine Public Utilities Commission Docket No. 90-001), June 1990. Testified on rate base revenues, expenses, sales forecasts and attrition on behalf of the Maine Public Advocate.

Mountain Fuel Supply Company (Utah Public Service Commission Docket No. 89-057-15), July 1990. Co-sponsored testimony regarding natural gas procurement practices and policies.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission Docket No. R-901670), July 1990. Testified on revenue, expense and income tax issues on behalf of the Pennsylvania Office of Consumer Advocate.

Sierra Pacific Power Company Water Department (Nevada Public Service Commission Docket No. 90-524), September 1990. Testified on class cost of service issues on behalf of the Nevada Office of Consumer Advocate.

Central Maine Power Company (Maine Public Utilities Commission Docket No 90-076), September 1990. Testified on test year rate base, revenue and expense issues and on attrition on behalf of the Maine Public Advocate.

Prior Expert Testimony  
of Thomas S. Catlin

South Central Bell Telephone Company (Louisiana Public Service Commission Docket No. U-17949), October 1990. Testified on operating income issues and attrition on behalf of the Louisiana Public Service Commission.

System Energy Resources, Inc. (Federal Energy Regulatory Commission Docket No. ER89-678-000), November 1990. Testified on decommissioning funding issues on behalf of the Louisiana Public Service Commission.

Columbia Gas of Ohio (Public Utilities Commission of Ohio, Case No. 91-16-GA-GCR), November 1990. Co-authored report on audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio. (Findings and recommendations were stipulated to without cross-examination).

South Central Bell vs. Louisiana Public Service Commission (Nineteenth Judicial District Court, Parish of East Baton Rouge, Louisiana, Docket No. 333, 273), November 1990. Testified on overearnings of South Central Bell on behalf of the Louisiana Public Service Commission.

New Jersey Natural Gas Company (New Jersey Board of Public Utilities Docket No. GR90080786J), January 1991. Testified on cash working capital and storage inventory on behalf of the New Jersey Public Advocate.

Nevada Power Company (Nevada Public Service Commission Docket No. 90-1037), February 1991. Testified on deferred fuel cost and accounting issues on behalf of the U.S. Department of Energy.

City of Great Falls Wastewater Utility (Montana Public Service Commission Docket No. 90.10.66), March 1991. Testified on cost allocation issues on behalf of the U.S. Air Force.

City of Great Falls Water Utility (Montana Public Service Commission Docket No. 90.10.67), March 1991. Testified on cost allocation issues on behalf of the U.S. Air Force.

Duquesne Light Company, Metropolitan Edison Company and Pennsylvania Electric Company (Pennsylvania Public Utility Commission Docket Nos. P-900485, P-910502 and G-900240), May 1991. Testified on behalf of the Pennsylvania Office of Consumer Advocate regarding accounting and regulatory issues in regard to the reactivation of a generating station and the transfer/sale of assets.

Bangor Hydro Electric Company (Maine Public Utilities Commission Docket No. 91-010), June 1991. Testified on test year revenue, expense and rate base and attrition issues on behalf of the Maine Public Advocate.

Prior Expert Testimony

of Thomas S. Catlin

System Energy Resources, Inc. (Federal Energy Regulatory Commission Docket No. FA89-28-000), June 1991. Testified regarding proper accounting for fees associated with the sales of accounts receivable on behalf of the Louisiana Public Service Commission.

Wakefield Water Company (Rhode Island Public Utilities Commission Docket No. 2006), July 1991. Testified regarding revenue requirements, cost allocation and rate design issues on behalf of the Division of Public Utilities and Carriers.

UGI Corporation (Pennsylvania Public Utility Commission Docket No. R-911973), July 1991. Testified on purchased gas costs on behalf of the Pennsylvania Office of Consumer Advocate.

Nevada Power Company (Nevada Public Service Commission Docket No. 91-5055), September 1991. Testified on rate base and net income issues on behalf of U.S. Department of Energy.

Arkansas Louisiana Gas Company (Louisiana Public Service Commission Docket No. U-19236), October 1991. Testified on rate adjustment mechanisms, private line replacement, rate design and postretirement benefits on behalf of the Staff of the Commission.

Cincinnati Gas & Electric Company (Public Utilities Commission of Ohio, Case No. 91-16-GA-GCR), October 1991. Co-authored report on the audit of management and performance of gas purchasing on behalf of Public Utilities Commission of Ohio. (Findings and recommendations were stipulated to and accepted without cross-examination.)

Sierra Pacific Power Company (Nevada Public Service Commission, Docket Nos. 91-7079, 91-7080 and 91-7081), November 1991. Testified on consolidated income taxes and construction work in progress on behalf of the Nevada Office of Consumer Advocate.

Sierra Pacific Power Company (Nevada Public Service Commission, Docket No. 91-7081), December 1991. Testified on water cost allocation and rate design issues on behalf of the Nevada Office of Consumer Advocate.

Louisiana Gas Service Company (Louisiana Public Service Commission, Docket No. U-19237), December 1991. Testified on test year net income, rate base and attrition issues on behalf of the Staff of the Commission.

Providence Water Supply Board (Rhode Island Public Utilities Commission, Docket No. 2022), January 1992. Testified on matters pertaining to a proposed surcharge on behalf of the Division of Public Utilities and Carriers.

Prior Expert Testimony

of Thomas S. Catlin

South Jersey Gas Company (New Jersey Board of Regulatory Commissioners, Docket No. GR91071243J), January and February 1992. Testified on rate base, operating income, and income tax issues on behalf of New Jersey Rate Counsel.

Newport Water Division (Rhode Island Public Utilities Commission, Docket No. 2029), February 1992. Testified on cost allocation and rate design matters on behalf of the Division of Public Utilities and Carriers.

Equitable Gas Company (Pennsylvania Public Utility Commission, Docket No. R-00912164), April 1992. Testified on rate base and net operating income issues on behalf of the Pennsylvania Office of Consumer Advocate.

Mountain Fuel Supply Company (Utah Public Service Commission, Docket Nos. 91-057-11 & 15), May 1992. Testified on gas procurement and gas cost issues on behalf of the Utah Committee of Consumer Services.

Trans Louisiana Gas Company (Louisiana Public Service Commission, Docket No. U-19631) June 1992. Testified on rate adjustment mechanisms, rate design and postretirement benefits on behalf of the Staff of the Commission.

Artesian Water Company, Inc. (Delaware Public Service Commission, Docket No. 92-5), June 1992. Testified on cost allocation and rate design issues on behalf of the Staff of the Commission.

Providence Water Supply Board (Rhode Island Public Utilities Commission Docket No. 2048), August 1992. Testified on revenue requirements, cost allocation policy and rate design issues on behalf of the Division of Public Utilities and Carriers.

US West Communications, Inc. (Utah Public Service Commission, Docket No. 92-049-05), August and October 1992. Testified on proper ratemaking treatment of postretirement benefits expense on behalf of Utah Committee of Consumer Services.

Dallas Water Company et al. (Pennsylvania Public Utility Commission, Docket No. R-00922326 et al.), September 1992. Testified on revenue requirements and rate design issues on behalf of the Pennsylvania Office of Consumer Advocate.

Generic Investigation into Treatment of Postretirement Benefits Expense (Utah Public Service Commission, Docket No. 92-999-04), October 1992. Testified on proper ratemaking treatment of postretirement benefits expense on behalf of Utah Committee of Consumer Services.

Prior Expert Testimony

of Thomas S. Catlin

Commonwealth Gas Services, Inc. (Virginia Corporation Commission, Case No. PUE920037), October 1992. Testified on revenue, cash working capital, weather normalization and post in service carrying charges on behalf of the Division of Consumer Counsel of the Office of Attorney General.

Entergy Corporation and Gulf States Utilities (Louisiana Public Service Commission, Docket No. U-19904), November 1992. Testified on merger related issues on behalf of the Louisiana Public Service Commission Staff.

West Penn Power Company (Pennsylvania Public Utility Commission, Docket No. R-00922378), December 1992. Testified on rate base and net operating income issues on behalf of the Pennsylvania Office of Consumer Advocate.

Columbia Gas of Ohio (Public Utilities Commission of Ohio, Case No. 92-18-GA-GCR), January 1993. Coauthored report on the audit of management and performance of gas purchasing on behalf of Public Utilities Commission of Ohio. (Findings and recommendations were stipulated to and accepted without cross-examination.)

Bossier Rural Electric Membership Cooperative (Louisiana Public Service Commission, Docket No. U-19944), February 1993. Testified on prudence standards applicable to utility decision making on behalf of the Staff of the Commission.

Consideration of Statement of Financial Accounting Standard No. 106 (Louisiana Public Service Commission, Docket No. U-20181), February 1993. Testified on regulatory issues related to adoption of SFAS No. 106 for ratemaking on behalf of the Staff of the Commission.

Philadelphia Suburban Water Company (Pennsylvania Public Utility Commission, Docket No. R-00922476), March 1993. Testified on rate base and net income issues on behalf of the Pennsylvania Office of Consumer Advocate.

Sierra Pacific Power Company Water Department (Nevada Public Service Commission, Docket No. 92-121022), April 1993. Testified on class cost of service and rate design on behalf of the Nevada Office of Consumer Advocate. (Case settled prior to cross examination.)

Central Maine Power Company (Maine Public Utilities Commission, Docket No. 92-345), May 1993. Testified on test year net income and rate base and attrition issues on behalf of the Staff of the Maine PUC.

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of Thomas S. Catlin

Dauphin Consolidated Water Supply Company and General Waterworks of Pennsylvania, Inc. (Pennsylvania Public Utility Commission, Docket No. R-00932604), June 1993. Testified on rate base, income tax and class cost of service issues on behalf of the Pennsylvania Office of Consumer Advocate.

Kent County Water Authority (Rhode Island Public Utilities Commission, Docket No. 2098), July 1993. Testified on cost allocation and rate design issues on behalf of the Division of Public Utilities and Carriers.

National Fuel Gas Supply Corporation (Federal Energy Regulatory Commission, Docket No. RP92-73-000), July 1993. Testified on rate base and revenue requirement issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

City of Woonsocket Water Department (Rhode Island Public Utilities Commission, Docket No. 2099), July 1993. Testified on cost allocation and rate design issues on behalf of the Division of Public Utilities and Carriers.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission, Docket No. R-00932548), July 1993. Testified on income and rate base issues on behalf of the Pennsylvania Office of Consumer Advocate.

Conestoga Telephone & Telegraph Company (Pennsylvania Public Utility Commission Docket No. I-00920015), September 1993. Testified on revenue expense and rate base issues as well as proper average schedule separations procedures on behalf of the Pennsylvania Office of Consumer Advocate.

The Ohio Gas Company (Public Utilities Commission of Ohio, Case No. 93-14-GA-GCR), October 1993. Co-authored report on the audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio. (Findings and recommendations were stipulated to and accepted without cross-examination.)

The Bell Telephone Company of Pennsylvania (Pennsylvania Public Utility Commission, Docket No. P-00930715), December 1993. Testified on historical and projected earnings levels and earnings monitoring in conjunction with alternative regulatory plan on behalf of the Pennsylvania Office of Consumer Advocate.

Pennsylvania-American Water Company (Pennsylvania Public Utility Commission, Docket No. R-00932670), February 1994. Testified on class cost of service and rate design on behalf of the Pennsylvania Office of Consumer Advocate.

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Philadelphia Suburban Water Company (Pennsylvania Public Utility Commission, Docket No. R-00932868), April 1994. Testified on class cost of service and rate design on behalf of the Pennsylvania Office of Consumer Advocate.

Southwest Gas Corporation - Southern Arizona Division (Arizona Corporation Commission, Docket No. U-1551-93-272), May 1994. Testified on revenue and rate base issues on behalf of the Staff of the Arizona Corporation Commission. (Case settled prior to cross-examination)

Commonwealth Edison Company (Illinois Commerce Commission, Docket No. 94-0065), June 1994. Testified on nuclear decommissioning funding on behalf of the U.S. Department of Energy.

West Penn Power Company (Pennsylvania Public Utility Commission Docket R-00942986), July 1994. Testified on net income and rate base issues on behalf of the Pennsylvania Office of Consumer Advocate.

City of Bethlehem-Bureau of Water (Pennsylvania Public Utility Commission, Docket No. R-00943124), October 1994. Testified on cost allocation and rate design issues on behalf of the Pennsylvania Office of Consumer Advocate.

General Waterworks of Pennsylvania (Pennsylvania Public Utility Commission, Docket No. R-00943152), October 1994. Testified on cost allocation and rate design issues on behalf of the Pennsylvania Office of Consumer Advocate.

National Gas & Oil Corporation (Public Utilities Commission of Ohio, Case No. 94-221-GA-GCR), October 1994. Co-authored report on the audit of the management and performance of gas purchasing on behalf of Public Utilities Commission of Ohio. (Findings and recommendations were stipulated to without hearings.)

Trans Louisiana Gas Company (Louisiana Public Service Commission, Docket No. U-19997), November 1994. Testified on the costs properly included in the weighted average cost of gas of Louisiana Intrastate Gas Corporation and the purchased gas adjustment of Trans La on behalf of Staff of the Commission.

Tennessee Gas Pipeline Company (Federal Energy Regulatory Commission, Docket Nos. RP91-203-000 and RP92-132-000, Phase II-PCB Issues), December 1993. Testified on cost of PCB remediation in current dollars and percentage allowance applicable to claimed PCB costs on behalf of the Pennsylvania Office of Consumer Advocate and the Ohio Office of the Consumer's Counsel. (Case settled prior to cross-examination.)

Prior Expert Testimony

of Thomas S. Catlin

New England Telephone and Telegraph Company (Maine Public Utilities Commission, Docket Nos. 94-123 and 94-254), December 1994. Testified on Process Re-engineering (downsizing) costs and benefits and on attrition issues on behalf of the Maine Public Advocate.

Louisiana Power & Light Company (Louisiana Public Service Commission, Docket No. U-20925), February 1995. Testified on rate base and operating income on behalf of the Staff of the Public Service Commission.

Pennsylvania-American Water Company (Pennsylvania Public Utility Commission, Docket No. R-00943231), February 1995. Testified on cost allocation and rate design issues on behalf of the Pennsylvania Office of Consumer Advocate.

NorAm Gas Transmission Company (Federal Energy Regulatory Commission, Docket No. RP93-343-000), March 1995. Testified on rate base, operating expense and income tax issues on behalf of the Arkansas Public Service Commission and the Louisiana Public Service Commission. (Case settled prior to hearings.)

Artesian Water Company, Inc. (Delaware Public Service Commission, Docket No. 94-164), March 1995. Testified on cost allocation, rate design and monthly billing issues on behalf of the Staff of the Public Service Commission. (Case settled prior to cross-examination.)

Pennsylvania Power & Light Company (Pennsylvania Public Utility Commission, Docket No. R-00943271), April 1995. Testified on operating income and rate base issues on behalf of the Pennsylvania Office of Consumer Advocate.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission, Docket No. R-953299), June 1995. Testified on revenue requirement issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

Providence Water Supply Board (Rhode Island Public Utilities Commission, Docket No. 2304), July 1995. Testified on water consumption and cost allocation/rate design issues on behalf of the Division of Public Utilities and Carriers.

Tennessee Gas Pipeline Company (Federal Energy Regulatory Commission, Docket No. RP95-112-000), September 1995. Testified on rate base and cost of service issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)



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of Thomas S. Catlin

Transcontinental Gas Pipe Line Corporation (Federal Energy Regulatory Commission, Docket No. RP95-197-000), January 1996. Testified on rate base and cost of service issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

Frontier Communications of Pennsylvania, et al. (Pennsylvania Public Utility Commission, Docket No. P-00951005), May 1996. Testified regarding financial issues and operational aspects of Companies' proposal to implement a streamlined form of regulation (price cap) on behalf of the Pennsylvania Office of Consumer Advocate.

Bell Atlantic-Pennsylvania (Pennsylvania Public Utility Commission, Docket No. R-00963550), May 1996. Testified on financial issues, revenue growth, and capital expenditures in conjunction with Bell Atlantic-Pennsylvania's proposal to rebalance rates. Testimony filed on behalf of the Pennsylvania Office of Consumer Advocate.

Petition of AT&T Communications of Pennsylvania for Arbitration of its Interconnection Request to Bell Atlantic-PA (Pennsylvania Public Utility Commission, Docket No. A-310125F0002), September 1996. Sponsored position of Pennsylvania Office of Consumer Advocate on resale discount, 900 number call billing, network interface devices, and unbundled loop rates in arbitration hearings.

Bell Atlantic-Pennsylvania (Pennsylvania Public Utility Commission, Docket No. R-00963578), September 1996. Testified regarding the determination of the appropriate resale discount for Bell Atlantic-Pennsylvania on behalf of the Pennsylvania Office of Consumer Advocate.

Pacific Bell Communications, Inc. (Public Utilities Commission of the State of California, Docket No. 96-03-007), October 1996. Testified on affiliate relationship issues under Section 272 of the Telecommunications Act of 1996 on behalf of the California Cable Television Association.

West Ohio Gas Company (Public Utilities Commission of Ohio, Case No. 96-221-GA-GCR), November 1996. Co-authored report on the audit of the management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio. (Case settled prior to cross-examination.)

Application of MFS Intelenet of Pennsylvania, Inc. et al. (Phase III) (Pennsylvania Public Utility Commission Docket No. A-310203F0002 et al.), January 1997. Testified on loop cost issues on behalf of the Pennsylvania Office of Consumer Advocate.

Prior Expert Testimony

of Thomas S. Catlin

Tennessee Gas Pipeline Company (Federal Energy Regulatory Commission Docket Nos. RP91-203-062 and RP92-132-049), March 1997. Testified on ratemaking treatment of New England laterals on behalf of the Tennessee Rate Design Customer Group.

Frontier Communications of Oswayo River, Inc. (Pennsylvania Public Utility Commission Docket Nos. C-00957322 and C-00957324), May 1997. Testified on EAS rate issues on behalf of the Pennsylvania Office of Consumer Advocate.

PECO Energy Company (Pennsylvania Public Utility Commission Docket No. R-00973953), June 1997. Testified on issues related to the determination of stranded costs including regulatory assets, decommissioning costs, and income taxes on behalf of the Pennsylvania Office of Consumer Advocate.

Transcontinental Gas Pipeline Corporation (Federal Energy Regulatory Commission Docket No. RP97-71-000), June 1997. Testified on rate base and cost of service issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination)

Pennsylvania Power & Light Company (Pennsylvania Public Utility Commission Docket No. R-00973954), July 1997. Testified on issues related to the determination of stranded costs including regulatory assets, decommissioning costs, and income taxes on behalf of the Pennsylvania Office of Consumer Advocate.

Metropolitan Edison Company (Pennsylvania Public Utility Commission Docket No. R-00974008), September 1997. Testified on issues related to the determination of stranded costs including regulatory assets, decommissioning costs, and income taxes on behalf of the Pennsylvania Office of Consumer Advocate.

Pennsylvania Electric Company (Pennsylvania Public Utility Commission Docket No. R-00974009), September 1997. Testified on issues related to the determination of stranded costs including regulatory assets, decommissioning costs, and income taxes on behalf of the Pennsylvania Office of Consumer Advocate.

West Penn Power Company (Pennsylvania Public Utility Commission Docket No. R-00973981), November 1997. Testified on issues related to the determination of stranded costs including regulatory assets, decommissioning costs, and income taxes on behalf of the Pennsylvania Office of Consumer Advocate.

Duquesne Light Company (Pennsylvania Public Utility Commission Docket No. R-00974104), November 1997. Testified on issues related to the determination of stranded costs including regulatory assets, decommissioning costs, and income taxes on behalf of the Pennsylvania Office of Consumer Advocate.

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UGI Utilities, Inc. (Pennsylvania Public Utility Commission Docket No. R-00973975), November 1997. Testified on issues related to the determination of stranded costs including regulatory assets, decommissioning costs, and income taxes on behalf of the Pennsylvania Office of Consumer Advocate.

Jersey Central Power & Light Company (New Jersey Board of Public Utilities Docket No. E097070459), November 1997. Testified on issues related to the determination of stranded costs including fossil decommissioning costs, income tax related regulatory assets and liabilities and materials and supplies inventories on behalf of the Division of the Ratepayer Advocate.

Entergy Louisiana, Inc. (Louisiana Public Service Commission Docket No. U-20925), November 1997. Testified on issues related to the determination of the cost of service under the Company's Formula Rate Plan on behalf of the Louisiana Public Service Commission Staff.

Pennsylvania Power Company (Pennsylvania Public Utility Commission Docket No. R-00974149), January 1998. Testified on issues related to the determination of stranded costs including regulatory assets, decommissioning costs, and income taxes on behalf of the Pennsylvania Office of Consumer Advocate.

East Ohio Gas Company (Public Utilities Commission of Ohio Case No. 97-219-GA-GCR), May 1998. Co-authored report on the audit of the management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio. (Case settled prior to cross-examination.)

Northern Natural Gas Company (Federal Energy Regulatory Commission Docket No. RP98-203-000), October 1998. Testified on rate base and cost of service issues on behalf of the Northern Municipal Distributors Group and the Midwest Region Gas Task Force Association. (Case settled prior to cross-examination.)

ALLTEL Pennsylvania, Inc. (Pennsylvania Public Utility Commission Docket No. P-00981423), December 1998. Testified with regard to ALLTEL's proposed Alternative Form of Regulation and Network Modernization Plan on behalf of the Pennsylvania Office of Consumer Advocate.

Pennsylvania Telephone Association Small Company Group (Pennsylvania Public Utility Commission Docket No. P-00981425 et. al.), December 1998. Testified with regard to the PTA's proposed Alternative and Streamlined Forms of Regulation and Network Modernization Plans on behalf of the Pennsylvania Office of Consumer Advocate.

Prior Expert Testimony

of Thomas S. Catlin

Columbia Gas of Ohio (Public Utilities Commission of Ohio Case No. 98-223-GA-GCR), January 1999. Co-authored report on the audit of the management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio. (Case settled prior to cross-examination.)

Entergy Louisiana, Inc. (Louisiana Public Service Commission Docket No. U-20925), May 1999. Testified on issues related to the determination of the cost of service related to the Company's 1998 Formula Rate Plan filing on behalf of the Staff of Louisiana Public Service Commission. (Case settled prior to cross-examination.)

United Water Rhode Island, Inc. (Rhode Island Public Utilities Commission Docket No. 2873), June 1999. Testified on revenue requirement and rate design issues in conjunction with a settlement. Testified on behalf of the Division of Public Utilities & Carriers.

Woonsocket Water Department (Rhode Island Public Utilities Commission Docket No. 2904), July 1999. Testified on cost allocation and rate design issues on behalf of the Division of Public Utilities and Carriers.

Delta Natural Gas Company (Kentucky Public Service Commission Case Nos. 99-046 and 99-176), July 1999. Testified with regard to Delta's proposed alternative regulation plan on behalf of the Attorney General of the Commonwealth of Kentucky.

Peoples Natural Gas Company (Pennsylvania Public Utility Commission Docket No. R-00994782), September 1999. Testified on recovery of costs associated with natural gas restructuring on behalf of the Pennsylvania Office of Consumer Advocate.

Equitable Gas Company (Pennsylvania Public Utility Commission Docket No. R-00994784), October 1999. Testified on recovery of costs associated with natural gas restructuring on behalf of the Pennsylvania Office of Consumer Advocate.

City of Newport-Water Division (Rhode Island Public Utilities Commission Docket No. 2985), December 1999. Testified regarding revenue requirement and rate design issues on behalf of the Division of Public Utilities and Carriers.

National Fuel Gas Distribution Company (Pennsylvania Public Utility Commission Docket No. R-00994785), December 1999. Testified on recovery of costs associated with natural gas restructuring on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Utilities, Inc.-Gas Division (Pennsylvania Public Utility Commission Docket No. R-00994786), December 1999. Testified on recovery of costs associated with natural gas restructuring on behalf of the Pennsylvania Office of Consumer Advocate.

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Entergy Louisiana, Inc. (Louisiana Public Service Commission Docket No. U-20925, 1999 Formula Rate Plan Proceeding), January 2000. Testified on issues related to the determination of the cost of service and customer satisfaction survey results on behalf of the Staff of the Louisiana Public Service Commission.

T.W. Phillips Gas and Oil Company (Pennsylvania Public Utility Commission Docket No. R-00994790), April 2000. Testified on recovery of costs associated with natural gas restructuring on behalf of the Pennsylvania Office of Consumer Advocate.

PP&L Inc. (Pennsylvania Public Utility Commission Docket No. M-FAC-9908), April 2000. Testified on issues related to the reconciliation of PP&L's competitive transition charge on behalf of the Pennsylvania Office of Consumer Advocate.

Entergy Louisiana, Inc. & Entergy Corporation (Louisiana Public Service Commission Docket No. U-23356), June 2000. Testified on results of investigation into costs included in Entergy Louisiana, Inc.'s fuel adjustment clause and associated purchased gas contracts on behalf of the Staff of the Louisiana Public Service Commission.

Providence Water Supply Board (Rhode Island Public Utilities Commission Docket No. 3163), October 2000. Testified on sales, revenue and costs of service issues on behalf of the Division of Public Utilities and Carriers.

Narragansett Bay Commission (Rhode Island Public Utilities Commission Docket No. 3162), October 2000. Testified on revenues, cost of service and rate design issues on behalf of the Division of Public Utilities and Carriers.

Metropolitan Edison Company and Pennsylvania Electric Company (Pennsylvania Public Utility Commission Docket Nos. P-00001837, P-00001838, P-00974008 and P-00974009), November 2000. Testified regarding updated stranded cost claims in conjunction with Companies' petitions for completion of the post-divestiture portion of their restructuring plans on behalf of the Pennsylvania Office of Consumer Advocate.

Pawtucket Water Supply Board (Rhode Island Public Utilities Commission Docket No. 3193), March 2001. Testified regarding cost allocation and rate design issues on behalf of the Division of Public Utilities and Carriers.

Metropolitan Edison Company and Pennsylvania Electric Company (Pennsylvania Public Utility Commission Docket Nos. P-00001860 and P-00001861), March 2001. Testified on issues related to the Companies' request for a rate cap exception pursuant to their restructuring settlements on behalf of the Pennsylvania Office of Consumer Advocate.

Prior Expert Testimony

of Thomas S. Catlin

Entergy Louisiana, Inc. (Louisiana Public Service Commission Docket No. 20925(SC)), March 2001. Testified regarding regulatory assets recognizable as stranded costs on behalf of the Staff of the Louisiana Public Service Commission.

Citizens Utilities Company and Atmos Energy Corporation (Louisiana Public Service Commission Docket No. S-25003), April 2001. Testified regarding acquisition of Louisiana gas assets of Citizens Utilities by Atmos Energy on behalf of the Staff of the Louisiana Public Service Commission.

Atmos Energy Corporation and Citizen's Utilities Company (Louisiana Public Service Commission Docket No. S-25003), April 2001. Testified regarding the acquisition of Louisiana Gas Service Company and other Louisiana gas assets of Citizen's Utilities by Atmos Energy on behalf of the Commission Staff.

Dayton Power & Light Company (Public Utilities Commission of Ohio Case No. 00-220-GA-GCR), May 2001. Co-authored report on the audit of the management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio. (Case settled prior to cross-examination.)

Philadelphia Water Department (Philadelphia Water Commission 2001 Water and Wastewater Rate Proceeding), June 2001. Testified regarding water cost allocation and rate design on behalf of the Office of Public Advocate.

Community Service Telephone Company (Maine Public Utilities Commission Docket No. 2000-249), July 2001. Testified on revenue requirement issues on behalf of the Maine Office of Public Advocate. (Case settled prior to cross-examination.)

Entergy Louisiana, Inc. (Louisiana Public Service Commission Docket No. U-20925, 2000 Formula Rate Plan), August 2001. Testified on stipulated adjustments to the Company's filed cost of service on behalf of the Staff of the Louisiana Public Service Commission.

Southwest Gas Corporation (Public Utilities Commission of Nevada Docket No. 01-7023), November 2001. Testified on revenue requirement issues on behalf of the Office of Attorney General Bureau of Consumer Protection. (Case settled prior to cross-examination.)

Entergy Louisiana, Inc. (Louisiana Public Service Commission Docket No. U-20925, 2001 Formula Rate Plan), November 2001. Testified on issues related to the determination of the cost of service under the Company's Formula Rate Plan on behalf of the Staff of the Louisiana Public Service Commission.

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of Thomas S. Catlin

Central Maine Power Company (Maine Public Utilities Commission Docket No. 2001-232), November 2001. Testified on issues related to the reconciliation and determination of stranded costs on behalf of the Maine Office of Public Advocate. (Case settled prior to cross-examination.)

Bangor Hydro-Electric Company (Maine Public Utilities Commission Docket No. 2001-239), November 2001. Testified on issues related to the reconciliation and determination of stranded costs on behalf of the Maine Office of Public Advocate. (Case settled prior to cross-examination.)

Transcontinental Gas Pipe Line Corporation (Federal Energy Regulatory Commission Docket No. RP01-245-000), November 2001. Testified on revenue requirement issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

Pawtucket Water Supply Board (Rhode Island Public Utilities Commission Docket No. 3378), December 2001. Testified on cost allocation and rate design issues on behalf of the Division of Public Utilities and Carriers. (Case settled prior to cross-examination.)

Reliant Energy Arkla and Reliant Energy Entex (Louisiana Public Service Commission Docket No. S-26166), January 2002 and June 2002. Testified regarding corporate reorganization and provisions to protect retail ratepayers on behalf of the Staff of the Commission (Testimony presented live.)

The Narragansett Bay Commission (Rhode Island Public Utilities Commission Docket No. 3409), March 2002. Testified regarding NBC's abbreviated rate increase request and the design of rates on behalf of the Division of Public Utilities and Carriers.

Pike County Power and Light Company, (Pennsylvania Public Utility Commission Docket No. R-00016849 C0001), April 2002. Testified regarding Company's request for a rate cap exception to increase rates on behalf of the Pennsylvania Office of Advocate.

PPL Electric Utilities Corporation (Pennsylvania Public Utility Commission Docket No. R-00016850 C0001), April 2002. Testified regarding Company's request for a rate cap exception to increase rates on behalf of the Pennsylvania Office of Advocate.

Pennsylvania Power Company (Pennsylvania Public Utility Commission Docket No. R-00016851 C0001), April 2002. Testified regarding Company's request for a rate cap exception to increase rates on behalf of the Pennsylvania Office of Advocate.

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Metropolitan Edison Company (Pennsylvania Public Utility Commission Docket No. R-00016852 C0001), April 2002. Testified regarding Company's request for a rate cap exception to increase rates on behalf of the Pennsylvania Office of Advocate.

Pennsylvania Electric Company (Pennsylvania Public Utility Commission Docket No. R-00016853 C0001), April 2002. Testified regarding Company's request for a rate cap exception to increase rates on behalf of the Pennsylvania Office of Advocate.

Duquesne Light Company (Pennsylvania Public Utility Commission Docket No. R-00016854 C0001), April 2002. Testified regarding Company's request for a rate cap exception to increase rates on behalf of the Pennsylvania Office of Advocate.

UGI Utilities, Inc. - Electric Division (Pennsylvania Public Utility Commission Docket No. R-00016855 C0001), April 2002. Testified regarding Company's request for a rate cap exception to increase rates on behalf of the Pennsylvania Office of Advocate.

PECO Energy Company (Pennsylvania Public Utility Commission Docket No. R-00016856 C0001), April 2002. Testified regarding Company's request for a rate cap exception to increase rates on behalf of the Pennsylvania Office of Advocate.

West Penn Power Company, (Pennsylvania Public Utility Commission Docket No. R-00016857 C0001), April 2002. Testified regarding Company's request for a rate cap exception to increase rates on behalf of the Pennsylvania Office of Advocate.

Philadelphia Gas Works (Pennsylvania Public Utility Commission Docket No. R-00017034), May 2002. Testified regarding proposed weather normalization adjustment clause on behalf of the Pennsylvania Office of Advocate.

Total Environmental Solutions, Inc. (Louisiana Public Service Commission Docket No. U-22148, Subdocket G), June 2002. Testified regarding proposal to realign nonresidential water and sewer rates on behalf of the Staff of the Louisiana Public Service Commission.

Entergy Louisiana, Inc. (Louisiana Public Service Commission Docket No. U-20925, Subdocket B), August 2002. Testified on Term Sheet entered into to resolve case and achieve sharing of mark-to-market tax deduction for the Vidalia purchased power contract. Testified jointly with Matthew Kahal on behalf of the Staff of Louisiana Public Service Commission.

Providence Water Supply Board (Rhode Island Public Utilities Commission Docket No. 3446), October 2002. Testified on revenue requirements and rate design issues on behalf of the Division of Public Utilities and Carriers.



Prior Expert Testimony

of Thomas S. Catlin

The Narragansett Bay Commission (Rhode Island Public Utilities Commission Docket No. 3432), December 2002. Testified on issues related to stormwater rates on behalf of the Division of Public Utilities and Carriers.

The Narragansett Bay Commission (Rhode Island Public Utilities Commission Docket No. 3483), March 2003. Testified on revenue requirements and rate design issues on behalf of the Division of Public Utilities and Carriers.

National Fuel Gas Distribution Corporation Pennsylvania Division (Pennsylvania Public Utility Commission Docket No. R-00038168), July 2003. Testified on rate base and operating revenues and expense issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

Columbia Gas of Ohio, Inc. (Public Utilities Commission of Ohio Case No. 02-221-GA-GCR), co-authored report on the audit of the management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio.

Total Environmental Solutions, Inc. (Louisiana Public Service Commission Docket No. U-22148, Subdocket H), August 2003. Testified on water and sewer revenue requirements and rate design on behalf of the Staff of Louisiana Public Service Commission. (Case settled prior to cross-examination.)

Pascoag Utility District (Rhode Island Public Utilities Commission Docket No. 3546), November 2003. Testified on revenue and expense issues on behalf of the Division of Public Utilities and Carriers. (Case settled prior to cross-examination.)

CenterPoint Energy Entex, Louisiana Division (Louisiana Public Service Commission Docket No. U-26720, Subdocket A), December 2003. Presented Staff Recommendation report addressing revenue requirements, rate design and alternative regulatory plan on behalf of the Staff of the Louisiana Public Service Commission. (Case settled prior to cross-examination.)

Northern Natural Gas Company (Federal Energy Regulatory Commission Docket No. RP03-398-000), December 2003. Testified on rate base and cost of service issues on behalf of the Northern Municipal Distributors Group and the Midwest Region Gas Task Force Association.

City of Hagerstown, Maryland (Maryland Public Service Commission Case No. 8934), February 2004. Testified on proper methodology for establishing water and sewer rates for customers outside the City limits on behalf of the Water and Sewer Advisory Commission of Washington County.

Prior Expert Testimony

of Thomas S. Catlin

City of Newport Utilities Department, Water Division (Rhode Island Public Utilities Commission Docket No. 3578), March 2004. Testified on revenue requirement, cost allocation and rate design issues on behalf of the Division of Public Utilities and carriers.

PPL Electric Utilities Corporation (Pennsylvania Public Utility Commission Docket No. R-000049255), June 2004. Testified on policy and revenue requirement issues on behalf of the Pennsylvania Office of Consumer Advocate.

The Narragansett Bay Commission (Rhode Island Public Utilities Commission Docket No. 3592), June 2004. Testified regarding NBC's abbreviated rate increase request on behalf of the Division of Public Utilities and Carriers.

Centerpoint Energy Arkla, Louisiana Division (Louisiana Public Service Commission Docket No. U-27676), July 2004. Presented Staff Recommendation report addressing revenue requirements, rate design and alternative regulatory plan on behalf of the Staff of the Louisiana Public Service Commission. (Case settled prior to cross-examination.)

Entergy Louisiana, Inc. (Louisiana Public Service Commission Docket No. U-20925 RRF 2004), August 2004. Testified on policy and revenue requirement issues on behalf of the Staff of the Louisiana Public Commission.

Northern Natural Gas Company (Federal Energy Regulatory Commission Docket No. RP04-155-000), November 2004. Testified on rate base and cost of service issues on behalf of the Northern Municipal Distributors Group and the Midwest Region Gas Task Force Association. (Case settled prior to cross-examination.)

National Fuel Gas Distribution Corporation Pennsylvania Division (Pennsylvania Public Utility Commission Docket No. R-00049656), December 2004. Testified on rate base and operating revenues and expense issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

Philadelphia Water Department (Philadelphia Water Commission Docket No. FY 2005-2008 Rates), March 2005. Testified regarding water cost allocation and rate design on behalf of the Office of Public Advocate.

Block Island Power Company (Rhode Island Public Utilities Commission Docket No. 3655), April 2005. Testified on operating income and rate base issues on behalf of the Division of Public Utilities and Carriers.

Prior Expert Testimony

of Thomas S. Catlin

Entergy Gulf States, Inc.-Louisiana Gas (Louisiana Public Service Commission Docket No. U-28035), May 2005. Presented Staff Recommendation report addressing revenue requirements, rate design and alternative regulatory plan on behalf of the Staff of the Louisiana Public Service Commission. (Case settled prior to cross-examination.)

Pawtucket Water Supply Board (Rhode Island Public Utilities Commission Docket No. 3674), July 2005. Testified on cost allocation and rate design issues on behalf of the Division of Public Utilities and Carriers.

City of Newport Utilities Department, Water Division (Rhode Island Public Utilities Commission Docket 3675), September 2005. Testified on revenue requirements and rate design issues on behalf of the Division of Public Utilities and Carriers.

Verizon New England, Inc. d/b/a Verizon Maine (Maine Public Service Commission Docket No. 2005-155), September 2005. Testified on revenue requirements issues on behalf of the Maine Office of Public Advocate.

Providence Water Supply Board (Rhode Island Public Utilities Commission Docket No. 3684), October 2005. Testified on revenue requirements and rate design issues on behalf of the Division of Public Utilities and Carriers.

The Narragansett Bay Commission (Rhode Island Public Utilities Commission Docket No. 3707), February 2006. Testified on revenue requirement and rate design issues on behalf of the Division of Public Utilities and Carriers.

Cleco Power, LLC (Louisiana Public Service Commission Docket No. U-29157), February 2006. Testified with Matthew I. Kahal regarding Staff's recommendations regarding Phase I recovery of storm damage costs resulting from Hurricanes Katrina and Rita on behalf of the Staff of the Louisiana Public Service Commission.

Atmos Energy Corporation (Louisiana Public Service Commission Consolidated Docket Nos. U-28814 et. al.), May 2006. Presented Staff's recommendation regarding renewal of alternative regulatory plans of Louisiana Gas Services and Trans Louisiana Gas Company of the Staff of the Louisiana Public Service Commission.

Metropolitan Edison Company (Pennsylvania Public Utility Commission Docket No. R-00061366), July 2006. Testified regarding rate base and net operating income issues on behalf of the Pennsylvania Office of Advocate.

Pennsylvania Electric Company (Pennsylvania Public Utility Commission Docket No. R-00061367), July 2006. Testified regarding rate base and net operating income issues on behalf of the Pennsylvania Office of Advocate.

Prior Expert Testimony

of Thomas S. Catlin

The Narragansett Bay Commission (Rhode Island Public Utilities Commission Docket No. 3775), October 2006. Testified on revenue requirement and rate design issues on behalf of the Division of Public Utilities and Carriers.

Entergy Louisiana, LLC and Entergy Gulf States, Inc-Louisiana (Louisiana Public Service Commission Docket No. U-29203), January 2007. Testified on issues related to costs eligible for recovery as storm damage costs due to Hurricanes Katrina and Rita on behalf of the Staff of the Louisiana Public Commission.

Southern Indiana Gas and Electric Company (Indiana Utility Regulatory Commission Cause No. 43111), February 2007. Testified on rate base and net operating income issues on behalf of the Indiana Office of Utility Consumer Counselor.

The Narragansett Bay Commission (Rhode Island Public Utilities Commission Docket No. 3797), March 2007. Testified on revenue requirement and rate design issues on behalf of the Division of Public Utilities and Carriers.

City of Newport Utilities Department, Water Division (Rhode Island Public Utilities Commission Docket No. 3818), May 2007. Testified on revenue requirement and cost recovery issues on behalf of the Division of Public Utilities and carriers.

Providence Water Supply Board (Rhode Island Public Utilities Commission Docket No. 3832), July 2007. Testified on revenue requirements issues on behalf of the Division of Public Utilities and Carriers.

Central Maine Power Company (Maine Public Utility Commission Docket No. 2007-215), August 2007. Testified on merger savings, revenue requirement and alternative rate plan issues on behalf of the Maine Office of Public Advocate.

Central Maine Power Company and Maine Natural Gas Corporation (Maine Public Utilities Commission Docket No. 2007-355), November 2007. Testified regarding non-financial issues and conditions to protect Maine ratepayer interests related to potential acquisition of Central Maine Power and Maine Natural Gas's parent company, Energy East, by IBERDROLA, SA. Testified on behalf of Maine Office of Public Advocate.

Entergy Louisiana, LLC (Louisiana Public Service Commission Docket No. U-30192, Phase II), March 2008. Testified regarding contra-AFUDC accounting and rate recovery issues associated with repowering of the Little Gypsy Unit 3 generating station on behalf of the Staff of the Louisiana Public Service Commission.

Prior Expert Testimony

of Thomas S. Catlin

The Narragansett Bay Commission (Rhode Island Public Utilities Commission Docket No. 3905), March 2008. Testified on revenue requirements and rate design issues on behalf of the Division of Public Utilities and Carriers.

Entergy Louisiana, LLC and Entergy Gulf States, Inc. – Louisiana (Louisiana Public Service Commission Docket No. U-29203, Phases IV and V), April 2008. Testified regarding benefits of securitization under Louisiana Act 55 on behalf of the Staff of the Louisiana Public Service Commission. (Testimony submitted by Affidavit.)

Entergy Louisiana, LLC (Louisiana Public Service Commission Docket No. U-20925 (FRP-2006)), April 2008. Testified on revenue requirement issues on behalf of the Staff of the Louisiana Public Service Commission.

Kent County Water Authority (Rhode Island Public Utilities Commission Docket No. 3942), July 2008. Testified on revenue requirements, cost allocation and rate design issues on behalf of the Division of Public Utilities and Carriers.

Indiana Michigan Power Company (Indiana Utility Regulatory Commission Cause No. 43306), September 2008. Testified on revenue requirements issues on behalf of the Indiana Office of Utility Consumer Counselor. (Case settled prior to cross-examination.)

City of Newport Utilities Department, Water Division (Rhode Island Public Utilities Commission Docket No. 4025), April 2009. Testified on revenue requirement and cost recovery issues on behalf of the Division of Public Utilities and carriers.

The Narragansett Bay Commission (Rhode Island Public Utilities Commission Docket No. 4026), April 2009. Testified on cost recovery and rate design issues on behalf of the Division of Public Utilities and Carriers.

Northern Indiana Public Service Company (Indiana Utility Regulatory Commission Cause No. 43526), May 2009. Testified on revenue requirement issues on behalf of the Indiana Office of Utility Consumer Counselor.

Providence Water Supply Board (Rhode Island Public Utilities Commission Docket No. 4061), July 2009. Testified on revenue requirement and cost recovery issues on behalf of the Division of Public Utilities and Carriers.

Cleco Power, LLC (Louisiana Public Service Commission Docket No. U-30689) September 2009. Testified in support of proposed stipulated settlement on issues related to overall cost of service and new formula rate plan on behalf of the Staff of the Louisiana Public Service Commission.

Prior Expert Testimony  
of Thomas S. Catlin

PECO Energy Company (Pennsylvania Public Utility Commission Docket No. M-2009-2123944), October 2009. Testified with regard to smart meter cost recovery issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

PPL Electric Utilities Corporation (Pennsylvania Public Utility Commission Docket No. M-2009-2123945), October 2009. Testified with regard to smart meter cost recovery issues on behalf of the Pennsylvania Office of Consumer Advocate.

Duquesne Light Company (Pennsylvania Public Utility Commission Docket No. M-2009-2123948), October 2009. Testified with regard to smart meter cost recovery issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

Entergy Louisiana, LLC and Entergy Gulf States Louisiana, L.L.C. (Louisiana Public Service Commission Docket No. U-30981), December 2009. Testified on issues related to costs eligible for recovery as storm damage costs due to Hurricanes Gustav and Ike on behalf of the Staff of the Louisiana Public Service Commission.

Entergy Louisiana, LLC and Entergy Gulf States Louisiana, L.L.C. (Louisiana Public Service Commission Docket No. U-30981), March 2010. Testified in support of proposed uncontested stipulated settlement related to the recoverable level of storm costs and the appropriate level of storm reserves on behalf of the Staff of the Louisiana Public Service Commission.

Philadelphia Gas Works (Pennsylvania Public Utility Commission Docket No. R-2009-2139884), March 2010. Testified regarding the recovery of accrual basis costs of provided OPEBs pursuant to GASB No. 45 on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

Southern Indiana Gas and Electric Company/Vectren South Electric (Indiana Utility Regulatory Commission Cause No. 43839), June 2010. Testified on rate base and net operating income issues on behalf of the Indiana Office of Utility Consumer Counselor.

Entergy Louisiana, LLC and Entergy Gulf States Louisiana, L.L.C. (Louisiana Public Service Commission Docket No. U-31237), July 2010. Testified in support of settlement on nuclear decommissioning funding allowances for the Waterford 3 and River Bend Nuclear Generating Stations on behalf of the Staff of the Louisiana Public Service Commission.

Prior Expert Testimony  
of Thomas S. Catlin

T.W. Phillips Gas and Oil Company (Pennsylvania Public Utility Commission Docket No. R-2010-2167797), August 2010. Testified regarding the rate base and net operating income issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

Pawtucket Water Supply Board (Rhode Island Public Utilities Commission Docket No. 4171), September 2010. Testified on revenue requirement and cost recovery issues on behalf of the Division of Public Utilities and Carriers.

West Penn Power Company d/b/a Allegheny Power (Pennsylvania Public Utility Commission Docket No. P-2010-2158084), November 2010. Testified regarding the proposal to implement a Reconcilable Transmission Service Charge on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

Peoples Natural Gas Company, LLC (Pennsylvania Public Utility Commission Docket No. R-2010-2201702), January 2011. Testified regarding rate base, net operating and policy income issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

Columbia Gas of Pennsylvania, Inc. (Pennsylvania Public Utility Commission Docket No. R-2010-2215623), April 2011. Testified regarding rate base, net operating income and policy issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

Northern Utilities, Inc. (Maine Public Utilities Commission Docket No. 2011-92), August 2011. Testified regarding rate base, net operating income and policy issues on behalf of the Maine Public Advocate. (Case settled prior to cross-examination.)

City of Newport Utilities Department, Water Division (Rhode Island Public Utilities Commission Docket No. 4243), August 2011. Testified on revenue requirement and cost recovery issues on behalf of the Division of Public Utilities and carriers. (Case settled prior to cross-examination.)

United Water Rhode Island, Inc. (Rhode Island Public Utilities Commission Docket No. 4255), September 2011. Testified on revenue requirement issues of behalf of the Division of Public Utilities & Carriers. (Case settled prior to cross-examination.)

## MATTHEW I. KAHAL

Since 2001, Mr. Kahal has worked as an independent consulting economist, specializing in energy economics, public utility regulation and utility financial studies. Over the past three decades, his work has encompassed electric utility integrated resource planning (IRP), power plant licensing, environmental compliance and utility financial issues. In the financial area he has conducted numerous cost of capital studies and addressed other financial issues for electric, gas, telephone and water utilities. Mr. Kahal's work in recent years has shifted to electric utility restructuring, mergers and various aspects of regulation.

Mr. Kahal has provided expert testimony on more than 350 occasions before state and federal regulatory commissions and the U.S. Congress. His testimony has covered need for power, integrated resource planning, cost of capital, purchased power practices and contracts, merger economics, industry restructuring and various other regulatory and public policy issues.

### Education:

B.A. (Economics) - University of Maryland, 1971.

M.A. (Economics) - University of Maryland, 1974.

Ph.D. candidacy - University of Maryland, completed all course work and qualifying examinations.

### Previous Employment:

1981-2001 - Exeter Associates, Inc. (founding Principal, Vice President and President).

1980-1981 - Member of the Economic Evaluation Directorate, The Aerospace Corporation, Washington, D.C. office.

1977-1980 - Economist, Washington, D.C. consulting firm.

1972-1977 - Research/Teaching Assistant and Instructor, Department of Economics, University of Maryland (College Park). Lecturer in Business and Economics, Montgomery College.

### Professional Work Experience:

Mr. Kahal has more than thirty years experience managing and conducting consulting assignments relating to public utility economics and regulation. In 1981, he and five colleagues founded the firm of Exeter Associates, Inc. and for the next 20 years he served as a Principal and corporate officer in the firm. During that time, he supervised multi-million dollar support contracts with the State of Maryland and directed the technical work conducted both by Exeter professional staff and numerous subcontractors. Additionally, Mr. Kahal took the lead role at



Exeter in consulting to the firm's other governmental and private clients in the areas of financial analysis, utility mergers, electric restructuring and utility purchase power contracts.

At the Aerospace Corporation, Mr. Kahal served as an economic consultant to the Strategic Petroleum Reserve (SPR). In that capacity he participated in a detailed financial assessment of the SPR, and developed an econometric forecasting model of U.S. petroleum industry inventories. That study has been used to determine the extent to which private sector petroleum stocks can be expected to protect the U.S. from the impacts of oil import interruptions.

Before entering consulting, Mr. Kahal held faculty positions with the Department of Economics at the University of Maryland and with Montgomery College teaching courses on economic principles, business and economic development.

**Publications and Consulting Reports:**

Projected Electric Power Demands of the Baltimore Gas and Electric Company, Maryland Power Plant Siting Program, 1979.

Projected Electric Power Demands of the Allegheny Power System, Maryland Power Plant Siting Program, January 1980.

An Econometric Forecast of Electric Energy and Peak Demand on the Delmarva Peninsula, Maryland Power Plant Siting Program, March 1980 (with Ralph E. Miller).

A Benefit/Cost Methodology of the Marginal Cost Pricing of Tennessee Valley Authority Electricity, prepared for the Board of Directors of the Tennessee Valley Authority, April 1980.

An Evaluation of the Delmarva Power and Light Company Generating Capacity Profile and Expansion Plan, (Interim Report), prepared for the Delaware Office of the Public Advocate, July 1980, (with Sharon L. Mason).

Rhode Island-DOE Electric Utilities Demonstration Project, Third Interim Report on Preliminary Analysis of the Experimental Results, prepared for the Economic Regulatory Administration, U.S. Department of Energy, July 1980.

Petroleum Inventories and the Strategic Petroleum Reserve, The Aerospace Corporation, prepared for the Strategic Petroleum Reserve Office, U.S. Department of Energy, December 1980.

Alternatives to Central Station Coal and Nuclear Power Generation, prepared for Argonne National Laboratory and the Office of Utility Systems, U.S. Department of Energy, August 1981.

"An Econometric Methodology for Forecasting Power Demands," Conducting Need-for-Power Review for Nuclear Power Plants (D.A. Nash, ed.), U.S. Nuclear Regulatory Commission, NUREG-0942, December 1982.

State Regulatory Attitudes Toward Fuel Expense Issues, prepared for the Electric Power Research Institute, July 1983, (with Dale E. Swan).

"Problems in the Use of Econometric Methods in Load Forecasting," Adjusting to Regulatory, Pricing and Marketing Realities (Harry Trebing, ed.), Institute of Public Utilities, Michigan State University, 1983.

Proceedings of the Maryland Conference on Electric Load Forecasting, (editor and contributing author), Maryland Power Plant Siting Program, PPES-83-4, October 1983.

"The Impacts of Utility-Sponsored Weatherization Programs: The Case of Maryland Utilities," (with others), in Government and Energy Policy (Richard L. Itteilag, ed.), 1983.

Power Plant Cumulative Environmental Impact Report, contributing author, (Paul E. Miller, ed.) Maryland Department of Natural Resources, January 1984.

Projected Electric Power Demands for the Potomac Electric Power Company, three volumes with Steven L. Estomin), prepared for the Maryland Power Plant Siting Program, March 1984.

"An Assessment of the State-of-the-Art of Gas Utility Load Forecasting," (with Thomas Bacon, Jr. and Steven L. Estomin), published in the Proceedings of the Fourth NARUC Biennial Regulatory Information Conference, 1984.

"Nuclear Power and Investor Perceptions of Risk," (with Ralph E. Miller), published in The Energy Industries in Transition: 1985-2000 (John P. Weyant and Dorothy Sheffield, eds.), 1984.

The Financial Impact of Potential Department of Energy Rate Recommendations on the Commonwealth Edison Company, prepared for the U.S. Department of Energy, October 1984.

"Discussion Comments," published in Impact of Deregulation and Market Forces on Public Utilities: The Future of Regulation (Harry Trebing, ed.), Institute of Public Utilities, Michigan State University, 1985.

An Econometric Forecast of the Electric Power Loads of Baltimore Gas and Electric Company, two volumes (with others), prepared for the Maryland Power Plant Siting Program, 1985.

A Survey and Evaluation of Demand Forecast Methods in the Gas Utility Industry, prepared for the Public Utilities Commission of Ohio, Forecasting Division, November 1985, (with Terence Manuel).

A Review and Evaluation of the Load Forecasts of Houston Lighting & Power Company and Central Power & Light Company -- Past and Present, prepared for the Texas Public Utility Commission, December 1985, (with Marvin H. Kahn).

Power Plant Cumulative Environmental Impact Report for Maryland, principal author of three of the eight chapters in the report (Paul E. Miller, ed.), PPSP-CEIR-5, March 1986.

"Potential Emissions Reduction from Conservation, Load Management, and Alternative Power," published in Acid Deposition in Maryland: A Report to the Governor and General Assembly, Maryland Power Plant Research Program, AD-87-1, January 1987.

Determination of Retrofit Costs at the Oyster Creek Nuclear Generating Station, March 1988, prepared for Versar, Inc., New Jersey Department of Environmental Protection.

Excess Deferred Taxes and the Telephone Utility Industry, April 1988, prepared on behalf of the National Association of State Utility Consumer Advocates.

Toward a Proposed Federal Policy for Independent Power Producers, comments prepared on behalf of the Indiana Consumer Counselor, FERC Docket EL87-67-000, November 1987.

Review and Discussion of Regulations Governing Bidding Programs, prepared for the Pennsylvania Office of Consumer Advocate, June 1988.

A Review of the Proposed Revisions to the FERC Administrative Rules on Avoided Costs and Related Issues, prepared for the Pennsylvania Office of Consumer Advocate, April 1988.

Review and Comments on the FERC NOPR Concerning Independent Power Producers, prepared for the Pennsylvania Office of Consumer Advocate, June 1988.

The Costs to Maryland Utilities and Ratepayers of an Acid Rain Control Strategy -- An Updated Analysis, prepared for the Maryland Power Plant Research Program, October 1987, AD-88-4.

"Comments," in New Regulatory and Management Strategies in a Changing Market Environment (Harry M. Trebing and Patrick C. Mann, editors), Proceedings of the Institute of Public Utilities Eighteenth Annual Conference, 1987.

Electric Power Resource Planning for the Potomac Electric Power Company, prepared for the Maryland Power Plant Research Program, July 1988.

Power Plant Cumulative Environmental Impact Report for Maryland (Thomas E. Magette, ed.) authored two chapters, November 1988, PPRP-CEIR-6.

Resource Planning and Competitive Bidding for Delmarva Power & Light Company, October 1990, prepared for the Maryland Department of Natural Resources (with M. Fullenbaum).

Electric Power Rate Increases and the Cleveland Area Economy, prepared for the Northeast Ohio Areawide Coordinating Agency, October 1988.

An Economic and Need for Power Evaluation of Baltimore Gas & Electric Company's Perryman Plant, May 1991, prepared for the Maryland Department of Natural Resources (with M. Fullenbaum).

The Cost of Equity Capital for the Bell Local Exchange Companies in a New Era of Regulation, October 1991, presented at the Atlantic Economic Society 32nd Conference, Washington, D.C.

A Need for Power Review of Delmarva Power & Light Company's Dorchester Unit 1 Power Plant, March 1993, prepared for the Maryland Department of National Resources (with M. Fullenbaum)

The AES Warrior Run Project: Impact on Western Maryland Economic Activity and Electric Rates, February 1993, prepared for the Maryland Power Plant Research Program (with Peter Hall).

An Economic Perspective on Competition and the Electric Utility Industry, November 1994. Prepared for the Electric Consumers' Alliance.

PEPCO's Clean Air Act Compliance Plan: Status Report, prepared for the Maryland Power Plant Research Plan, January 1995 (w/Diane Mountain, Environmental Resources Management, Inc.).

The FERC Open Access Rulemaking: A Review of the Issues, prepared for the Indiana Office of Utility Consumer Counselor and the Pennsylvania Office of Consumer Advocate, June 1995.

A Status Report on Electric Utility Restructuring: Issues for Maryland, prepared for the Maryland Power Plant Research Program, November 1995 (with Daphne Psacharopoulos).

Modeling the Financial Impacts on the Bell Regional Holding Companies from Changes in Access Rates, prepared for MCI Corporation, May 1996.

The CSEF Electric Deregulation Study: Economic Miracle or the Economists' Cold Fusion?, prepared for the Electric Consumers' Alliance, Indianapolis, Indiana, October 1996.

Reducing Rates for Interstate Access Service: Financial Impacts on the Bell Regional Holding Companies, prepared for MCI Corporation, May 1997.

The New Hampshire Retail Competition Pilot Program: A Preliminary Evaluation, July 1997, prepared for the Electric Consumers' Alliance (with Jerome D. Mierzwa).

Electric Restructuring and the Environment: Issue Identification for Maryland, March 1997, prepared for the Maryland Power Plant Research Program (with Environmental Resource Management, Inc.)

An Analysis of Electric Utility Embedded Power Supply Costs, prepared for Power-Gen International Conference, Dallas, Texas, December 1997.

Market Power Outlook for Generation Supply in Louisiana, December 2000, prepared for the Louisiana Public Service Commission (with others).

A Review of Issues Concerning Electric Power Capacity Markets, prepared for the Maryland Power Plant Research Program, December 2001 (with B. Hobbs and J. Inon).

The Economic Feasibility of Air Emissions Controls at the Brandon Shores and Morgantown Coal-fired Power Plants, February 2005, (prepared for the Chesapeake Bay Foundation).

The Economic Feasibility of Power Plant Retirements on the Entergy System, September 2005 with Phil Hayet (prepared for the Louisiana Public Service Commission).

Expert Report on Capital Structure, Equity and Debt Costs, prepared for the Edmonton Regional Water Customers Group, August 30, 2006.

Maryland's Options to Reduce and Stabilize Electric Power Prices Following Restructuring, with Steven L. Estomin, prepared for the Power Plant Research Program, Maryland Department of Natural Resources, September 2006.

Expert Report of Matthew I. Kahal, on behalf of the U. S. Department of Justice, August 2008, Civil Action No. IP-99-1693C-MIS.

**Conference and Workshop Presentations:**

Workshop on State Load Forecasting Programs, sponsored by the Nuclear Regulatory Commission and Oak Ridge National Laboratory, February 1982 (presentation on forecasting methodology).

Fourteenth Annual Conference of the Michigan State University Institute for Public Utilities, December 1982 (presentation on problems in forecasting).

Conference on Conservation and Load Management, sponsored by the Massachusetts Energy Facilities Siting Council, May 1983 (presentation on cost-benefit criteria).

Maryland Conference on Load Forecasting, sponsored by the Maryland Power Plant Siting Program and the Maryland Public Service Commission, June 1983 (presentation on overforecasting power demands).

The 5th Annual Meetings of the International Association of Energy Economists, June 1983 (presentation on evaluating weatherization programs).

The NARUC Advanced Regulatory Studies Program (presented lectures on capacity planning for electric utilities), February 1984.

The 16th Annual Conference of the Institute of Public Utilities, Michigan State University (discussant on phase-in and excess capacity), December 1984.

U.S. Department of Energy Utilities Conference, Las Vegas, Nevada (presentation of current and future regulatory issues), May 1985.

The 18th Annual Conference of the Institute of Public Utilities, Michigan State University, Williamsburg, Virginia, December 1986 (discussant on cogeneration).

The NRECA Conference on Load Forecasting, sponsored by the National Rural Electric Cooperative Association, New Orleans, Louisiana, December 1987 (presentation on load forecast accuracy).

The Second Rutgers/New Jersey Department of Commerce Annual Conference on Energy Policy in the Middle Atlantic States, Rutgers University, April 1988 (presentation on spot pricing of electricity).

The NASUCA 1988 Mid-Year Meeting, Annapolis, Maryland, June 1988, sponsored by the National Association of State Utility Consumer Advocates (presentation on the FERC electricity avoided cost NOPRs).

The Thirty Second Atlantic Economic Society Conference, Washington, D.C., October 1991 (presentation of a paper on cost of capital issues for the Bell Operating Companies).

The NASUCA 1993 Mid-Year Meeting, St. Louis, Missouri, sponsored by the National Association of State Utility Consumer Advocates, June 1993 (presentation on regulatory issues concerning electric utility mergers).

The NASUCA and NARUC annual meetings in New York City, November 1993 (presentations and panel discussions on the emerging FERC policies on transmission pricing).

The NASUCA annual meetings in Reno, Nevada, November 1994 (presentation concerning the FERC NOPR on stranded cost recovery).

U.S. Department of Energy Utilities/Energy Management Workshop, March 1995 (presentation concerning electric utility competition).

The 1995 NASUCA Mid-Year Meeting, Breckenridge, Colorado, June 1995, (presentation concerning the FERC rulemaking on electric transmission open access).

The 1996 NASUCA Mid-Year Meeting, Chicago, Illinois, June 1996 (presentation concerning electric utility merger issues).

Conference on "Restructuring the Electric Industry," sponsored by the National Consumers League and Electric Consumers Alliance, Washington, D.C., May 1997 (presentation on retail access pilot programs).

The 1997 Mid-Atlantic Conference of Regulatory Utilities Commissioners (MARUC), Hot Springs, Virginia, July 1997 (presentation concerning electric deregulation issues).

Power-Gen '97 International Conference, Dallas, Texas, December 1997 (presentation concerning utility embedded costs of generation supply).

Consumer Summit on Electric Competition, sponsored by the National Consumers League and Electric Consumers' Alliance, Washington, D.C., March 2001 (presentation concerning generation supply and reliability).

National Association of State Utility Consumer Advocates, Mid-Year Meetings, Austin, Texas, June 16-17, 2002 (presenter and panelist on RTO/Standard Market Design issues).

Louisiana State Bar Association, Public Utility Section, October 2, 2002. (Presentation on Performance-Based Ratemaking and panelist on RTO issues). Baton Rouge, Louisiana.

Virginia State Corporation Commission/Virginia State Bar, Twenty Second National Regulatory Conference, May 10, 2004. (Presentation on Electric Transmission System Planning.) Williamsburg, Virginia.

Expert Testimony  
of Matthew I. Kahal

<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>
1. 27374 & 27375 October 1978	Long Island Lighting Company	New York Counties	Nassau & Suffolk	Economic Impacts of Proposed Rate Increase
2. 6807 January 1978	Generic	Maryland	MD Power Plant Siting Program	Load Forecasting
3. 78-676-EL-AIR February 1978	Ohio Power Company	Ohio	Ohio Consumers' Counsel	Test Year Sales and Revenues
4. 17667 May 1979	Alabama Power Company	Alabama	Attorney General	Test Year Sales, Revenues, Costs and Load Forecasts
5. None April 1980	Tennessee Valley Authority	TVA Board	League of Women Voters	Time-of-Use Pricing
6. R-80021082	West Penn Power Company	Pennsylvania	Office of Consumer Advocate	Load Forecasting, Marginal Cost pricing
7. 7259 (Phase I) October 1980	Potomac Edison Company	Maryland	MD Power Plant Siting Program	Load Forecasting
8. 7222 December 1980	Delmarva Power & Light Company	Maryland	MD Power Plant Siting Program	Need for Plant, Load Forecasting
9. 7441 June 1981	Potomac Electric Power Company	Maryland	Commission Staff	PURPA Standards
10. 7159 May 1980	Baltimore Gas & Electric	Maryland	Commission Staff	Time-of-Use Pricing
11. 81-044-E-42T	Monongahela Power	West Virginia	Commission Staff	Time-of-Use Rates
12. 7259 (Phase II) November 1981	Potomac Edison Company	Maryland	MD Power Plant Siting Program	Load Forecasting, Load Management
13. 1606 September 1981	Blackstone Valley Electric and Narragansett	Rhode Island	Division of Public Utilities	PURPA Standards
14. RID 1819 April 1982	Pennsylvania Bell	Pennsylvania	Office of Consumer Advocate	Rate of Return
15. 82-0152 July 1982	Illinois Power Company	Illinois	U.S. Department of Defense	Rate of Return, CWIP



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<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>
16. 7559 September 1982	Potomac Edison Company	Maryland	Commission Staff	Cogeneration
17. 820150-EU September 1982	Gulf Power Company	Florida	Federal Executive Agencies	Rate of Return, CWIP
18. 82-057-15 January 1983	Mountain Fuel Supply Company	Utah	Federal Executive Agencies	Rate of Return, Capital Structure
19. 5200 August 1983	Texas Electric Service Company	Texas	Federal Executive Agencies	Cost of Equity
20. 28069 August 1983	Oklahoma Natural Gas	Oklahoma	Federal Executive Agencies	Rate of Return, deferred taxes, capital structure, attrition
21. 83-0537 February 1984	Commonwealth Edison Company	Illinois	U.S. Department of Energy	Rate of Return, capital structure, financial capability
22. 84-035-01 June 1984	Utah Power & Light Company	Utah	Federal Executive Agencies	Rate of Return
23. U-1009-137 July 1984	Utah Power & Light Company	Idaho	U.S. Department of Energy	Rate of Return, financial condition
24. R-842590 August 1984	Philadelphia Electric Company	Pennsylvania	Office of Consumer Advocate	Rate of Return
25. 840086-EI August 1984	Gulf Power Company	Florida	Federal Executive Agencies	Rate of Return, CWIP
26. 84-122-E August 1984	Carolina Power & Light Company	South Carolina	South Carolina Consumer Advocate	Rate of Return, CWIP, load forecasting
27. CGC-83-G & CGC-84-G October 1984	Columbia Gas of Ohio	Ohio	Ohio Division of Energy	Load forecasting
28. R-842621 October 1984	Western Pennsylvania Water Company	Pennsylvania	Office of Consumer Advocate	Test year sales
29. R-842710 January 1985	ALLTEL Pennsylvania Inc.	Pennsylvania	Office of Consumer Advocate	Rate of Return
30. ER-504 February 1985	Allegheny Generating Company	FERC	Office of Consumer Advocate	Rate of Return

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31. R-842632 March 1985	West Penn Power Company	Pennsylvania	Office of Consumer Advocate	Rate of Return, conservation, time-of-use rates
32. 83-0537 & 84-0555 April 1985	Commonwealth Edison Company	Illinois	U.S. Department of Energy	Rate of Return, incentive rates, rate base
33. Rulemaking Docket No. 11, May 1985	Generic	Delaware	Delaware Commission Staff	Interest rates on refunds
34. 29450 July 1985	Oklahoma Gas & Electric Company	Oklahoma	Oklahoma Attorney General	Rate of Return, CWIP in rate base
35. 1811 August 1985	Bristol County Water Company	Rhode Island	Division of Public Utilities	Rate of Return, capital Structure
36. R-850044 & R-850045 August 1985	Quaker State & Continental Telephone Companies	Pennsylvania	Office of Consumer Advocate	Rate of Return
37. R-850174 November 1985	Philadelphia Suburban Water Company	Pennsylvania	Office of Consumer Advocate	Rate of Return, financial conditions
38. U-1006-265 March 1986	Idaho Power Company	Idaho	U.S. Department of Energy	Power supply costs and models
39. EL-86-37 & EL-86-38 September 1986	Allegheny Generating Company	FERC	PA Office of Consumer Advocate	Rate of Return
40. R-850287 June 1986	National Fuel Gas Distribution Corp.	Pennsylvania	Office of Consumer Advocate	Rate of Return
41. 1849 August 1986	Blackstone Valley Electric	Rhode Island	Division of Public Utilities	Rate of Return, financial condition
42. 86-297-GA-AIR November 1986	East Ohio Gas Company	Ohio	Ohio Consumers' Counsel	Rate of Return
43. U-16945 December 1986	Louisiana Power & Light Company	Louisiana	Public Service Commission	Rate of Return, rate phase-in plan
44. Case No. 7972 February 1987	Potomac Electric Power Company	Maryland	Commission Staff	Generation capacity planning, purchased power contract
45. EL-86-58 & EL-86-59 March 1987	System Energy Resources and Middle South Services	FERC	Louisiana PSC	Rate of Return

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46. ER-87-72-001 April 1987	Orange & Rockland	FERC	PA Office of Consumer Advocate	Rate of Return
47. U-16945 April 1987	Louisiana Power & Light Company	Louisiana	Commission Staff	Revenue requirement update phase-in plan
48. P-870196 May 1987	Pennsylvania Electric Company	Pennsylvania	Office of Consumer Advocate	Cogeneration contract
49. 86-2025-EL-AIR June 1987	Cleveland Electric Illuminating Company	Ohio	Ohio Consumers' Counsel	Rate of Return
50. 86-2026-EL-AIR June 1987	Toledo Edison Company	Ohio	Ohio Consumers' Counsel	Rate of Return
51. 87-4 June 1987	Delmarva Power & Light Company	Delaware	Commission Staff	Cogeneration/small power
52. 1872 July 1987	Newport Electric Company	Rhode Island	Commission Staff	Rate of Return
53. WO 8606654 July 1987	Atlantic City Sewerage Company	New Jersey	Resorts International	Financial condition
54. 7510 August 1987	West Texas Utilities Company	Texas	Federal Executive Agencies	Rate of Return, phase-in
55. 8063 Phase I October 1987	Potomac Electric Power Company	Maryland	Power Plant Research Program	Economics of power plant site selection
56. 00439 November 1987	Oklahoma Gas & Electric Company	Oklahoma	Smith Cogeneration	Cogeneration economics
57. RP-87-103 February 1988	Panhandle Eastern Pipe Line Company	FERC	Indiana Utility Consumer Counselor	Rate of Return
58. EC-88-2-000 February 1988	Utah Power & Light Co. PacifiCorp	FERC	Nucor Steel	Merger economics
59. 87-0427 February 1988	Commonwealth Edison Company	Illinois	Federal Executive Agencies	Financial projections
60. 870840 February 1988	Philadelphia Suburban Water Company	Pennsylvania	Office of Consumer Advocate	Rate of Return

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61. 870832 March 1988	Columbia Gas of Pennsylvania	Pennsylvania	Office of Consumer Advocate	Rate of Return
62. 8063 Phase II July 1988	Potomac Electric Power Company	Maryland	Power Plant Research Program	Power supply study
63. 8102 July 1988	Southern Maryland Electric Cooperative	Maryland	Power Plant Research Program	Power supply study
64. 10105 August 1988	South Central Bell Telephone Co.	Kentucky	Attorney General	Rate of Return, incentive regulation
65. 00345 August 1988	Oklahoma Gas & Electric Company	Oklahoma	Smith Cogeneration	Need for power
66. U-17906 September 1988	Louisiana Power & Light Company	Louisiana	Commission Staff	Rate of Return, nuclear power costs Industrial contracts
67. 88-170-EL-AIR October 1988	Cleveland Electric Illuminating Co.	Ohio	Northeast-Ohio Areawide Coordinating Agency	Economic impact study
68. 1914 December 1988	Providence Gas Company	Rhode Island	Commission Staff	Rate of Return
69. U-12636 & U-17649 February 1989	Louisiana Power & Light Company	Louisiana	Commission Staff	Disposition of litigation proceeds
70. 00345 February 1989	Oklahoma Gas & Electric Company	Oklahoma	Smith Cogeneration	Load forecasting
71. RP88-209 March 1989	Natural Gas Pipeline of America	FERC	Indiana Utility Consumer Counselor	Rate of Return
72. 8425 March 1989	Houston Lighting & Power Company	Texas	U.S. Department of Energy	Rate of Return
73. EL89-30-000 April 1989	Central Illinois Public Service Company	FERC	Soyland Power Coop, Inc.	Rate of Return
74. R-891208 May 1989	Pennsylvania American Water Company	Pennsylvania	Office of Consumer Advocate	Rate of Return

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75. 89-0033 May 1989	Illinois Bell Telephone Company	Illinois	Citizens Utility Board	Rate of Return
76. 881167-E1 May 1989	Gulf Power Company	Florida	Federal Executive Agencies	Rate of Return
77. R-891218 July 1989	National Fuel Gas Distribution Company	Pennsylvania	Office of Consumer Advocate	Sales forecasting
78. 8063, Phase III Sept. 1989	Potomac Electric Power Company	Maryland	Depart. Natural Resources	Emissions Controls
79. 37414-S2 October 1989	Public Service Company of Indiana	Indiana	Utility Consumer Counselor	Rate of Return, DSM, off- system sales, incentive regulation
80. October 1989	Generic	U.S. House of Reps. Comm. on Ways & Means	NA	Excess deferred income tax
81. 38728 November 1989	Indiana Michigan Power Company	Indiana	Utility Consumer Counselor	Rate of Return
82. RP89-49-000 December 1989	National Fuel Gas Supply Corporation	FERC	PA Office of Consumer Advocate	Rate of Return
83. R-891364 December 1989	Philadelphia Electric Company	Pennsylvania	PA Office of Consumer Advocate	Financial impacts (surrebuttal only)
84. RP89-160-000 January 1990	Trunkline Gas Company	FERC	Indiana Utility Consumer Counselor	Rate of Return
85. EL90-16-000 November 1990	System Energy Resources, Inc.	FERC	Louisiana Public Service Commission	Rate of Return
86. 89-624 March 1990	Bell Atlantic	FCC	PA Office of Consumer Advocate	Rate of Return
87. 8245 March 1990	Potomac Edison Company	Maryland	Depart. Natural Resources	Avoided Cost
88. 000586 March 1990	Public Service Company of Oklahoma	Oklahoma	Smith Cogeneration Mgmt.	Need for Power

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<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>
89. 38868 March 1990	Indianapolis Water Company	Indiana	Utility Consumer Counselor	Rate of Return
90. 1946 March 1990	Blackstone Valley Electric Company	Rhode Island	Division of Public Utilities	Rate of Return
91. 000776 April 1990	Oklahoma Gas & Electric Company	Oklahoma	Smith Cogeneration Mgmt.	Need for Power
92. 890366 May 1990, December 1990	Metropolitan Edison Company	Pennsylvania	Office of Consumer Advocate	Competitive Bidding Program Avoided Costs
93. EC-90-10-000 May 1990	Northeast Utilities	FERC	Maine PUC. et al.	Merger, Market Power, Transmission Access
94. ER-891109125 July 1990	Jersey Central Power & Light	New Jersey	Rate Counsel	Rate of Return
95. R-901670 July 1990	National Fuel Gas Distribution Corp.	Pennsylvania	Office of Consumer Advocate	Rate of Return Test year sales
96. 8201 October 1990	Delmarva Power & Light Company	Maryland	Depart. Natural Resources	Competitive Bidding, Resource Planning
97. EL90-45-000 April 1991	Entergy Services, Inc.	FERC	Louisiana PSC	Rate of Return
98. GR90080786J January 1991	New Jersey Natural Gas	New Jersey	Rate Counsel	Rate of Return
99. 90-256 January 1991	South Central Bell Telephone Company	Kentucky	Attorney General	Rate of Return
100. U-17949A February 1991	South Central Bell Telephone Company	Louisiana	Louisiana PSC	Rate of Return
101. ER90091090J April 1991	Atlantic City Electric Company	New Jersey	Rate Counsel	Rate of Return
102. 8241, Phase I April 1991	Baltimore Gas & Electric Company	Maryland	Dept. of Natural Resources	Environmental controls

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103. 8241, Phase II May 1991	Baltimore Gas & Electric Company	Maryland	Dept of Natural Resources	Need for Power, Resource Planning
104. 39128 May 1991	Indianapolis Water Company	Indiana	Utility Consumer Counselor	Rate of Return, rate base, financial planning
105. P-900485 May 1991	Duquesne Light Company	Pennsylvania	Office of Consumer Advocate	Purchased power contract and related ratemaking
106. G900240 P910502 May 1991	Metropolitan Edison Company  Pennsylvania Electric Company	Pennsylvania	Office of Consumer Advocate	Purchased power contract and related ratemaking
107. GR901213915 May 1991	Elizabethtown Gas Company	New Jersey	Rate Counsel	Rate of Return
108. 91-5032 August 1991	Nevada Power Company	Nevada	U.S. Dept. of Energy	Rate of Return
109. EL90-48-000 November 1991	Entergy Services	FERC	Louisiana PSC	Capacity transfer
110. 000662 September 1991	Southwestern Bell Telephone	Oklahoma	Attorney General	Rate of Return
111. U-19236 October 1991	Arkansas Louisiana Gas Company	Louisiana	Louisiana PSC Staff	Rate of Return
112. U-19237 December 1991	Louisiana Gas Service Company	Louisiana	Louisiana PSC Staff	Rate of Return
113. ER91030356J October 1991	Rockland Electric Company	New Jersey	Rate Counsel	Rate of Return
114. GR91071243J February 1992	South Jersey Gas Company	New Jersey	Rate Counsel	Rate of Return
115. GR91081393J March 1992	New Jersey Natural Gas Company	New Jersey	Rate Counsel	Rate of Return
116. P-870235 <u>et al.</u> March 1992	Pennsylvania Electric Company	Pennsylvania	Office of Consumer Advocate	Cogeneration contracts

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<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>
117. 8413 March 1992	Potomac Electric Power Company	Maryland	Dept. of Natural Resources	IPP purchased power contracts
118. 39236 March 1992	Indianapolis Power & Light Company	Indiana	Utility Consumer Counselor	Least-cost planning Need for power
119. R-912164 April 1992	Equitable Gas Company	Pennsylvania	Office of Consumer Advocate	Rate of Return
120. ER-91111698J May 1992	Public Service Electric & Gas Company	New Jersey	Rate Counsel	Rate of Return
121. U-19631 June 1992	Trans Louisiana Gas Company	Louisiana	PSC Staff	Rate of Return
122. ER-91121820J July 1992	Jersey Central Power & Light Company	New Jersey	Rate Counsel	Rate of Return
123. R-00922314 August 1992	Metropolitan Edison Company	Pennsylvania	Office of Consumer Advocate	Rate of Return
124. 92-049-05 September 1992	US West Communications	Utah	Committee of Consumer Services	Rate of Return
125. 92PUE0037 September 1992	Commonwealth Gas Company	Virginia	Attorney General	Rate of Return
126. EC92-21-000 September 1992	Entergy Services, Inc.	FERC	Louisiana PSC	Merger Impacts (Affidavit)
127. ER92-341-000 December 1992	System Energy Resources	FERC	Louisiana PSC	Rate of Return
128. U-19904 November 1992	Louisiana Power & Light Company	Louisiana	Staff	Merger analysis, competition competition issues
129. 8473 November 1992	Baltimore Gas & Electric Company	Maryland	Dept. of Natural Resources	QF contract evaluation
130. IPC-E-92-25 January 1993	Idaho Power Company	Idaho	Federal Executive Agencies	Power Supply Clause



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<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>
131. E002/GR-92-1185 February 1993	Northern States Power Company	Minnesota	Attorney General	Rate of Return
132. 92-102, Phase II March 1992	Central Maine Power Company	Maine	Staff	QF contracts prudence and procurements practices
133. EC92-21-000 March 1993	Entergy Corporation	FERC	Louisiana PSC	Merger Issues
134. 8489 March 1993	Delmarva Power & Light Company	Maryland	Dept. of Natural Resources	Power Plant Certification
135. 11735 April 1993	Texas Electric Utilities Company	Texas	Federal Executives Agencies	Rate of Return
136. 2082 May 1993	Providence Gas Company	Rhode Island	Division of Public Utilities	Rate of Return
137. P-00930715 December 1993	Bell Telephone Company of Pennsylvania	Pennsylvania	Office of Consumer Advocate	Rate of Return, Financial Projections, Bell/TCI merger
138. R-00932670 February 1994	Pennsylvania-American Water Company	Pennsylvania	Office of Consumer Advocate	Rate of Return
139. 8583 February 1994	Conowingo Power Company	Maryland	Dept. of Natural Resources	Competitive Bidding for Power Supplies
140. E-015/GR-94-001 April 1994	Minnesota Power & Light Company	Minnesota	Attorney General	Rate of Return
141. CC Docket No. 94-1 May 1994	Generic Telephone	FCC	MCI Comm. Corp.	Rate of Return
142. 92-345, Phase II June 1994	Central Maine Power Company	Maine	Advocacy Staff	Price Cap Regulation Fuel Costs
143. 93-11065 April 1994	Nevada Power Company	Nevada	Federal Executive Agencies	Rate of Return
144. 94-0065 May 1994	Commonwealth Edison Company	Illinois	Federal Executive Agencies	Rate of Return
145. GR94010002J June 1994	South Jersey Gas Company	New Jersey	Rate Counsel	Rate of Return

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146. WR94030059 July 1994	New Jersey-American Water Company	New Jersey	Rate Counsel	Rate of Return
147. RP91-203-000 June 1994	Tennessee Gas Pipeline Company	FERC	Customer Group	Environmental Externalities (oral testimony only)
148. ER94-998-000 July 1994	Ocean State Power	FERC	Boston Edison Company	Rate of Return
149. R-00942986 July 1994	West Penn Power Company	Pennsylvania	Office of Consumer Advocate	Rate of Return, Emission Allowances
150. 94-121 August 1994	South Central Bell Telephone Company	Kentucky	Attorney General	Rate of Return
151. 35854-S2 November 1994	PSI Energy, Inc.	Indiana	Utility Consumer Counsel	Merger Savings and Allocations
152. IPC-E-94-5 November 1994	Idaho Power Company	Idaho	Federal Executive Agencies	Rate of Return
153. November 1994	Edmonton Water	Alberta, Canada	Regional Customer Group	Rate of Return (Rebuttal Only)
154. 90-256 December 1994	South Central Bell Telephone Company	Kentucky	Attorney General	Incentive Plan True-Ups
155. U-20925 February 1995	Louisiana Power & Light Company	Louisiana	PSC Staff	Rate of Return Industrial Contracts Trust Fund Earnings
156. R-00943231 February 1995	Pennsylvania-American Water Company	Pennsylvania	Consumer Advocate	Rate of Return
157. 8678 March 1995	Generic	Maryland	Dept. Natural Resources	Electric Competition Incentive Regulation (oral only)
158. R-000943271 April 1995	Pennsylvania Power & Light Company	Pennsylvania	Consumer Advocate	Rate of Return Nuclear decommissioning Capacity Issues
159. U-20925 May 1995	Louisiana Power & Light Company	Louisiana	Commission Staff	Class Cost of Service Issues

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160. 2290 June 1995	Narragansett Electric Company	Rhode Island	Division Staff	Rate of Return
161. U-17949E June 1995	South Central Bell Telephone Company	Louisiana	Commission Staff	Rate of Return
162. 2304 July 1995	Providence Water Supply Board	Rhode Island	Division Staff	Cost recovery of Capital Spending Program
163. ER95-625-000 <u>et al.</u> August 1995	PSI Energy, Inc.	FERC	Office of Utility Consumer Counselor	Rate of Return
164. P-00950915 <u>et al.</u> September 1995	Paxton Creek Cogeneration Assoc.	Pennsylvania	Office of Consumer Advocate	Cogeneration Contract Amendment
165. 8702 September 1995	Potomac Edison Company	Maryland	Dept. of Natural Resources	Allocation of DSM Costs (oral only)
166. ER95-533-001 September 1995	Ocean State Power	FERC	Boston Edison Co.	Cost of Equity
167. 40003 November 1995	PSI Energy, Inc.	Indiana	Utility Consumer Counselor	Rate of Return Retail wheeling
168. P-55, SUB 1013 January 1996	BellSouth	North Carolina	AT&T	Rate of Return
169. P-7, SUB 825 January 1996	Carolina Tel.	North Carolina	AT&T	Rate of Return
170. February 1996	Generic Telephone	FCC	MCI	Cost of capital
171. 95A-531EG April 1996	Public Service Company of Colorado	Colorado	Federal Executive Agencies	Merger issues
172. ER96-399-000 May 1996	Northern Indiana Public Service Company	FERC	Indiana Office of Utility Consumer Counselor	Cost of capital
173. 8716 June 1996	Delmarva Power & Light Company	Maryland	Dept. of Natural Resources	DSM programs
174. 8725 July 1996	BGE/PEPCO	Maryland	Md. Energy Admin.	Merger Issues

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175. U-20925 August 1996	Entergy Louisiana, Inc.	Louisiana	PSC Staff	Rate of Return Allocations Fuel Clause
176. EC96-10-000 September 1996	BGE/PEPCO	FERC	Md. Energy Admin.	Merger issues competition
177. EL95-53-000 November 1996	Entergy Services, Inc.	FERC	Louisiana PSC	Nuclear Decommissioning
178. WR96100768 March 1997	Consumers NJ Water Company	New Jersey	Ratepayer Advocate	Cost of Capital
179. WR96110818 April 1997	Middlesex Water Co.	New Jersey	Ratepayer Advocate	Cost of Capital
180. U-11366 April 1997	Ameritech Michigan	Michigan	MCI	Access charge reform/financial condition
181. 97-074 May 1997	BellSouth	Kentucky	MCI	Rate Rebalancing financial condition
182. 2540 June 1997	New England Power	Rhode Island	PUC Staff	Divestiture Plan
183. 96-336-TP-CSS June 1997	Ameritech Ohio	Ohio	MCI	Access Charge reform Economic impacts
184. WR97010052 July 1997	Maxim Sewerage Corp.	New Jersey	Ratepayer Advocate	Rate of Return
185. 97-300 August 1997	LG&E/KU	Kentucky	Attorney General	Merger Plan
186. Case No. 8738 August 1997	Generic (oral testimony only)	Maryland	Dept. of Natural Resources	Electric Restructuring Policy
187. Docket No. 2592 September 1997	Eastern Utilities	Rhode Island	PUC Staff	Generation Divestiture
188. Case No. 97-247 September 1997	Cincinnati Bell Telephone	Kentucky	MCI	Financial Condition

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189. Docket No. U-20925 November 1997	Entergy Louisiana	Louisiana	PSC Staff	Rate of Return
190. Docket No. D97.7.90 November 1997	Montana Power Co.	Montana	Montana Consumers Counsel	Stranded Cost
191. Docket No. EO97070459 November 1997	Jersey Central Power & Light Co.	New Jersey	Ratepayer Advocate	Stranded Cost
192. Docket No. R-00974104 November 1997	Duquesne Light Co.	Pennsylvania	Office of Consumer Advocate	Stranded Cost
193. Docket No. R-00973981 November 1997	West Penn Power Co.	Pennsylvania	Office of Consumer Advocate	Stranded Cost
194. Docket No. A-1101150F0015 November 1997	Allegheny Power System DQE, Inc.	Pennsylvania	Office of Consumer Advocate	Merger Issues
195. Docket No. WR97080615 January 1998	Consumers NJ Water Company	New Jersey	Ratepayer Advocate	Rate of Return
196. Docket No. R-00974149 January 1998	Pennsylvania Power Company	Pennsylvania	Office of Consumer Advocate	Stranded Cost
197. Case No. 8774 January 1998	Allegheny Power System DQE, Inc.	Maryland	Dept. of Natural Resources MD Energy Administration	Merger Issues
198. Docket No. U-20925 (SC) March 1998	Entergy Louisiana, Inc.	Louisiana	Commission Staff	Restructuring, Stranded Costs, Market Prices
199. Docket No. U-22092 (SC) March 1998	Entergy Gulf States, Inc.	Louisiana	Commission Staff	Restructuring, Stranded Costs, Market Prices
200. Docket Nos. U-22092 (SC) and U-20925(SC) May 1998	Entergy Gulf States and Entergy Louisiana	Louisiana	Commission Staff	Standby Rates
201. Docket No. WR98010015 May 1998	NJ American Water Co.	New Jersey	Ratepayer Advocate	Rate of Return
202. Case No. 8794 December 1998	Baltimore Gas & Electric Co.	Maryland	MD Energy Admin./Dept. Of Natural Resources	Stranded Cost/ Transition Plan

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203. Case No. 8795 December 1998	Delmarva Power & Light Co.	Maryland	MD Energy Admin./Dept. Of Natural Resources	Stranded Cost/ Transition Plan
204. Case No. 8797 January 1998	Potomac Edison Co.	Maryland	MD Energy Admin./Dept. Of Natural Resources	Stranded Cost/ Transition Plan
205. Docket No. WR98090795 March 1999	Middlesex Water Co.	New Jersey	Ratepayer Advocate	Rate of Return
206. Docket No. 99-02-05 April 1999	Connecticut Light & Power	Connecticut	Attorney General	Stranded Costs
207. Docket No. 99-03-04 May 1999	United Illuminating Company	Connecticut	Attorney General	Stranded Costs
208. Docket No. U-20925 (FRP) June 1999	Entergy Louisiana, Inc.	Louisiana	Staff	Capital Structure
209. Docket No. EC-98-40-000, <u>et al.</u> May 1999	American Electric Power/ Central & Southwest	FERC	Arkansas PSC	Market Power Mitigation
210. Docket No. 99-03-35 July 1999	United Illuminating Company	Connecticut	Attorney General	Restructuring
211. Docket No. 99-03-36 July 1999	Connecticut Light & Power Co.	Connecticut	Attorney General	Restructuring
212. WR99040249 Oct. 1999	Environmental Disposal Corp.	New Jersey	Ratepayer Advocate	Rate of Return
213. 2930 Nov. 1999	NEES/EUA	Rhode Island	Division Staff	Merger/Cost of Capital
214. DE99-099 Nov. 1999	Public Service New Hampshire	New Hampshire	Consumer Advocate	Cost of Capital Issues
215. 00-01-11 Feb. 2000	Con Ed/NU	Connecticut	Attorney General	Merger Issues
216. Case No. 8821 May 2000	Reliant/ODEC	Maryland	Dept. of Natural Resources	Need for Power/Plant Operations

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217. Case No. 8738 July 2000	Generic	Maryland	Dept. of Natural Resources	DSM Funding
218. Case No. U-23356 June 2000	Entergy Louisiana, Inc.	Louisiana	PSC Staff	Fuel Prudence Issues Purchased Power
219. Case No. 21453, <u>et al</u> July 2000	SWEPCO	Louisiana	PSC Staff	Stranded Costs
220. Case No. 20925 (B) July 2000	Entergy Louisiana	Louisiana	PSC Staff	Purchase Power Contracts
221. Case No. 24889 August 2000	Entergy Louisiana	Louisiana	PSC Staff	Purchase Power Contracts
222. Case No. 21453, <u>et al</u> February 2001	CLECO	Louisiana	PSC Staff	Stranded Costs
223. P-00001860 and P-0000181 March 2001	GPU Companies	Pennsylvania	Office of Consumer Advocate	Rate of Return
224. CVOL-0505662-S March 2001	ConEd/NU	Connecticut Superior Court	Attorney General	Merger (Affidavit)
225. U-20925 (SC) March 2001	Entergy Louisiana	Louisiana	PSC Staff	Stranded Costs
226. U-22092 (SC) March 2001	Entergy Gulf States	Louisiana	PSC Staff	Stranded Costs
227. U-25533 May 2001	Entergy Louisiana/ Gulf States	Louisiana Interruptible Service	PSC Staff	Purchase Power
228. P-00011872 May 2001	Pike County Pike	Pennsylvania	Office of Consumer Advocate	Rate of Return
229. 8893 July 2001	Baltimore Gas & Electric Co.	Maryland	MD Energy Administration	Corporate Restructuring
230. 8890 September 2001	Potomac Electric/Connectivity	Maryland	MD Energy Administration	Merger Issues

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231. U-25533 August 2001	Entergy Louisiana / Gulf States	Louisiana	Staff	Purchase Power Contracts
232. U-25965 November 2001	Generic	Louisiana	Staff	RTO Issues
233. 3401 March 2002	New England Gas Co.	Rhode Island	Division of Public Utilities	Rate of Return
234. 99-833-MJR April 2002	Illinois Power Co.	U.S. District Court	U.S. Department of Justice	New Source Review
235. U-25533 March 2002	Entergy Louisiana/ Gulf States	Louisiana	PSC Staff	Nuclear Uprates Purchase Power
236. P-00011872 May 2002	Pike County Power & Light	Pennsylvania	Consumer Advocate	POLR Service Costs
237. U-26361, Phase I May 2002	Entergy Louisiana/ Gulf States	Louisiana	PSC Staff	Purchase Power Cost Allocations
238. R-00016849C001 et al. June 2002	Generic	Pennsylvania	Pennsylvania OCA	Rate of Return
239. U-26361, Phase II July 2002	Entergy Louisiana/ Entergy Gulf States	Louisiana	PSC Staff	Purchase Power Contracts
240. U-20925(B) August 2002	Entergy Louisiana	Louisiana	PSC Staff	Tax Issues
241. U-26531 October 2002	SWEPSCO	Louisiana	PSC Staff	Purchase Power Contract
242. 8936 October 2002	Delmarva Power & Light	Maryland	Energy Administration Dept. Natural Resources	Standard Offer Service
243. U-25965 November 2002	SWEPSCO/AEP	Louisiana	PSC Staff	RTO Cost/Benefit
244. 8908 Phase I November 2002	Generic	Maryland	Energy Administration Dept. Natural Resources	Standard Offer Service
245. 02S-315EG November 2002	Public Service Company of Colorado	Colorado	Fed. Executive Agencies	Rate of Return



Expert Testimony  
of Matthew I. Kahal

<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>
246. EL02-111-000 December 2002	PJM/MISO	FERC	MD PSC	Transmission Ratemaking
247. 02-0479 February 2003	Commonwealth Edison	Illinois	Dept. of Energy	POLR Service
248. PL03-1-000 March 2003	Generic	FERC	NASUCA	Transmission Pricing (Affidavit)
249. U-27136 April 2003	Entergy Louisiana	Louisiana	Staff	Purchase Power Contracts
250. 8908 Phase II July 2003	Generic	Maryland	Energy Administration Dept. of Natural Resources	Standard Offer Service
251. U-27192 June 2003	Entergy Louisiana and Gulf States	Louisiana	LPSC Staff	Purchase Power Contract Cost Recovery
252. C2-99-1181 October 2003	Ohio Edison Company	U.S. District Court	U.S. Department of Justice, <u>et al.</u>	Clean Air Act Compliance Economic Impact (Report)
253. RP03-398-000 December 2003	Northern Natural Gas Co.	FERC	Municipal Distributors Group/Gas Task Force	Rate of Return
254. 8738 December 2003	Generic	Maryland	Energy Admin Department of Natural Resources	Environmental Disclosure (oral only)
255. U-27136 December 2003	Entergy Louisiana, Inc.	Louisiana	PSC Staff	Purchase Power Contracts
256. U-27192, Phase II October/December 2003	Entergy Louisiana & Entergy Gulf States	Louisiana	PSC Staff	Purchase Power Contracts
257. WC Docket 03-173 December 2003	Generic	FCC	MCI	Cost of Capital (TELRIC)
258. ER 030 20110 January 2004	Atlantic City Electric	New Jersey	Ratepayer Advocate	Rate of Return
259. E-01345A-03-0437 January 2004	Arizona Public Service Company	Arizona	Federal Executive Agencies	Rate of Return
260. 03-10001 January 2004	Nevada Power Company	Nevada	U.S. Dept. of Energy	Rate of Return

Expert Testimony  
of Matthew I. Kahal

<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>
261. R-00049255 June 2004	PPL Elec. Utility	Pennsylvania	Office of Consumer Advocate	Rate of Return
262. U-20925 July 2004	Entergy Louisiana, Inc.	Louisiana	PSC Staff	Rate of Return Capacity Resources
263. U-27866 September 2004	Southwest Electric Power Co.	Louisiana	PSC Staff	Purchase Power Contract
264. U-27980 September 2004	Cleco Power	Louisiana	PSC Staff	Purchase Power Contract
265. U-27865 October 2004	Entergy Louisiana, Inc. Entergy Gulf States	Louisiana	PSC Staff	Purchase Power Contract
266. RP04-155 December 2004	Northern Natural Gas Company	FERC	Municipal Distributors Group/Gas Task Force	Rate of Return
267. U-27836 January 2005	Entergy Louisiana/ Gulf States	Louisiana	PSC Staff	Power plant Purchase and Cost Recovery
268. U-199040 et al. February 2005	Entergy Gulf States/ Louisiana	Louisiana	PSC Staff	Global Settlement, Multiple rate proceedings
269. EF03070532 March 2005	Public Service Electric & Gas	New Jersey	Ratepayers Advocate	Securitization of Deferred Costs
270. 05-0159 June 2005	Commonwealth Edison	Illinois	Department of Energy	POLR Service
271. U-28804 June 2005	Entergy Louisiana	Louisiana	LPSC Staff	QF Contract
272. U-28805 June 2005	Entergy Gulf States	Louisiana	LPSC Staff	QF Contract
273. 05-0045-E1 June 2005	Florida Power & Lt.	Florida	Federal Executive Agencies	Rate of Return
274. 9037 July 2005	Generic	Maryland	MD. Energy Administration	POLR Service
275. U-28155 August 2005	Entergy Louisiana Entergy Gulf States	Louisiana	LPSC Staff	Independent Coordinator of Transmission Plan

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<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>
276. U-27866-A September 2005	Southwestern Electric Power Company	Louisiana	LPSC Staff	Purchase Power Contract
277. U-28765 October 2005	Cleco Power LLC	Louisiana	LPSC Staff	Purchase Power Contract
278. U-27469 October 2005	Entergy Louisiana Entergy Gulf States	Louisiana	LPSC Staff	Avoided Cost Methodology
279. A-313200F007 October 2005	Sprint (United of PA)	Pennsylvania	Office of Consumer Advocate	Corporate Restructuring
280. EM05020106 November 2005	Public Service Electric & Gas Company	New Jersey	Ratepayer Advocate	Merger Issues
281. U-28765 December 2005	Cleco Power LLC	Louisiana	LPSC Staff	Plant Certification, Financing, Rate Plan
282. U-29157 February 2006	Cleco Power LLC	Louisiana	LPSC Staff	Storm Damage Financing
283. U-29204 March 2006	Entergy Louisiana Entergy Gulf States	Louisiana	LPSC Staff	Purchase power contracts
284. A-310325F006 March 2006	Alltel	Pennsylvania	Office of Consumer Advocate	Merger, Corporate Restructuring
285. 9056 March 2006	Generic	Maryland	Maryland Energy Administration	Standard Offer Service Structure
286. C2-99-1182 April 2006	American Electric Power Utilities	U. S. District Court Southern District, Ohio	U. S. Department of Justice	New Source Review Enforcement (expert report)
287. EM05121058 April 2006	Atlantic City Electric	New Jersey	Ratepayer Advocate	Power plant Sale
288. ER05121018 June 2006	Jersey Central Power & Light Company	New Jersey	Ratepayer Advocate	NUG Contracts Cost Recovery
289. U-21496, Subdocket C June 2006	Cleco Power LLC	Louisiana	Commission Staff	Rate Stabilization Plan
290. GR0510085 June 2006	Public Service Electric & Gas Company	New Jersey	Ratepayer Advocate	Rate of Return (gas services)

Expert Testimony  
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<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>
291. R-000061366 July 2006	Metropolitan Ed. Company Penn. Electric Company	Pennsylvania	Office of Consumer Advocate	Rate of Return
292. 9064 September 2006	Generic	Maryland	Energy Administration	Standard Offer Service
293. U-29599 September 2006	Cleco Power LLC	Louisiana	Commission Staff	Purchase Power Contracts
294. WR06030257 September 2006	New Jersey American Water Company	New Jersey	Rate Counsel	Rate of Return
295. U-27866/U-29702 October 2006	Southwestern Electric Power Company	Louisiana	Commission Staff	Purchase Power/Power Plant Certification
296. 9063 October 2006	Generic	Maryland	Energy Administration Department of Natural Resources	Generation Supply Policies
297. EM06090638 November 2006	Atlantic City Electric	New Jersey	Rate Counsel	Power Plant Sale
298. C-2000065942 November 2006	Pike County Light & Power	Pennsylvania	Consumer Advocate	Generation Supply Service
299. ER06060483 November 2006	Rockland Electric Company	New Jersey	Rate Counsel	Rate of Return
300. A-110150F0035 December 2006	Duquesne Light Company	Pennsylvania	Consumer Advocate	Merger Issues
301. U-29203, Phase II January 2007	Entergy Gulf States Entergy Louisiana	Louisiana	Commission Staff	Storm Damage Cost Allocation
302. 06-11022 February 2007	Nevada Power Company	Nevada	U.S. Dept. of Energy	Rate of Return
303. U-29526 March 2007	Cleco Power	Louisiana	Commission Staff	Affiliate Transactions
304. P-00072245 March 2007	Pike County Light & Power	Pennsylvania	Consumer Advocate	Provider of Last Resort Service
305. P-00072247 March 2007	Duquesne Light Company	Pennsylvania	Consumer Advocate	Provider of Last Resort Service

Expert Testimony  
of Matthew I. Kahal

<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>
306. EM07010026 May 2007	Jersey Central Power & Light Company	New Jersey	Rate Counsel	Power Plant Sale
307. U-30050 June 2007	Entergy Louisiana Entergy Gulf States	Louisiana	Commission Staff	Purchase Power Contract
308. U-29956 June 2007	Entergy Louisiana	Louisiana	Commission Staff	Black Start Unit
309. U-29702 June 2007	Southwestern Electric Power Company	Louisiana	Commission Staff	Power Plant Certification
310. U-29955 July 2007	Entergy Louisiana Entergy Gulf States	Louisiana	Commission Staff	Purchase Power Contracts
311. 2007-67 July 2007	FairPoint Communications	Maine	Office of Public Advocate	Merger Financial Issues
312. P-00072259 July 2007	Metropolitan Edison Co.	Pennsylvania	Office of Consumer Advocate	Purchase Power Contract Restructuring
313. EO07040278 September 2007	Public Service Electric & Gas	New Jersey	Rate Counsel	Solar Energy Program Financial Issues
314. U-30192 September 2007	Entergy Louisiana	Louisiana	Commission Staff	Power Plant Certification Ratemaking, Financing
315. 9117 (Phase II) October 2007	Generic (Electric)	Maryland	Energy Administration	Standard Offer Service Reliability
316. U-30050 November 2007	Entergy Gulf States	Louisiana	Commission Staff	Power Plant Acquisition
317. IPC-E-07-8 December 2007	Idaho Power Co.	Idaho	U.S. Department of Energy	Cost of Capital
318. U-30422 (Phase I) January 2008	Entergy Gulf States	Louisiana	Commission Staff	Purchase Power Contract
319. U-29702 (Phase II) February, 2008	Southwestern Electric Power Co.	Louisiana	Commission Staff	Power Plant Certification
320. March 2008	Delmarva Power & Light	Delaware State Senate	Senate Committee	Wind Energy Economics
321. U-30192 (Phase II) March 2008	Entergy Louisiana	Louisiana	Commission Staff	Cash CWIP Policy, Credit Ratings
322. U-30422 (Phase II)	Entergy Gulf States - LA	Louisiana	Commission Staff	Power Plant Acquisition

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<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>	
April 2008					
323.	U-29955 (Phase II) April 2008	Entergy Gulf States - LA Entergy Louisiana	Louisiana	Commission Staff	Purchase Power Contract
324.	GR-070110889 April 2008	New Jersey Natural Gas Company	New Jersey	Rate Counsel	Cost of Capital
325.	WR-08010020 July 2008	New Jersey American Water Company	New Jersey	Rate Counsel	Cost of Capital
326.	U-28804-A August 2008	Entergy Louisiana	Louisiana	Commission Staff	Cogeneration Contract
327.	IP-99-1693C-M/S August 2008	Duke Energy Indiana	Federal District Court	U.S. Department of Justice/ Environmental Protection Agency	Clean Air Act Compliance (Expert Report)
328.	U-30670 September 2008	Entergy Louisiana	Louisiana	Commission Staff	Nuclear Plant Equipment Replacement
329.	9149 October 2008	Generic	Maryland	Department of Natural Resources	Capacity Adequacy/Reliability
330.	IPC-E-08-10 October 2008	Idaho Power Company	Idaho	U.S. Department of Energy	Cost of Capital
331.	U-30727 October 2008	Cleco Power LLC	Louisiana	Commission Staff	Purchased Power Contract
332.	U-30689-A December 2008	Cleco Power LLC	Louisiana	Commission Staff	Transmission Upgrade Project
333.	IP-99-1693C-M/S February 2009	Duke Energy Indiana	Federal District Court	U.S. Department of Justice/EPA	Clean Air Act Compliance (Oral Testimony)
334.	U-30192, Phase II February 2009	Entergy Louisiana, LLC	Louisiana	Commission Staff	CWIP Rate Request Plant Allocation
335.	U-28805-B February 2009	Entergy Gulf States, LLC	Louisiana	Commission Staff	Cogeneration Contract
336.	P-2009-2093055, et al. May 2009	Metropolitan Edison Pennsylvania Electric	Pennsylvania	Office of Consumer Advocate	Default Service
337.	U-30958 July 2009	Cleco Power	Louisiana	Commission Staff	Purchase Power Contract
338.	EO08050326 August 2009	Jersey Central Power Light Co.	New Jersey	Rate Counsel	Demand Response Cost Recovery

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of Matthew I. Kahal

<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>
339. GR09030195 August 2009	Elizabethtown Gas	New Jersey	New Jersey Rate Counsel	Cost of Capital
340. U-30422-A August 2009	Entergy Gulf States	Louisiana	Staff	Generating Unit Purchase
341. CV 1:99-01693 August 2009	Duke Energy Indiana	Federal District Court – Indiana	U. S. DOJ/EPA, <i>et al.</i>	Environmental Compliance Rate Impacts (Expert Report)
342. 4065 September 2009	Narragansett Electric	Rhode Island	Division Staff	Cost of Capital
343. U-30689 September 2009	Cleco Power	Louisiana	Staff	Cost of Capital, Rate Design, Other Rate Case Issues
344. U-31147 October 2009	Entergy Gulf States Entergy Louisiana	Louisiana	Staff	Purchase Power Contracts
345. U-30913 November 2009	Cleco Power	Louisiana	Staff	Certification of Generating Unit
346. M-2009-2123951 November 2009	West Penn Power	Pennsylvania	Office of Consumer Advocate	Smart Meter Cost of Capital (Surrebuttal Only)
347. GR09050422 November 2009	Public Service Electric & Gas Company	New Jersey	Rate Counsel	Cost of Capital
348. D-09-49 November 2009	Narragansett Electric	Rhode Island	Division Staff	Securities Issuances
349. U-29702, Phase II November 2009	Southwestern Electric Power Company	Louisiana	Commission Staff	Cash CWIP Recovery
350. U-30981 December 2009	Entergy Louisiana Entergy Gulf States	Louisiana	Commission Staff	Storm Damage Cost Allocation
351. U-31196 (ITA Phase) February 2010	Entergy Louisiana	Louisiana	Staff	Purchase Power Contract
352. ER09080668 March 2010	Rockland Electric	New Jersey	Rate Counsel	Rate of Return
353. GR10010035 May 2010	South Jersey Gas Co.	New Jersey	Rate Counsel	Rate of Return
354. P-2010-2157862 May 2010	Pennsylvania Power Co.	Pennsylvania	Consumer Advocate	Default Service Program

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<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>
355. 10-CV-2275 June 2010	Xcel Energy	U.S. District Court Minnesota	U.S. Dept. Justice/EPA	Clean Air Act Enforcement
356. WR09120987 June 2010	United Water New Jersey	New Jersey	Rate Counsel	Rate of Return
357. U-30192, Phase III June 2010	Entergy Louisiana	Louisiana	Staff	Power Plant Cancellation Costs
358. 31299 July 2010	Cleco Power	Louisiana	Staff	Securities Issuances
359. App. No. 1601162 July 2010	EPCOR Water	Alberta, Canada	Regional Customer Group	Cost of Capital
360. U-31196 July 2010	Entergy Louisiana	Louisiana	Staff	Purchase Power Contract
361. 2-10-CV-13101 August 2010	Detroit Edison	U.S. District Court Eastern Michigan	U.S. Dept. of Justice/EPA	Clean Air Act Enforcement
362. U-31196 August 2010	Entergy Louisiana Entergy Gulf States	Louisiana	Staff	Generating Unit Purchase and Cost Recovery
363. Case No. 9233 October 2010	Potomac Edison Company	Maryland	Energy Administration	Merger Issues
364. 2010-2194652 November 2010	Pike County Light & Power	Pennsylvania	Consumer Advocate	Default Service Plan
365. 2010-2213369 April 2011	Duquesne Light Company	Pennsylvania	Consumer Advocate	Merger Issues
366. U-31841 May 2011	Entergy Gulf States	Louisiana	Staff	Purchase Power Agreement
367. 11-06006 September 2011	Nevada Power	Nevada	U. S. Department of Energy	Cost of Capital
368. 9271 September 2011	Exelon/Constellation	Maryland	MD Energy Administration	Merger Savings
369. 4255 September 2011	United Water Rhode Island	Rhode Island	Division of Public Utilities	Rate of Return
370. P-2011-2252042	Pike County	Pennsylvania	Consumer Advocate	Default service plan



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<u>Docket Number</u>	<u>Utility</u>	<u>Jurisdiction</u>	<u>Client</u>	<u>Subject</u>
October 2011	Light & Power			
371. U-32095 November 2011	Southwestern Electric Power Company	Louisiana	Commission Staff	Wind energy contract
372. U-32031 November 2011	Entergy Gulf States Louisiana	Louisiana	Commission Staff	Purchased Power Contract
373. U-32088 January 2012	Entergy Louisiana	Louisiana	Commission Staff	Coal plant evaluation
374. R-2011-2267958 February 2012	Aqua Pa.	Pennsylvania	Office of Consumer Advocate	Cost of capital
375. P-2011-2273650 February 2012	FirstEnergy Companies	Pennsylvania	Office of Consumer Advocate	Default service plan

## DWIGHT D. ETHERIDGE

Mr. Etheridge is a principal at Exeter Associates, Inc. with twenty-three years of wide ranging experience in the electric utility industry. His areas of expertise include retail competition, energy markets, risk management and control, distributed generation, telecommunications, contract rate negotiations, rate design, cost allocation and forecasting.

His management experience includes reporting to the CEO of a western utility during electric deregulation and a merger of two utilities, advising the CEO on many topics including regulatory issues, legislative negotiations, strategic focus, decision analysis, and merger integration. He also has substantial project management experience gained as a consultant and in various progressively more responsible leadership roles in utility management.

Mr. Etheridge has extensive experience developing analytical and strategic solutions on a variety of utility issues and communicating on those issues to regulatory commissions, legislatures, senior management, board of directors and the public. He has presented expert testimony on twenty-one occasions and has acted as a spokesperson numerous times on television, radio and in print.

### Education:

B.S. (Business Administration) – University of California, Berkeley, 1985.

### Previous Employment:

- 2004-2005 - Independent Strategy and Business Consultant
- 1999-2004 - Strategic Director, Sierra Pacific Resources and its Subsidiaries
- 1986-1999 - Nevada Power Company
  - Leader of the Industry Restructuring Team
  - Director, Pricing and Economic Analysis
  - Economist
  - Load Forecast Analyst

Professional Work:

Mr. Etheridge's work at Exeter Associates, Inc. has been focused in the following areas:

Development of electricity and renewable energy procurement plans and risk management strategies for the U.S. Department of Energy's (DOE) Northern California national laboratories.

Review of utility procurement strategies for multiple U.S. Air Force bases in an effort to identify areas for potential utility cost savings.

Evaluating the need for new transmissions lines in the PJM market on behalf of a regulatory agency of the State of Maryland.

Provided analytical support to a southwestern municipal water and power utility in the areas of rate design, load forecasting, wholesale market modeling, and volatility analysis.

Review of the Regional Greenhouse Gas Initiative on behalf of a regulatory agency of the State of Maryland, and the development of technical memoranda on various carbon dioxide emissions related topics.

Development of options studies for DOE facilities that address the power supply and transmission system capabilities of potential alternative suppliers for meeting DOE's long-term electrical requirements.

Review of utility procurement strategies and development of electric and natural gas long-term avoided cost projections for several of DOE's national laboratories

As an independent consultant, Mr. Etheridge:

Led an engagement for a western consulting firm to review the load forecasting methodologies and forward price curve models employed by a southwestern municipal water and power utility and to recommend improvements.

Led an engagement for a western consulting firm to develop rate design options for a southwestern municipal water and power utility. The rate design recommendation was designed to facilitate the implementation of operational strategies and the achievement of operational savings identified in a previous consulting engagement. It was also designed to accommodate additional electrical loads if other water municipalities decided to jointly participate in wholesale markets.

Worked with a team from an international consulting firm to support a Midwest utility's effort to ensure that its accounting and rates departments were prepared for the Midwest ISO's "Day 2" market opening scheduled for March 1, 2005. The project involved developing process flows of information required by the accounting and rates departments, and significant interaction with the corporate information technology department. The project also involved reviewing rates and regulatory strategies for potential changes under the Day 2 market rules.

Prepared a competitive analysis for a Midwest utility's unregulated subsidiary on behalf of an international consulting firm. The analysis focused on comparing the subsidiary's product and service offerings, and value propositions, against those of its competitors as well as evaluating the dynamics occurring within the various market segments.

Led an engagement for a western consulting firm to identify strategies for maximizing the savings potential of switching electricity suppliers for a southwestern municipal water and power utility. The economic analyses developed as part of the engagement identified multi-million dollar savings potential that could be achieved over ten years through changes in both suppliers and operational strategies. In addition, the client realized thousands in immediate savings from billing errors that were identified during the engagement, as well as the potential for hundreds of thousands in annual savings that could be realized through enforcement of the provisions of existing contracts.

Worked with a team from an international consulting firm to facilitate the development of a strategic plan for a western municipal power and water utility. The project included leading the utility's management team through an all-day planning session to develop divisional strategies consistent with the utility's mission statement.

As a strategic director for Sierra Pacific Resources, Mr. Etheridge:

Developed a forecasting model for power and gas prices that was capable of blending fundamentals-based power and gas price forecasts from multiple vendors while maintaining rational market implied heat rates as well as consistent relationships across various gas market centers and power trading hubs in the western U.S. The models enable forecasters to produce timely forecast updates as gas futures prices change or when vendors update their forecasts, while maintaining an easily audited trail of assumptions across forecast updates.

Developed sophisticated financial models to evaluate the ROI potential of distributed generation projects that might be deployed by large commercial and industrial customers. The models investigated gas-fired reciprocating engines and turbines, as well as multi-unit installations, varying performance characteristics and partial standby requirements. This project was undertaken in conjunction with the redesign of retail standby rates and the introduction of new interconnection rules.

Investigated the potential of using private equity partners to pursue power plant development and/or acquisition in southern Nevada, including the possibility of a public/private partnership to leverage the credit ratings of a local governmental entity.

Gained valuable indirect experience in the development and implementation of risk management and risk control procedures while working on energy supply projects during the period of time when new corporate risk policies were developed, implemented and defended in litigated proceedings.

Supported a telecommunications subsidiary by acting as the lead in the development of business plans for two metro area networks and a long-haul opportunity. Co-presented the business plans with the lead director for the subsidiary to the Board of Directors and obtained the required initial funding of \$44 million.

Supported a telecommunications subsidiary by acting as the lead in the development of a fiber-to-the-home business plan with an external team of consultants. The plan addressed the feasibility of multiple bundled service offerings and a targeted deployment in several western markets. Participated in negotiations with subsidiary management and multiple potential partners, including service providers with a national footprint, technology partners and content providers. The plan was tabled when key partnership agreements could not be put in place to pursue a "beta" test of the technology and business model.

Participated on the team that developed a successful bid for a northwest electric utility, including due diligence, management presentations by the company being acquired, and strategy discussions with the CEO and financial advisors.

As leader of the industry restructuring team at Nevada Power Company, Mr. Etheridge:

Reported to the CEO and led an internal team of directors assigned full-time to electric industry restructuring. Directed and managed the team's development and presentation of company positions on restructuring to the Public Utilities Commission of Nevada ("PUCN") and to the Nevada Legislature.

Presented expert testimony before the PUCN and the Nevada Legislature. Was responsible for hiring multiple consultants and expert witnesses to facilitate the development of corporate strategy and to support the presentation of positions before the PUCN. In this assignment, represented the company on multiple occasions on television, taped and live radio, in press conferences and interviews, in consumer focus groups, and in presentations to large commercial and industrial customers.

As a member of the CEO's staff, participated in senior management discussions on corporate strategy prior to the merger announcement and throughout the merger integration process, including development of corporate strategy and business line focus for the combined company.

One of only several advisors to the CEO that directly participated with the CEOs from both Nevada Power and Sierra Pacific Resources in the final legislative negotiations on the merger and associated restructuring legislation.

In his other assignments at Nevada Power Company, Mr. Etheridge:

Directed a department responsible for rate design studies, marginal cost of service studies, the annualization of sales and revenues for general rate case applications, demand-side pricing, economic and load forecasting, tariff administration, wholesale pricing, and development of supporting testimony in these areas. Built a cohesive, progressive thinking team of experts that was well recognized throughout the company.

Made multiple presentations to executives and groups of large commercial and industrial customers on a variety of industry issues.

Represented the company in negotiations with customers considering alternative sources of supply. Negotiated an 8-year retail power purchase contract with Mirage Resorts, Incorporated to keep them from building a distributed generation project. Regularly briefed the Board of Directors during negotiations and gained Board approval for the final contract. Acted as a spokesperson on television and in the press on this highly publicized contract.

Acted as the lead in the development of economic forecasts, econometric load forecasts, weather normalization of sales and peak demand, short-term sales forecasts and testimony in these areas.

Expert Testimony:

Before the Public Utilities Commission of Nevada, Docket No. 06-11022 (March 2007), on behalf of the U.S. Department of Energy. Testimony addressed Nevada Power Company's proposed class revenue requirement allocation with respect to DOE's Nevada Test Site and the U.S. Air Force's Nellis Air Force Base.

Before the Public Utilities Commission of Nevada in Nevada Power's last deferred energy case before a rate freeze, Docket No. 99-7035, February 2000. Rebuttal testimony addressed the issue of splitting purchased power capacity payments out of deferred energy cases and into general rate cases for cost recovery purposes.

Before the Nevada Legislature, Senate Commerce and Labor Committee, March 1999. Testimony responded to questions on deregulation.

Before the Public Utilities Commission of Nevada in Nevada Power's application to provide potentially competitive services as part of industry restructuring, Docket No. 98-12009, June 1999 and December 1998. Testimony addressed steps being taking to establish an arms length affiliate to provide potentially competitive services.

Before the Public Utilities Commission of Nevada in the PUCN's Investigation of Issues to be Considered as a Result of Restructuring of the Electric Industry (pursuant to Assembly Bill 366), Docket No. 97-8001, September 1997. Testimony addressed Nevada Power's efforts to address restructuring issues and cost unbundling issues.

Before the Public Utilities Commission of Nevada in a deferred energy case, Docket No. 97-7030, July 1997. Testimony addressed matching deferred energy rates with rapidly changing deferred energy balances given upward swings in market prices for fuel and purchased energy.

Before the Nevada Legislature, Senate Commerce and Labor Committee, February 1997. Testimony addressed rates during hearings on deregulation.

Before the Public Service Commission of Nevada in a gas utility's filing for approval of a residential gas air conditioning rate schedule, Docket No. 96-10005, February 1997. Testimony on behalf of Nevada Power addressed the potential benefits of pricing strategies that support technological innovation.

Before the Public Service Commission of Nevada in a deferred energy case and request to move capacity costs into general rates, Docket No. 96-7020, July 1996. Testimony addressed competition, marginal costs, confidentiality issues, and rate design in support of the largest ever-proposed rate reductions for large customers.

Before the Public Service Commission of Nevada in support of proposed line extension policies, Docket No. 95-6076, February 1996. Testimony addressed line extension policies in light of competition and marginal costs.

Before the Public Service Commission of Nevada in a proposed rate schedule in response to the Department of Energy's (DOE) competitive solicitation for the Nevada Test Site, Docket No. 95-8038, November 1995 and January 1996. Direct and supplemental testimony addressed a proposal to serve the Test Site under a new partial requirements rate schedule. The case was withdrawn when DOE did not award contracts.

Before the Public Service Commission of Nevada in a deferred energy case, Docket No. 95-7021, July 1995 and November 1995. Direct testimony and supplemental testimony addressed a request to implement improved cost allocation procedures for calculating base tariff energy rates across rate classes.

Before the Public Service Commission of Nevada in an application for approval of a negotiated service agreement with Mirage Resorts, Incorporated, Docket No. 95-4061, July 1995. Testimony addressed competition, and the negotiations and cost studies that supported the service agreement.

Before the Public Service Commission of Nevada in an application for approval of a resource plan, Docket No. 94-7001, February 1995. Testimony addressed load forecasting, competition, long-term avoided costs and econometric modeling.

Before the Public Service Commission of Nevada in a proposed line extension rules, Docket No. 94-4085, October 1994. Testimony addressed marginal costs relative to line extensions and in total.

Before the Public Service Commission of Nevada in an application for approval of a resource plan, Docket No. 94-7001, July 1994 and August 1994. Direct and supplemental testimony addressed economic and load forecasting issues.



Before the Public Service Commission of Nevada in an over-earnings investigation, Docket No. 93-11045, June 1994. Direct and supplemental testimony addressed rate design and cost of service.

Before the Public Service Commission of Nevada in a complaint case brought by a rural cooperative over service to the Department of Energy's Nevada Test Site, Docket No. 92-9055, January 1994. Testimony addressed the impact of lost sales to the Test Site on remaining retail customers.

Before the Public Service Commission of Nevada in a general rate case, Docket No. 92-1067, January 1992. Direct and rebuttal testimony addressed rate design and cost of service.

Before the Public Service Commission of Nevada in a general rate case, Docket No. 91-5055, May 1991. Testimony addressed rate design and cost of service.

Before the Public Service Commission of Nevada in an application for approval of a resource plan, Docket No. 88-701, July 1988. Testimony addressed economic and load forecasting.

## STEVEN L. ESTOMIN

Dr. Estomin is a principal in Exeter Associates, Inc. He is a senior economist whose academic training and professional experience are in the areas of microeconomic applications, industry analysis, econometric modeling and environmental economics. At Exeter, Dr. Estomin specializes in power supply procurement, utility load forecasting, regulatory policy, options analysis, utility contract negotiation, and issues of competition, antitrust, and damage estimation.

Dr. Estomin has testified on issues related to load forecasting, statistical analysis, economic damage analysis, class cost-of-service, rate design, power supply procurement, and default electric service. He has prepared numerous electric load forecasts and has directed projects for state and federal regulatory agencies. Dr. Estomin has prepared reports on load forecasting, energy conservation, alternative power supply procurement, bulk power supply planning, and damage estimations for federal and state agencies and for private firms. He has also provided technical support to federal agencies in utility contract negotiations and in the development of requests for proposals for competitive power supply procurement.

### Education:

B.A. (Economics) - University of Maryland, 1975.

M.A. (Economics) - University of Maryland, 1978.

Ph.D. (Economics) - University of Maryland, 1986.

### Previous Employment:

1980-1981 - Faculty Researcher, Bureau of Business and Economic Research, University of Maryland, College Park, Maryland.

1976-1980 - Research/Teaching Assistant, and Instructor, University of Maryland, Department of Economics, College Park, Maryland.

1976-1978 - Economist, U.S. Department of Labor, Bureau of International Labor Affairs, Office of Trade Adjustment Assistance, Washington, D.C.

Professional Work:

At the Bureau of Business and Economic Research, Dr. Estomin supervised the development of an environmental pollution forecasting model which he linked to a county level regional economic model. This task included developing submodels for industrial/commercial activity, municipal wastes generation, and transportation and energy-related emissions. Several reports and estimations using the model were provided to the Bureau of Land Management (U.S. Department of the Interior) and were used to develop analyses of future development of the outer-continental shelf.

As a Graduate Teaching Assistant for the Department of Economics at the University of Maryland, Dr. Estomin was initially engaged in aiding senior faculty members in a variety of teaching-related tasks and later autonomously taught micro and macroeconomic theory courses. As an Instructor for the University, he taught upper-level courses in the economics of poverty and discrimination and the economics of American industry. As a Graduate Research Assistant, Dr. Estomin conducted extensive research in pollution abatement cost modeling.

At the U.S. Department of Labor, Dr. Estomin collected firm-specific data covering sales, inventory, employment, and production and used these data together with industry production, employment, and import data to analyze causes of employment reductions. Companies analyzed by Dr. Estomin include American Motors Corporation, Bethlehem Steel, and numerous smaller firms.

Major Publications and Reports:

“Long-Term Electricity Report for Maryland,” prepared for the Power Plant Research Program, Maryland Department of Natural Resources, December 2011 (with Sari Fink, Christina Mudd, and Michael Buckley of Exeter Associates, Inc.)

“Maryland Power Plants and the Environment: A Review of the Impacts of Power Plants and Transmission Lines on Maryland’s Natural Resources, Maryland Power Plant Research Program, PPRP-CEIR-15,” January 2010 (with Christina Mudd, Sari Fink, and Jennifer Rogers of Exeter Associates, Inc. and contributing authors from Versar, Inc. and Environmental Resources Management).

“Guidance for the Development of Renewable Energy Projects at Air Education and Training Command Bases,” prepared for the U.S. Air Force, Air Force Civil Engineer Support Center (Tyndall AFB, Florida) and the Air Education and Training Command (Randolph AFB, Texas), January 2010 (with Christina Mudd and Sari Fink).

“2009 Inventory of Renewable Energy Generators Eligible for the Maryland Renewable Energy Portfolio Standard,” prepared for the Power Plant Research Program, Maryland

Department of Natural Resources, January 2010 (with Christina Mudd and Sari Fink of Exeter Associates, Inc. and contributing authors from BCS, Inc.)

“Maryland Power Plants and the Environment: A Review of the Impacts of Power Plants and Transmission Lines on Maryland’s Natural Resources, Maryland Power Plant Research Program, PPRP-CEIR-14,” January 2008 (with Christina Mudd and Sari Fink of Exeter Associates, Inc. and contributing authors from Versar, Inc. and Environmental Resources Management).

“Forecasted Electric Energy Consumption and Peak Demands in Maryland,” prepared for the Power Plant Research Program, Maryland Department of Natural Resources, November 2006 (with David Chen and Michael P. Lee).

“Maryland’s Options to Reduce and Stabilize Electric Power Prices Following Restructuring,” prepared for the Power Plant Research Program, Maryland Department of Natural Resources and the Maryland Energy Administration, September 2006 (with Matthew I. Kahal).

“The Potential for Biomass Co-Firing in Maryland,” prepared for the Maryland Department of Natural Resources, Power Plant Research Program, March 2006 (with Christina Mudd and Michael Lee).

“Wind Power Options Assessment,” prepared for the Maryland Department of Natural Resources, Power Plant Research Program and the Maryland Energy Administration, January 2006 (with Matthew I. Kahal and Christina Mudd).

“Electric Power Supply Options for Holloman Air Force Base, New Mexico,” prepared for the U.S. Air Force, Air Force Civil Engineer Support Agency, September 2005.

“Forecast of Electric Energy Consumption and Peak Demands in Maryland,” prepared for the Power Plant Research Program, Maryland Department of Natural Resources, May 2005.

“Economic Analysis of a Power Plant Fueled by Poultry Litter to be Located on Maryland’s Eastern Shore,” prepared for the Power Plant Research Program, Maryland Department of Natural Resources, May 2005.

“Yucca Mountain Project – Evaluating Alternative Electric Power Service Options,” prepared for the U.S. Department of Energy, Federal Energy Management Program, August 2004.

“Short-term Steam Supply options for the Savannah River Site,” prepared for the U.S. Department of Energy, Federal Energy Management Program, June 2004.

“Assessment of Economic Damages,” prepared for Supra Telecommunications and Information Systems, Inc., CPR Institute for Arbitral Tribunal, Supra Telecommunications and

Information Systems v. BellSouth Telecommunications, Arbitration V, October 2003  
(with Marvin H. Kahn).

“Costs and Benefits for Overhead/Underground Utilities,” prepared for the Maryland State  
Highway Administration, October 2003 (with William H. Albeck).

“Economic Assessment of Damages,” prepared for Supra Telecommunications and Information  
Systems, Inc., U.S. District Court, Southern District of Florida, Case No. 99-1706, March  
2003 (with Marvin H. Kahn).

“Forecasted Electric Energy Consumption and Peak Demand in Maryland,” prepared for the  
Power Plant Research Program, Maryland Department of Natural Resources, October  
2002.

“The Technical Potential for Electric Energy Conservation in Maine,” prepared for the Maine  
Office of Consumer Advocate, September 2002.

“Energy Conservation and Efficiency Baseline,” prepared for Governor Paris N. Glendening’s  
Task Force on Energy Conservation and Efficiency, the Maryland Energy  
Administration, and the Maryland Department of Natural Resources, December 2001  
(with Allan R. Evans and Michael P. Lee).

“Alternative Electricity and Natural Gas Procurement Strategies for U.S. Department of Defense  
Installations,” prepared for the U.S. Department of Defense, Defense Logistics Agency,  
Defense Energy Support Center, July 2001 (with Richard A. Galligan).

“Electricity in Maryland Fact Book,” prepared for the Power Plant Research Program, Maryland  
Department of Natural Resources, January 2001.

“Steam Supply Options Analysis for the Savannah River Site,” prepared for the U.S. Department  
of Energy, March 2000.

“The Feasibility of a Renewables Portfolio Standard in Maryland,” prepared for the Power Plant  
Research Program, Maryland Department of Natural Resources and the Maryland Energy  
Administration, January 2000.

“Undergrounding Electric Utility Lines in Maryland,” prepared for the Maryland Energy  
Administration and the Power Plant Research Program, Maryland Department of Natural  
Resources for the Governor’s Task Force on Utility Preparedness, December 1999.

“Nevada Test Site Utility Options Study,” prepared for the U.S. Department of Energy, June  
1999.

- “Spallation Neutron Source Electrical Facilities Study,” prepared for the U.S. Department of Energy, April 1999.
- “Forecasted Electric Power Demands for the Delmarva Power and Light Company,” prepared for the Power Plant Research Program, Maryland Department of Natural Resources, December 1998 (with Andrés Escalante).
- “Assessment of DOD Electric Power Supply Options, Strategies, and Costs under Retail Open Access,” prepared for the U.S. Department of Defense, Office of the Deputy Under Secretary of Defense, February 1998.
- “The Engineering and Economic Feasibility of Using Poultry Litter as a Fuel to Generate Electric Power at Maryland’s Eastern Correctional Institute,” prepared for the Maryland Environmental Service, February 1998 (with Gary Walters).
- “Power Supply and Cogeneration Options for the Eastern Correctional Institute,” prepared for the Maryland Environmental Service,” April 1997 (with Thomas King, P.E.)
- “Cooperative Integrated Resource Plan for U.S. Department of Energy Installations Having Power Allocations from the Western Area Power Administration,” prepared for the U.S. Department of Energy, June 1997.
- “Cooperative Integrated Resource Plan for U.S. Navy Installations Having Power Allocations from the Western Area Power Administration,” prepared for the U.S. Navy, SOUTHWESTNAVFACENGDIV, June 1997.
- “Cooperative Integrated Resource Plan for U.S. Air Force Installations Having Power Allocations from the Western Area Power Administration,” prepared for HQ AFCESA/CESE (Tyndall Air Force Base, Florida), June 1997.
- “Analysis of Service Reliability -- Duquesne Light Company,” prepared for the Pennsylvania Office of Consumer Advocate, June 1997.
- “Estimated Power Supply Costs for the Accelerator Production of Tritium Project,” prepared for the U.S. Department of Energy, Office of Project and Fixed Asset Management, October 1996.
- “Customized Energy Conservation and Demand-Side Management Agreements between U.S. Air Force Bases and Utility Service Suppliers,” prepared for HQ AFCESA/CESE (Tyndall Air Force Base, Florida), January 1996 (with Richard I. Chais).
- “Evaluating and Implementing Privatization of Utility Distribution Systems at U.S. Air Force Bases,” prepared for HQ AFCESA/CESE (Tyndall Air Force Base, Florida), December 1995 (with Richard I. Chais).

"Power Supply Options Study for Vandenberg Air Force Base," prepared for HQ AFCEA/CESE (Tyndall Air Force Base), December 1995 (with Richard Zumwalt, P.E.).

"U.S. Department of Energy Savannah River Site Power System Privatization Study," prepared for the U.S. Department of Energy, February 1995 (with Richard Zumwalt, P.E.).

"Technical Report: Special Study of the MacDill Cogeneration Project," prepared for the Department of the Air Force, Headquarters Air Combat Command, May 1994.

"The Feasibility of Centralized Purchase of Electric Utility Service," prepared for the Department of the Air Force, March 1994.

"Long Range Energy Requirements for Charleston Air Force Base," (two volumes), prepared for the Department of the Air Force, July 1994.

"Long Range Energy Requirements for Wright-Patterson Air Force Base," (three volumes) prepared for the Department of the Air Force, Headquarters Air Force Logistics Command, April 1993.

"Forecasted Electric Power Demands for the Potomac Electric Power Company," (two volumes), prepared for the Power Plant Research Division, Maryland Department of Natural Resources, March 1992 (with John E. Beach).

"Optimal Allocation of Western Area Power Administration (Billings Area) Federal Preference Power Among Ellsworth, Minot, and Offutt Air Force Bases," prepared for the U.S. Air Force, November 1991.

"Impacts of Missile Site Deactivation on Electric Power Costs," *Environmental Impact Statement -- Deactivation of the Minuteman II Missile Wing at Ellsworth Air Force Base, South Dakota*, prepared for the Department of the Air Force, Headquarters Strategic Air Command, October 1991.

"Forecasted Electric Power Demands for the Baltimore Gas and Electric Company," (two volumes), prepared for the Power Plant and Environmental Review Division, Maryland Department of Natural Resources, May 1991 (with John E. Beach).

"Forecasted Electric Power Demands for the Delmarva Power and Light Company," (two volumes), prepared for the Power Plant and Environmental Review Division, Maryland Department of Natural Resources, September 1990 (with John E. Beach).

"Year 2000 Power Supply Reliability Assessment: SERC and SPP Regions," prepared for the U.S. Air Force, August 1990 (with Dennis Goins).

- "Market and Regulatory Effects of the Elimination of the Manufacturing Restriction on the Regional Bell Operating Companies," prepared for the Telecommunications Committee of the National Association of State Utility Consumer Advocates (NASUCA), November 1989.
- "Alternative Electric Power Supply Sources for Onizuka Air Force Base, California," prepared for the U.S. Air Force, June 1989.
- "Vandenberg Air Force Base Power Supply Study," prepared for the U.S. Air Force, March 1989.
- "Forecasted Electric Power Demands for the Potomac Electric Power Company," (two volumes), prepared for the Power Plant Research Program, Maryland Department of Natural Resources, July 1988 (with Walter Asmuth, III).
- "Economic Damage Estimation -- Pittcon Industries, Inc.," Exeter Associates, Inc., prepared for Pittcon Industries, Inc., February 1988 (with Marvin H. Kahn).
- "Report and Recommendations of the U.S. Air Force on Adjustments to the Mather AFB Surcharge," prepared for the U.S. Air Force for submission to the Board of Directors of the Sacramento Municipal Utility District, August 1987.
- "Preliminary Assessment of Options Available to the U.S. Air Force to Reduce Electric Power and Energy Costs to the Northern California Air Force Bases," Exeter Associates, Inc., prepared for the U.S. Air Force, March 1987.
- "An Analysis of the Optimal Allocation of Available Western Area Power Administration Preference Power Among the Northern California Air Force Bases," Exeter Associates, Inc., prepared for the U.S. Air Force, March 1987.
- "A Survey of Methods Used to Estimate Conservation Potential," Exeter Associates, Inc., prepared for the Power Plant Research Program, Maryland State Department of Natural Resources, February 1987.
- "End-Use Forecasting," presentation at the Power Plant Research Program Load Forecasting Workshop, Annapolis, Maryland, January 1987 (published in proceedings volume).
- "Survey and Analysis of End-Use Modeling Practices," Exeter Associates, Inc., prepared for the Power Plant Research Program, Maryland State Department of Natural Resources, October 1986.
- "Economic Damage Estimation -- Yacht Buyers Group," Exeter Associates, Inc., prepared for Yacht Buyers Group, Inc., August 1986 (with Marvin H. Kahn).



"Updated Load Forecast of Energy and Peak Demand for the Allegheny Power System," Exeter Associates, Inc., prepared for the Power Plant Research Program, Maryland State Department of Natural Resources, June 1986 (with Matthew I. Kahal).

*The Determinants of Profitability and Premiums in Conglomerate Mergers*, Ph.D. dissertation, University of Maryland, 1986.

"Updated Load Forecast of Energy and Peak Demand on the Delmarva Peninsula," Exeter Associates, Inc., prepared for the Power Plant Siting Program, Maryland State Department of Natural Resources, February 1986 (with Matthew I. Kahal).

"Estimated Value of Experimental Breeder Reactor II Generation to the Idaho National Engineering Laboratory -- 1985 Through 1986," Exeter Associates, Inc., prepared for the Idaho National Engineering Laboratory, U.S. Department of Energy, January 1986.

"An Economic Estimation of Electric Power Demands for the Baltimore Gas and Electric Company," (two volumes), Exeter Associates, Inc., prepared for the Power Plant Siting Program, Maryland State Department of Natural Resources, April 1985 (with Matthew I. Kahal).

"An Assessment of the State-of-the-Art of Gas Utility Load Forecasting," (with Thomas Bacon, Jr. and Matthew I. Kahal) published in the *Proceedings of the Fourth NARUC Biennial Regulatory Information Conference*, 1984.

"Projected Electric Power Demands for the Potomac Electric Power Company," (three volumes), Exeter Associates, Inc., prepared for the Power Plant Siting Program, Maryland State Department of Natural Resources, March 1984 (with Matthew I. Kahal).

"Economic and Demographic Forecasts for the PEPCO Service Area," Exeter Associates, Inc., prepared for the Power Plant Siting Program, Maryland State Department of Natural Resources, September 1982.

"The Behavior of Regulatory Agencies," published in *Attacking Regulatory Problems: An Agenda for Research in the 1980's*. (Allen Furgeson, ed.), Ballinger Publishers, Cambridge, Massachusetts, 1981 (with Wes Magat).

"Report on the Environmental Impacts from Outer-Continental Shelf Development in the Baltimore Canyon," Bureau of Business and Economic Research, University of Maryland, prepared for the Bureau of Land Management, U.S. Department of the Interior, September 1980 (with Virginia McConnell).

"The Environmental Systems Model," Bureau of Business and Economic Research, University of Maryland, June 1980 (with Virginia McConnell).

“Economic-Environmental Models of Regional Development -- The U.S. Experience,”  
Department of Economics Working Paper 80-15, University of Maryland, November  
1979 (with John H. Cumberland and Alan Krupnick).

Expert Testimony Presented:

Before the Pennsylvania Public Utility Commission in Docket Nos. P-2009-2135496 and  
G-2009-2135510, UGI Utilities, Inc., 2010, for the Pennsylvania Office of Consumer  
Advocate. Testified on Default Service issues.

Before the Pennsylvania Public Utility Commission in Docket No. P-2009-2094494, PECO  
Energy Company, 2009, for the Pennsylvania Office of Consumer Advocate. Testified  
on acquisition of solar energy credits.

Before the Pennsylvania Public Utility Commission in Docket No. P-2008-2022931, UGI  
Utilities, Inc., 2008, for the Pennsylvania Office of Consumer Advocate. Testified on  
Default Service issues.

Before the Maryland Public Service Commission in Case No. 9117, Investigation of Investor-  
Owned Electric Companies' Standard Offer Service for Residential and Small  
Commercial Customers in Maryland, 2008, for the Maryland Energy Administration.  
Testified on Standard Offer Service issues.

Before the Pennsylvania Public Utility Commission in Docket No. P-0072305, Pennsylvania  
Power Company, 2007, for the Pennsylvania Office of Consumer Advocate. Testified on  
Default Service issues.

Before the Maryland Public Service Commission in Case No. 9099, Baltimore Gas and Electric  
Company, 2007, for the Maryland Department of Natural Resources. Testified on  
market-related issues, Standard Offer Service prices, and Standard Offer Service  
Procurement Issues.

Before the Pennsylvania Public Utility Commission in Docket No. P-00662227, PPL Electric  
Utilities Corporation, 2006, for the Pennsylvania Office of Consumer Advocate.  
Testified of Provider of Last Resort service.

Before the Maryland Public Service Commission in Case No. 9063, Investigation into the  
Optimal Structure of the Electric Utility Industry in Maryland, 2006, for the Power Plant  
Research Program, Maryland Department of Natural Resources and the Maryland Energy  
Administration. Testified on standard offer service issues, customer choice, demand-side  
management and energy efficiency, and market-related issues.

Before the Pennsylvania Public Utility Commission in Docket No. P-00052188, Pennsylvania Power Company, 2005, for the Pennsylvania Office of Consumer Advocate. Testified on Provider of Last Resort service.

Before the Maryland Public Service Commission in Case No. 9018, Potomac Edison Company, 2005, for the Maryland Department of Natural Resources, Power Plant Research Program. Testified on jurisdictional cost impacts of proposed transmission and distribution facilities.

Before the Maine Public Utilities Commission in Docket No. 2004-339, Central Maine Power Company, 2004, for the Maine Public Advocate. Testified on sales forecasting issues.

Before the Maine Public Utilities Commission in Docket No. 2002-770, Central Maine Power Company, 2003, for the Maine Public Advocate. Testified on load forecasting issues.

Before the Maine Public Utilities Commission in Docket No. 2001-239, Bangor Hydro Electric Company, 2001, for the Maine Public Advocate. Testified on load forecasting issues.

Before the Maine Public Utilities Commission in Docket No. 2001-232, Central Maine Power Company, 2001, for the Maine Public Advocate. Testified on load forecasting issues.

Before the Kentucky Public Service Commission in Case No. 99-070, Western Kentucky Gas Company, 1999, for the Office of Rate Intervention of the Attorney General. Testified on functionalization of distribution system costs.

Before the Kentucky Public Service Commission in Case No. 99-176, Delta Natural Gas Company, Inc., 1999, for the Office of Rate Intervention of the Attorney General. Testified on functionalization of distribution system costs.

Before the Maine Public Utilities Commission in Docket No. 97-580, Central Maine Power Company, 1998, for the MPUC Staff. Testified on generation-related administrative and general expenses.

Before the Maine Public Utilities Commission in Docket No. 96-116, Bangor Hydro Electric Company, 1997, for the MPUC Staff. Testified on load forecasting issues.

Before the New Mexico Public Service Commission, El Paso Electric Company, 1996, for the U.S. Air Force. Testified on rate design issues.

Before the State of Rhode Island and Providence Plantation Public Utilities Commission in Docket No. 2290, Narragansett Electric Company, 1995, for the Division of Public Utilities and Carriers. Testified on load forecasting issues.

Before the Illinois Commerce Commission in Docket No. 94-0065, Commonwealth Edison Company, June 1994, for the U.S. Department of Energy. Testified on load forecasting.

Before the Federal Energy Regulatory Commission in Docket No. RP91-203, et al., Tennessee Gas Pipeline Company, May 1994, for the Tennessee Rate Design Customer Group. Testified on issues related to econometric analysis.

Before the Public Service Commission of the District of Columbia in Formal Case No. 926, Chesapeake and Potomac Telephone Company, September 1993, for the Office of People's Counsel. Testified on issues related to finance and statistical analysis.

Before the Public Service Commission of the District of Columbia in Formal Case No. 814, Phase III, Chesapeake and Potomac Telephone Company, October 1992, for the Office of People's Counsel. Testified on issues related to competition in the telecommunications industry.

Before the Maine Public Utilities Commission in Docket No. 92-101, Maine Public Service Company, September 1992, for the Commission Staff. Testified on load forecasting.

Before the Maryland Public Service Commission in Case No. 8413, Potomac Electric Power Company, March 1992, for the Maryland Power Plant Research Division. Testified on load forecasting.

Before the State of New Jersey Board of Regulatory Commissioners in Docket No. GF91081393J, New Jersey Natural Gas Company, March 1992, for the Division of Rate Counsel. Testified on weather normalization.

Before the State of Rhode Island and Providence Plantations Public Utilities Commission in Docket 2019, Narragansett Electric Company, November 1991, for the Division of Public Utilities and Carriers. Testified on load forecasting.

Before the Maine Public Utilities Commission in Docket No. 91-010, Bangor Hydro-Electric Company, June 1991, for the Maine Public Advocate. Testified on load forecasting.

Before the Maryland Public Service Commission in Case No. 8241, Phase II, Baltimore Gas and Electric Company, May 1991, for the Maryland Power Plant and Environmental Review Division. Testified on load forecasting.

Before the State of Rhode Island and Providence Plantations Public Utilities Commission in Docket 1976, Narragansett Electric Company, October 1990, for the Revision of Public Utilities and Carriers. Testified on load forecasting.

Before the Maryland Public Service Commission in Case No. 8201, Delmarva Power and Light Company, October 1990, for the Maryland Power Plant and Environmental Review Division. Testified on load forecasting.

Before the Maine Public Utilities Commission in Docket No. 90-076, Central Maine Power Company, September 1990, for the Maine Public Advocate. Testified on load forecasting.

Before the Public Service Commission of the District of Columbia in Formal Case No. 890, District of Columbia Natural Gas, February 1990, for the Office of People's Counsel of the District of Columbia. Testified on load forecasting.

Before the Maryland Public Service Commission in Case No. 8102, Southern Maryland Cooperative, July 1988, for the Maryland Power Plant Research Program. Testified on load forecasting.

Before the Maryland Public Service Commission in Case No. 8063 Phase II, Potomac Electric Power Company, July 1988, for the Maryland Power Plant Research Program. Testified on load forecasting.

Before the U.S. District Court for the Eastern District of Pennsylvania in Civil Action No. 87-0805, March 1988, for Pittcon Industries, Inc. Testified on economic damages.

Before the Sacramento Municipal Utility District Board, September 1987, for the U.S. Air Force. Testified on the applicability and appropriate calculation of a special surcharge.

Before the Sacramento Municipal Utility District Board, September 1987, for the U.S. Air Force. Testified on cost estimation and cost allocation.

Before the Sacramento Municipal Utility District Board, February 1987, for the U.S. Air Force. Testified on rate design and cogeneration.

Before the Vermont Public Service Board in Docket No. 4661, Green Mountain Power Corporation, November 1982, for the Vermont Department of Public Service. Testified on production planning, fuel costs, and maintenance scheduling for nuclear plant on behalf of the Vermont Public Service Board.

## **JEROME D. MIERZWA**

Mr. Mierzwa is a Principal of Exeter Associates, Inc., with over 20 years of public utility regulatory experience. At Exeter, Mr. Mierzwa has been involved in purchased gas cost allocation analysis and rate design analysis, conducting management audits and similar investigations of the natural gas supply and procurement policies and practices of local distribution companies (LDCs), and has provided assistance in proceedings before the Federal Energy Regulatory Commission (FERC). Mr. Mierzwa has participated in the planning of natural gas procurements for major federal installations located in various regions of the country. Mr. Mierzwa has been involved in evaluating performance-based incentive regulation for LDC purchased gas costs and the unbundling of LDC services. Mr. Mierzwa has participated in developing utility class cost-of-service studies, has presented testimony sponsoring gas, water and wastewater utility cost-of-service studies, least cost gas procurement and incentive regulation, in addition to presenting testimony addressing utility rate base and revenues.

### Education

B.S. (Marketing) - Canisius College, Buffalo, New York, 1981.

M.B.A. (Finance) - Canisius College, Buffalo, New York, 1985.

Gas Rates Fundamental Course, June 1987, University of Wisconsin, sponsored by the American Gas Association.

### Previous Employment

1986-1990 - Rate Analyst, National Fuel Gas Company, Buffalo, New York.

### Prior Professional Work

Prior to joining Exeter in 1990, Mr. Mierzwa served as a rate analyst at National Fuel Gas Supply Corporation, an interstate pipeline. In that position, he was involved in preparing purchased gas adjustment filings and reviewing the rate filings of interstate pipeline suppliers. Mr. Mierzwa was also involved in preparing supplier rate, gas sales and gas purchase price forecasts, examining the rate implications of storage activity, and analyzing rate of return, cash working capital and potential merger and acquisition candidates.

Presentations

The NASUCA annual meetings in San Antonio, Texas, November 1991 (presentation concerning the FERC Mega-NOPR proceeding which led to the adoption of FERC Order No. 636).

The NASUCA annual meetings in Reno, Nevada, November 1994 (presentation concerning spot market gas incentive procurement programs).

Expert Testimony

of Jerome D. Mierzwa

Columbia Gas of Ohio (Public Utilities Commission of Ohio , Case No. 90-17-GA-GCR), November 1990. Co-authored report on audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio. (Findings and recommendations were stipulated to without cross-examination.)

City of Great Falls Wastewater Utility (Montana Public Service Commission Docket No. 90.10.66), March 1991. Presented a cost of service study on behalf of the U.S. Air Force.

City of Great Falls Water Utility (Montana Public Service Commission Docket No. 90.10.67), March 1991. Presented a cost of service study on behalf of the U.S. Air Force.

Cincinnati Gas & Electric Company (Public Utilities Commission of Ohio, Case No. 91-16-GA-GCR), October 1991. Co-authored report on audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio. (Findings and recommendations were stipulated to without cross-examination.)

Louisiana Gas Service Company (Louisiana Public Service Commission Docket No. U-19237), December 1991. Testified on rate base including cash working capital, cost allocation and rate design on behalf of the Louisiana Public Service Commission.

Equitable Gas Company and Jefferson Gas Company (Pennsylvania Public Utility Docket No. R-00912164), April 1992. Presented a revised forecast of test year sales and revenues on behalf of the Pennsylvania Office of Consumer Advocate.

Peoples Natural Gas Company (Pennsylvania Public Utility Docket Nos. R-00922180 and R-00922206), May 1992. Presented testimony sponsoring a revised forecast of purchased gas costs and on least cost gas procurement on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Utilities, Inc., Gas Utility Division (Pennsylvania Public Utility Docket No. R-922323), July 1992. Presented testimony on the allocation of purchased gas costs and the projection of purchased gas costs on behalf of the Pennsylvania Office of Consumer Advocate.

Providence Water Supply Board (Rhode Island Public Utilities Commission Docket No. 2048), August 1992. Presented testimony sponsoring a class cost of service study, cash working capital and revenues on behalf of the Division of Public Utilities and Carriers.

Dallas, Harvey's Lake, Noxen and Shavertown Water Companies (Pennsylvania Public Utility Docket Nos. R-922326, R-922327, R-922328 and R-922329) September 1992. Presented



testimony on rate base and net operating income issues on behalf of the Pennsylvania Office of Consumer Advocate.

Columbia Gas of Ohio (Public Utilities Commission of Ohio, Case No. 92-18-GA-GCR), January 1993. Co-authored report on audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Docket No. R-00922499), March 1993. Presented testimony on the allocation of purchased gas costs, FERC Order No. 636 transition costs and the projection of purchased gas costs on behalf of the Pennsylvania Office of Consumer Advocate.

Philadelphia Suburban Water Company (Pennsylvania Public Utility Docket No. R-00922476), March 1993. Presented testimony addressing test year revenues and expenses on behalf of the Pennsylvania Office of Consumer Advocate.

The Peoples Natural Gas Company (Pennsylvania Public Utility Docket No. R-00932598), May 1993. Presented testimony on the allocation of purchased gas costs, FERC Order No. 636 transition costs and least cost gas procurement on behalf of the Pennsylvania Office of Consumer Advocate.

Dauphin Consolidated Water Supply Company and General Waterworks of Pennsylvania, Inc. (Pennsylvania Public Utility Docket No. R-00932604), June 1993. Presented testimony addressing test year net operating income on behalf of the Pennsylvania Office of Consumer Advocate.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Docket No. R-00932548), July 1993. Presented testimony addressing test year revenues and FERC Order No. 636 transition costs on behalf of the Pennsylvania Office of Consumer Advocate.

National Fuel Gas Supply Corporation (Federal Energy Regulatory Commission Docket No. RP93-73-000), July 1993. Presented testimony addressing test year throughput and rate design on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Utilities, Inc., Gas Utility Division (Pennsylvania Public Utility Docket No. R-00932674), July 1993. Presented testimony on the allocation of purchased gas costs, FERC Order No. 636 transition costs and least cost gas procurement on behalf of the Pennsylvania Office of Consumer Advocate.

Sierra Pacific Power Company, Gas Operations (Nevada Public Service Commission Docket No. 93-4087), September 1993. Presented testimony on the allocation of purchased gas costs to electric and gas operations on behalf of the Nevada Office of Consumer Advocate.

Ohio Gas Company (Public Utilities Commission of Ohio, Case No. 93-14-GA-GCR), October 1993. Co-authored report on audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio.

UGI Utilities, Inc., Gas Utility Division (Pennsylvania Public Utility Docket No. R-00932927), March 1994. Presented testimony on transportation service balancing requirement modifications and service enhancements in response to FERC Order No. 636 on behalf of the Pennsylvania Office of Consumer Advocate.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Docket No. R-00932885), April 1994. Presented testimony addressing the allocation of purchased gas costs, FERC Order No. 636 transition costs, incentive rate mechanisms, and the projection of purchased gas costs on behalf of the Pennsylvania Office of Consumer Advocate.

The Peoples Natural Gas Company (Pennsylvania Public Utility Docket No. R-00943028), April 1994. Presented testimony addressing the allocation of purchased gas costs, FERC Order No. 636 transition costs, take-or-pay costs, incentive rate mechanisms and the projection of purchased gas costs on behalf of the Pennsylvania Office of Consumer Advocate.

Citizens Gas & Coke Utility (Indiana Utility Regulatory Commission, Cause No. 37399-GCA41), May 1994. Presented testimony addressing the allocation and recovery of Order No. 636 transition costs on behalf of the Indiana Utility Consumer Counselor.

UGI Utilities, Inc., Gas Utility Division (Pennsylvania Public Utility Docket No. R-00943064), July 1994. Presented testimony addressing the allocation of purchased gas costs and incentive rate mechanisms on behalf of the Pennsylvania Office of Consumer Advocate.

National Gas & Oil Corporation (Public Utilities Commission of Ohio, Case No. 94-221-GA-GCR), October 1994. Co-authored report on audit of management and performance of gas procurement activity on behalf of the Public Utilities Commission of Ohio.

Trans Louisiana Gas Company (Louisiana Public Service Commission, Docket No. U-19997), November 1994. Presented testimony addressing the results of a Commission-ordered investigation into the purchased gas adjustment clause of Trans Louisiana Gas Company on behalf of the Louisiana Public Service Commission Staff.

NorAm Gas Transmission Company (Federal Energy Regulatory Commission Docket No. RP94-343-000), March 1995. Presented testimony addressing rate design billing determinants and the treatment of revenues associated with short term firm, interruptible and other services on behalf of the Arkansas and Louisiana Public Service Commissions.

UGI Utilities, Inc., Gas Utility Division (Pennsylvania Public Utility Docket No. R-00953297), May 1995. Presented testimony addressing the allocation of purchased gas costs on behalf of the Pennsylvania Office of Consumer Advocate.

The Peoples Natural Gas Company (Pennsylvania Public Utility Docket No. R-00953318), May 1995. Presented testimony addressing the acquisition of capacity resources, transportation balancing charges, performance-based incentive programs and lost and unaccounted-for and company use gas.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Docket No. R-00953299), June 1995. Presented testimony addressing storage working capital requirements, heating degree days to be utilized for weather normalization purposes and sponsored a class cost of service on behalf of The Pennsylvania Office of Consumer Advocate.

UGI Utilities, Inc., Gas Utility Division (Pennsylvania Public Utility Docket No. R-00953374), July 1995. Presented testimony addressing the acquisition of interstate pipeline capacity and the allocation of purchased gas costs on behalf of The Pennsylvania Office of Consumer Advocate.

Atlanta Gas Light Company (Georgia Public Service Commission Docket No. 5650-U), August 1995. Presented testimony addressing operations of the Company's purchased gas adjustment mechanism and gas procurement practices and policies on behalf of the Georgia Consumers' Utility Counsel.

United Cities Gas Company (Georgia Public Service Commission Docket No. 5651-U), August 1995. Presented testimony addressing the allocation of purchased gas costs on behalf of the Georgia Consumers' Utility Counsel.

Eastern and Pike Natural Gas Companies (Public Utilities Commission of Ohio, Case Nos. 95-215-GA-GCR and 95-216-GA-GCR), September 1995. Co-authorized report on audit of management and performance of gas procurement activity on behalf of the Public Utilities Commission of Ohio.

Tennessee Gas Pipeline Company (Federal Energy Regulatory Commission Docket No. RP95-112-000), September 1995. Presented testimony addressing rate design determinants and revenues associated with long term firm, short term firm and interruptible services on behalf of the Pennsylvania Office of Consumer Advocate.

North Shore Gas Company and Peoples Gas Light and Coke Company (Illinois Commerce Commission Docket Nos. 95-0490 and 95-0491), January 1996. Presented testimony evaluating performance-based rate programs for purchased gas costs on behalf of the Citizens Utility Board.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Docket No. R-00953487), March 1996. Presented testimony addressing incentive rate mechanisms, the allocation of purchased gas costs and unauthorized service on behalf of the Pennsylvania Office of Consumer Advocate.

The Peoples Natural Gas Company (Pennsylvania Public Utility Docket No. R-00963563), May 1996. Presented testimony addressing the allocation of purchased gas costs and the projection of purchased gas costs on behalf of the Pennsylvania Office of Consumer Advocate.

North Penn Gas Company and PFG Gas, Inc. (Pennsylvania Public Utility Docket No. R-00963636), July 1996. Presented testimony addressing the recovery of excess interstate pipeline capacity costs on behalf of the Pennsylvania Office of Consumer Advocate.

Dayton Power & Light Company (Public Utilities Commission of Ohio, Case No. 96-220-GA-GCR), September 1996. Co-authored report on audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio.

West Ohio Gas Company (Public Utilities Commission of Ohio, Case No. 96-221-GA-GCR), November 1996. Co-authored report on audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio.

Northern Illinois Gas Company (Illinois Commerce Commission Docket No. 96-0386), November 1996. Presented testimony evaluating performance-based rate programs for purchased gas costs on behalf of the Citizens Utility Board.

National Fuel Gas Distribution (Pennsylvania Public Utilities Commission Docket No. R-00963779), March 1997. Presented testimony addressing the allocation of purchased gas costs and gas procurement practices and policies on behalf of the Pennsylvania Office of Consumer Advocate.

Equitable Gas Company (Pennsylvania Public Utilities Commission Docket No. R-00973895), May 1997. Presented testimony addressing the allocation of purchased gas costs and gas procurement practices and policies on behalf of the Pennsylvania Office of Consumer Advocate.

Southwest Gas Corporation (Nevada Public Service Commission Docket No. 97-2005), June 1997. Presented testimony addressing the allocation of purchased gas costs and gas procurement practices and policies on behalf of the Nevada Office of Consumer Advocate.

Kent County Water Authority, (Rhode Island Public Utilities Commission Docket No. 2555), June 1997. Presented class cost of service testimony on behalf of the Division of Public Utilities and Carriers.

UGI Utilities, Inc., Gas Utility Division (Pennsylvania Public Utility Docket No. R-00974012), July 1997. Presented testimony on the allocation of purchased gas costs, and the computation of off-system sales margins and margin sharing procedures on behalf of the Pennsylvania Office of Consumer Advocate.

Pennsylvania American Water Company (Pennsylvania Public Utility Docket No. R-00973944), July 1997. Presented class cost of service and rate design testimony on behalf of the Pennsylvania Office of Consumer Advocate.

Commonwealth Gas Services, Inc. (Virginia State Corporation Commission Case No. PUE970455), August 1997. Presented testimony addressing the Company's retail unbundling pilot program on behalf of the Division of Consumer Counsel, Office of the Attorney General.

Consumers Pennsylvania Water Company, Shenango Valley Division (Pennsylvania Public Utility Docket No. R-00973972), September 1997. Presented class cost of service and rate design testimony on behalf of the Pennsylvania Office of Consumer Advocate.

Sierra Pacific Power Company, Water Department (Nevada Public Service Commission Docket No. 97-9020), January 1998. Presented class cost of service and rate design testimony on behalf of the Nevada Utility Consumers' Advocate.

Southern Union Gas Company (City of El Paso, Texas) Inquiry into Southern Union Gas Company's Purchased Gas Adjustment Clause, March 1998. Presented testimony addressing the reasonableness of the Company's gas procurement practices and policies on behalf of the City of El Paso, Texas.

East Ohio Gas Company (Public Utilities Commission of Ohio Case No. 97-219-GA-GCR), March 1998. Co-authored report on the Company's residential and small commercial pilot transportation program on behalf of the Public Utilities Commission of Ohio.

Columbia Gas of Ohio, Inc. (Public Utilities Commission of Ohio Case No. 98-222-GA-GCR), March 1998. Co-authored report on the Company's residential and small commercial pilot transportation program on behalf of the Public Utilities Commission of Ohio.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission Docket No. R-00974167), March 1998. Presented testimony on the allocation of purchased gas costs on behalf of the Pennsylvania Office of Consumer Advocate.

Pawtucket Water Supply Board (Rhode Island Public Utilities Commission Docket No. 2674), April 1998. Presented class cost of service testimony on behalf of the Division of Public Utilities and Carriers.

Equitable Gas Company (Pennsylvania Public Utilities Commission Docket No. R-00984279), May 1998. Presented testimony addressing the allocation of purchased gas costs and gas procurement practices and policies on behalf of the Pennsylvania Office of Consumer Advocate.

East Ohio Gas Company (Public Utilities Commission of Ohio Case No. 97-219-GA-GCR), May 1998. Co-authored report on audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio.

UGI Utilities, Inc., Gas Utility Division (Pennsylvania Public Utility Docket No. R-00984352), July 1998. Presented testimony on the allocation of purchased gas costs on behalf of the Pennsylvania Office of Consumer Advocate.

Northern Natural Gas Company (Federal Energy Regulatory Commission Docket No. RP98-203-000), October 1998. Presented testimony addressing delivery point imbalance tolerance levels on behalf of the Northern Municipal Distributors Group and the Midwest Region Gas Task Force Association.

Columbia Gas of Ohio, Inc. (Public Utilities Commission of Ohio Case No. 98-223-GA-GCR), January 1999. Co-authored report on audit of management and performance of gas purchasing on behalf of the Public Utilities Commission of Ohio.

North Shore Gas Company and Peoples Gas Light and Coke Company (Illinois Commerce Commission Docket Nos. 98-0819 and 98-0820), February 1999. Presented testimony addressing proposals to adopt fixed gas cost charges on behalf of the Citizens Utility Board.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Docket No. R-00984497), March 1999. Presented testimony addressing the allocation of purchased gas costs, gas price projections and the appropriate level of capacity entitlements on behalf of the Pennsylvania Office of Consumer Advocate.

Delmarva Power and Light Company (Delaware Public Service Commission Docket No. 98-524), March 1999. Presented testimony addressing the Company's customer choice pilot program on behalf of the Division of Public Advocate.

The Peoples Natural Gas Company (Pennsylvania Public Utility Docket No. R-00994600), May 1999. Presented testimony addressing the contracting for interstate pipeline capacity and the obligation to serve on behalf of the Pennsylvania Office of Consumer Advocate.

Nicor Gas Company (Illinois Commerce Commission Docket No. 99-0127), May 1999. Presented testimony addressing performance-based rates for purchased gas costs on behalf of the Citizens' Utility Board.

Elizabethtown Gas Company, New Jersey Natural Gas Company, Public Service Electric & Gas Company and South Jersey Gas Company (New Jersey Board of Public Utilities Docket Nos. GX99030121 - GO99030125), July 1999. Presented testimony addressing the assignment of capacity by gas utilities to third-party suppliers and the recovery of stranded costs resulting from the unbundling of gas utility services on behalf of the Ratepayer Advocate.

New Jersey Natural Gas Company (New Jersey Board of Utilities Docket No. G099030122), July 1999. Presented testimony addressing the unbundling of gas utility services on behalf of the Ratepayer Advocate.

Carnegie Natural Gas Company (Pennsylvania Public Utility Commission Docket No. C-00970942), September 1999. Presented testimony addressing the design of sales and transportation rates on behalf of the Office of Consumer Advocate.

The Peoples Natural Gas Company (Pennsylvania Public Utility Commission Docket No. R-00994782), September 1999. Presented testimony addressing the unbundling of gas utility services on behalf of the Office of Consumer Advocate.

Equitable Gas Company (Pennsylvania Public Utility Commission Docket No. R-00994784), October 1999. Presented testimony addressing the unbundling of gas utility services on behalf of the Office of Consumer Advocate.

City of Newport-Water Division (Public Utilities Commission of Rhode Island Docket No. 2985), December 1999. Presented testimony addressing cost allocation and rate design issues on behalf of the Division of Public Utilities and Carriers.

Entergy Gulf States, Inc. (Public Utilities Commission of Texas Docket No. 2111), December 1999. Presented testimony addressing the recovery of purchased power and purchased gas costs on behalf of certain Cities served by Entergy Gulf States, Inc.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission Docket No. R-00994785), December 1999. Presented testimony addressing gas supply, unbundling and rate design restructuring issues on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Utilities, Inc. - Gas Division (Pennsylvania Public Utility Commission Docket No. R-00994786), December 1999. Presented testimony addressing gas supply, unbundling and rate design restructuring issues on behalf of the Pennsylvania office of Consumer Advocate.

Cincinnati Gas & Electric Company (Public Utilities Commission) of Ohio Case No. 99-218-GA-GCR), January 2000. Co-authored report on management performance audit of gas purchasing practices on behalf of the Public Utilities Commission of Ohio.

T.W. Phillips Gas and Oil Company (Pennsylvania Public Utility Commission Docket No. R-00994790), April 2000. Presented testimony addressing gas supply, unbundling and rate design restructuring issues on behalf of the Pennsylvania Office of Consumer Advocate.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission Docket No. R-00994898), April 2000. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Equitable Gas Company (Pennsylvania Public Utility Commission Docket No. R-00005067), May 2000. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

PECO Energy Company (Pennsylvania Public Utility Commission Docket No. R-00005285), July 2000. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Utilities, Inc. -- Gas Division (Pennsylvania Public Utility Commission Docket No. R-00005281), July 2000. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Providence Water Supply Board (Public Utilities Commission of Rhode Island Docket No. 3163), October 2000. Presented testimony addressing cost allocation and rate design on behalf of the Division of Public Utilities and Carriers.

Nicor Gas Company (Illinois Commerce Commission Docket Nos. 00-0620/00-0621), December 2000. Presented testimony addressing customer choice on behalf of the Citizens Utility Board.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission Docket No. R-00005832), April 2001. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

The Peoples Natural Gas Company (Pennsylvania Public Utility Commission Docket No. R-00016115), May 2001. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Equitable Gas Company (Pennsylvania Public Utility Commission Docket No. R-00016132), May 2001. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.



Dayton Power & Light Company (Public Utilities Commission of Ohio Case No. 00-220-GA-GCR), May 2001. Co-authored report on audit of gas purchasing practices and policies on behalf of the Public Utilities Commission of Ohio.

UGI Utilities, Inc. -- Gas Division (Pennsylvania Public Utility Commission Docket No. R-00016376), July 2001. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Northern Shore Gas Company (Illinois Commerce Commission Docket No. 01-0469), September 2001. Presented testimony addressing gas supply, unbundling and restructuring customer choice issues on behalf of the Citizens Utility Board, Cook County State's Attorney's Office and the People of the State of Illinois.

The Peoples Gas Light and Coke Company (Illinois Commerce Commission Docket No. 01-0470), September 2001. Presented testimony addressing gas supply, unbundling and restructuring customer choice issues on behalf of the Citizens Utility Board, Cook County State's Attorney's Office and People of the State of Illinois.

T.W. Phillips Gas & Oil Company (Pennsylvania Public Utility Commission Docket No. R-00016898), March 2002. Presented testimony addressing gas cost procurement practices and cost allocations on behalf of Pennsylvania Office of Consumer Advocate.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission Docket No. R-00016789), April 2002. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Northern Illinois Gas Company (Illinois Commerce Commission Docket No. 02-0067), April 2002. Presented testimony addressing performance based gas cost incentive program on behalf of the Citizens Utility Board and Cook County State's Attorney's Office.

The Peoples Natural Gas Company (Pennsylvania Public Utility Commission Docket No. R-00027134), May 2002. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Equitable Gas Company (Pennsylvania Public Utility Commission Docket No. R-00027135), May 2002. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Utilities, Inc. -- Gas Division (Pennsylvania Public Utility Commission Docket No. R-00027388), July 2002. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

The Cincinnati Gas & Electric Company (Public Utilities Commission of Ohio Case No. 01-218-GA-GCR), July 2002. Co-authored report on audit of gas purchasing practices and policies on behalf of the Public Utilities Commission of Ohio.

T.W. Phillips Gas & Oil Company (Pennsylvania Public Utility Commission Docket No. R-00027888), March 2003. Presented testimony addressing gas cost procurement practices and cost allocations on behalf of Pennsylvania Office of Consumer Advocate.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission Docket No. R-00038101), April 2003. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

The Peoples Natural Gas Company (Pennsylvania Public Utility Commission Docket No. R-00038170), May 2003. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Equitable Gas Company (Pennsylvania Public Utility Commission Docket No. R-00038166), May 2003. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Utilities, Inc. – Gas Division (Pennsylvania Public Utility Docket No. R-00038411), July 2003. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Columbia Gas of Ohio, Inc. (Public Utilities Commission of Ohio Case No. 02-221-GA-GCR), July 2003. Co-authored report on audit of gas purchasing practices and policies on behalf of the Public Utilities Commission of Ohio.

The Peoples Gas Light and Coke Company (Illinois Commerce Commission Docket No. 01-0707), July 2003. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Citizens Utility Board.

UGI Utilities, Inc. – Gas Division (Pennsylvania Public Utility Commission Docket No. R-00049422), July 2004. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

PFG, Inc. and North Penn Gas Company (Pennsylvania Public Utility Docket No. R-00049424), July 2004. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

East Ohio Gas Company (Public Utilities Commission of Ohio Case No. 03-219-GA-GCR), August 2004. Co-authored report on audit of gas purchasing practices and policies on behalf of the Public Utilities Commission of Ohio.

Southwest Gas Corporation (Nevada Public Services Commission Docket No. 04-6001), September 2004. Presented testimony addressing gas procurement practices on behalf of the Nevada Office of Consumer Advocate.

Northern Natural Gas Company (FERC Docket No. RP04-155-000), November 2004. Presented testimony on billing determinant to be used for rate design on behalf of the Northern Municipal Distributors Group and Midwest Region Gas Task Force Association.

Northern Indiana Public Service Company (Indiana Utility Regulatory Commission Cause No. 41338-GCA6), January 2005. Presented testimony addressing storage inventory pricing on behalf of the Indiana Office of Utility Consumer Counselor.

Citizens Gas & Coke Utility (Indiana Utility Regulatory Commission Cause No. 37399-GCA84-S1), February 2005. Presented testimony addressing gas exchange transactions on behalf of the Indiana Office of Utility Consumer Counselor.

Nicor Gas Company (Illinois Commerce Commission Docket No. 04-0779), February 2005. Presented testimony and addressing storage inventory carrying charges on behalf on the Citizens Utility Board and the Cook Country States' Attorney's Office.

Heartland Gas Pipeline, LLC and Citizens Gas & Coke Utility (Indiana Utility Regulatory Commission Cause Nos. 42729 and 42730), March 2005. Presented testimony addressing the petition of Heartland for a certificate of public convenience and necessity to construct an intrastate pipeline, and the petition of Citizens for approval of a storage service agreement on behalf of the Indiana Office of Utility Consumer Counselor.

T.W. Phillips Gas & Oil Company (Pennsylvania Public Utility Commission Docket No. R-00040059), March 2005. Presented testimony addressing gas cost procurement practices and cost allocations on behalf of Pennsylvania Office of Consumer Advocate.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission Docket No. R-00050216), March 2005. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Columbia Gas of Pennsylvania (Pennsylvania Public Utility Commission Docket No. R-00049783, May 2005. Presented testimony addressing fixed price sales services on behalf of the Pennsylvania Office of Consumer Advocate.

The Peoples Natural Gas Company (Pennsylvania Public Utility Commission Docket No. R-00050267), May 2005. Presented testimony addressing gas cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Equitable Gas Company (Pennsylvania Public Utility Commission Docket No. R-00050272), May 2005. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

PECO Energy Company and Public Service Electric and Gas Company (Pennsylvania Public Utility Commission Docket No. A-110550F0160), June 2005. Presented testimony addressing issues related to the post merger structure of the gas procurement function on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Utilities, Inc. – Gas Division (Pennsylvania Public Utility Commission Docket No. R-00050539), July 2005. Presented testimony addressing gas procurement practices and gas cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

PPL Gas Utilities Corporation (Pennsylvania Public Utility Docket No. R-00050540), July 2005. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Northern Utilities, Inc. (Maine Public Utilities Commission Docket No. 2005-87), July 2005. Presented testimony on gas cost allocation and the assignment of interstate pipeline capacity on behalf of the Maine Office of the Public Advocate.

Southwest Gas Corporation (Nevada Public Services Commission Docket No. 05-5015), September 2005. Presented testimony addressing purchased gas cost recovery rates on behalf of the Nevada Office of Consumer Advocate.

Northern Indiana Public Service Company (Indiana Utility Regulatory Commission Case No. 41338-GCA7), December 2005. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Indiana Office of Utility Consumer Counselor.

Indiana Gas Company, Southern Indiana Gas and Electric and Citizens Gas & Coke Utility (Indiana Utility Regulatory Commission Cause No. 42973), February 2006. Presented testimony addressing gas cost allocation on behalf of the Indiana Office of Utility Consumer Counselor.

T.W. Phillips Gas & Oil Company (Pennsylvania Public Utility Commission Docket No. R-00000051134), March 2006. Presented testimony addressing gas cost procurement practices and cost allocations on behalf of Pennsylvania Office of Consumer Advocate.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Commission Docket No. R-61246), March 2006. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Cincinnati Gas & Electric Company (Public Utilities Commission of Ohio Case No. 05-218-GA-GCR), April 2006. Authored report on audit of gas purchasing practices and policies on behalf of the Public Utilities Commission of Ohio.

The Peoples Natural Gas Company (Pennsylvania Public Utility Commission Docket No. R-00061301), May 2006. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Equitable Gas Company (Pennsylvania Public Utility Commission Docket No. R-00061295), May 2006. Presented testimony addressing gas procurement practices and cost allocation on behalf of the Pennsylvania Office of Consumer Advocate.

Atmos Energy Corporation (Louisiana Public Service Commission Docket No. U-27703), May 2006. Authored report on audit of gas purchasing practices and cost allocation on behalf of the Staff of the Louisiana Public Service Commission.

UGI Utilities, Inc. -- Gas Division (Pennsylvania Public Utility Commission Docket No. R-00061502), July 2006. Presented testimony addressing gas procurement practices on behalf of the Pennsylvania Office of Consumer Advocate.

PPL Gas Utilities Corporation (Pennsylvania Public Utility Docket No. R-00061519), July 2006. Presented testimony addressing gas procurement practices on behalf of the Pennsylvania Office of Consumer Advocate.

Equitable Resources Inc./The Peoples Natural Gas Company (Pennsylvania Public Utility Commission Docket No. A-122250F500), September 2006. Presented testimony addressing gas costs issues in this merger proceeding on behalf of the Pennsylvania Office of Consumer Advocate.

Northern Indiana Public Service Company (Indiana Regulatory Utility Commission Cause No. 41338-GCA8), October 2006. Presented testimony addressing reported gas costs and gas cost incentive mechanism results on behalf of the Indiana Office of Utility Consumer Counselor.

North Shore Gas Company/The Peoples Gas Light and Coke Company (Illinois Commerce Commission Docket Nos. 05-0748 and 05-0749), January 2007. Presented testimony addressing gas cost issues on behalf of the Citizens Utility Board and the City of Chicago.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utility Docket No. R-00072043), March 2007. Presented testimony addressing the allocation of purchased gas costs on behalf of the Pennsylvania Office of Consumer Advocate.

Equitable Gas Company (Pennsylvania Public Utilities Commission Docket No. R-00072111), May 2007. Presented testimony addressing the allocation of purchased gas costs and gas procurement practices and policies on behalf of the Pennsylvania Office of Consumer Advocate.

The Peoples Natural Gas Company (Pennsylvania Public Utility Docket No. R-00072109), May 2007. Presented testimony addressing gas procurement practices and policies and fuel retention charge discounting on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Utilities, Inc., Gas Utility Division (Pennsylvania Public Utility Docket No. R-0072335), July 2007. Presented testimony on gas procurement practices and policies on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Penn Natural Gas, Inc. (Pennsylvania Public Utility Docket No. R-00072334), July 2007. Presented testimony on gas procurement practices and policies on behalf of Pennsylvania Office of Consumer Advocate.

North Shore Gas Company/The Peoples Gas Light and Coke Company (Illinois Commerce Commission Docket Nos. 07-0241 and 07-0242), July 2007. Presented testimony addressing the allocation of on-system storage on behalf of the Citizens Utility Board and City of Chicago.

Providence Water Supply Board (Public Utilities Commission of Rhode Island Docket No. 3832), July 2007. Addressed cost of service and rate design on behalf of the Division of Public Utilities and Carriers.

Dominion East Ohio Gas Company (Public Utility Commission of Ohio Case No. 07-219-GA-GCR), November 2007. Authored report on audit of gas purchasing practices and policies on behalf of the Public Utilities Commission of Ohio.

Northern Indiana Public Service Company (Indiana Regulatory Utility Commission Cause No. 41338-GCA9), December 2007. Presented testimony addressing the reasonableness of reported gas costs and evaluating the results of the gas cost incentive mechanisms under which the company operates on behalf of the Indiana Office of Utility Commission Counselor.

Aqua Pennsylvania, Inc. (Pennsylvania Public Utility Commission Docket No. R-00072711), February 2008. Presented testimony addressing cost of service, rate design and purchased water rider on behalf of the Pennsylvania Office of Consumer Advocate.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utilities Commission Docket No. R-2008-2012502), March 2008. Presented testimony addressing design day forecasting and transportation service balancing charges on behalf of the Pennsylvania Office of Consumer Advocate.

T.W. Phillips Gas & Oil Company (Pennsylvania Public Utility Commission Docket No. R-2008-2013026), March 2008. Presented testimony addressing the disposition of capacity release revenues on behalf of the Pennsylvania Office of Consumer Advocate.

Equitable Gas Company (Pennsylvania Public Utility Commission Docket No. R-2008-2021160), May 2008. Presented testimony addressing exchange transactions on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Utilities – Gas Division (Pennsylvania Public Utility Commission Docket No. R-2008-2039417), July 2008. Presented testimony addressing capacity release and off-system sales revenue sharing and the acquisition of incremental capacity on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Penn Natural Gas, Inc. (Pennsylvania Public Utility Commission Docket No. R-2008-2039284), July 2008. Presented testimony addressing the acquisition of incremental capacity on behalf of the Pennsylvania Office of Consumer Advocate.

North Shore Gas Company/The Peoples Gas Light and Coke Company (Illinois Commerce Commission Docket Nos. 06-0751 and 07-0311/06-752 and 07-0312), July 2008. Presented testimony addressing park and loan activities and out-of-period gas cost adjustments on behalf of the Citizens Utility Board and the City of Chicago.

Pawtucket Water Supply Board (Public Utilities Commission of Ohio Docket No. 3945), July 2008. Presented testimony addressing class cost of service and rate design on behalf of the Division of Public Utilities and Carriers

Philadelphia Water Department (Philadelphia Water Commission FY 2009-2012 Rates), July 2008. Presented testimony addressing water and waste water class cost of service and rate design on behalf of the Public Advocate.

Northern Indiana Public Service Company (Indiana Utility Regulatory Commission Cause No. 41338-GCA10), March 2009. Presented testimony addressing gas procurement and incentive mechanism issues on behalf of the Office of Utility Consumer Counselor.

Northern Indiana Public Service Company (Indiana Utility Regulatory Commission Case No. 41338-GCA11), December 2009. Presented testimony addressing gas procurement and incentive mechanism issues on behalf of the Office of Utility Consumer Counselor.

City of Newport (Public Utilities Commission of Rhode Island), January 2010. Presented testimony sponsoring a water cost of service study on behalf of the Division of Public Utilities and Carriers.

National Fuel Gas Distribution Corporation (Pennsylvania Public Utilities Commission Docket No. R-2010-2150861), March 2010. Presented testimony addressing design day forecasting and transportation service balancing charges on behalf of the Pennsylvania Office of Consumer Advocate.

T.W. Phillips Gas & Oil Company (Pennsylvania Public Utility Commission Docket No. R-2009-2145441), March 2010. Presented testimony addressing capacity release revenues and retainage on behalf of the Pennsylvania Office of Consumer Advocate.

Northern Natural Gas Company (Federal Energy Regulatory Commission Docket No. RP10-148), May 2010. Presented testimony addressing rate discounts on behalf of the Northern Municipal Distributors Group and Midwest Region Gas Task Force Association.



The Peoples Natural Gas Company (Pennsylvania Public Utility Commission Docket No. R-2010-2155608), May 2010. Presented testimony addressing retainage and design peak day forecasting issues on behalf of the Pennsylvania Office of Consumer Advocate.

Equitable Gas Company (Pennsylvania Public Utility Commission Docket No. R-2010-2155613), May 2010. Presented testimony addressing design peak day forecasting, balancing charges and off-system sales on behalf of the Pennsylvania Office of Consumer Advocate.

PECO Energy Company – Gas Division (Pennsylvania Public Utility Commission Docket No. R-2010-2161592), June 2010. Presented testimony addressing base rate cost allocation and rate design on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Utilities – Gas Division (Pennsylvania Public Utility Commission Docket No. R-2010-2172933), July 2010. Presented testimony addressing supplier reservation charges and capacity assignment on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Penn Natural Gas, Inc. (Pennsylvania Public Utility Commission Docket No. R-2010-2172928), July 2010. Presented testimony addressing supplier reservation charges and capacity assignment on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Central Penn Gas, Inc. (Pennsylvania Public Utility Commission Docket No. 2010-2172922), July 2010. Presented testimony addressing the assignment of capacity on behalf of the Pennsylvania Office of Consumer Advocate.

T.W. Phillips Gas & Oil Company (Pennsylvania Public Utility Commission Docket No. R-2010-2167797), August 2010. Presented testimony addressing base rate cost allocation and rate design on behalf of the Pennsylvania Office of Consumer Advocate.

North Shore Gas Company/The Peoples Gas Light and Coke Company (Illinois Commerce Commission Docket Nos. 07-0576 and 07-0577), October 2010. Presented testimony addressing the reasonableness and allocation of purchased gas costs on behalf of the Citizens Utility Board.

Columbia Gas of Ohio, Inc. (Public Utilities Commission of Ohio Case No. 10-221-GA-GCR), November 2010. Authored report on audit of gas purchasing practices and policies on behalf of the Public Utilities Commission of Ohio.

Northern Indiana Public Service Company (Indiana Utility Regulatory Commission Cause No. 43629-GCA16), November 2010. Presented testimony addressing gas procurement and incentive mechanism issues on behalf of the Office of Utility Consumer Counselor.

Peoples Natural Gas Company (Pennsylvania Public Utility Commission Docket No. R-2010-2201702), January 2011. Presented testimony addressing base rate cost allocation and rate design on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Penn Natural Gas, Inc. (Pennsylvania Public Utility Commission Docket No. A-2010-221389), February, 2011. Presented testimony addressing the transfer of facilities to an affiliate on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Central Penn Gas, Inc. (Pennsylvania Public Utility Commission Docket No. R-2010-2214415), April 2011. Presented testimony addressing base rate cost allocation and rate design on behalf of the Pennsylvania Office of Consumer Advocate.

The Peoples Natural Gas Company (Pennsylvania Public Utility Commission Docket No. R-2011-2228694), May 2011. Presented testimony addressing retainage and lost and unaccounted-for gas issues on behalf of the Pennsylvania Office of Consumer Advocate.

Equitable Gas Company (Pennsylvania Public Utility Commission Docket No. R-2011-2223563), May 2011. Presented testimony addressing retainage issues on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Utilities – Gas Division (Pennsylvania Public Utility Commission Docket No. R-2011-2238953), July 2011. Presented testimony addressing design peak day forecasting, winter season planning criteria and capacity RFP process on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Penn Natural Gas, Inc. (Pennsylvania Public Utility Commission Docket No. R-2011-2238943), July 2011. Presented testimony addressing design peak day forecasting, winter season planning criteria and capacity RFP process on behalf of the Pennsylvania Office of Consumer Advocate.

UGI Central Penn Gas, Inc. (Pennsylvania Public Utility Commission Docket No. 2011-2238949), July 2011. Presented testimony addressing the Company's winter season planning criteria and capacity RFP process on behalf of the Pennsylvania Office of Consumer Advocate.

Northern Utilities, Inc. (Maine Public Utilities Commission Docket No. 2011-92), August 2011. Presented testimony addressing cost allocation and rate design on behalf of the Maine Public Advocate.

United Water Rhode Island, Inc. (Public Utilities Commission of Rhode Island Docket No. 4255), September 2011. Presented testimony addressing cost allocation and rate design on behalf of the Division of Public Utilities and Carriers.

Northern Indiana Public Service Company (Indiana Utility Regulatory Commission Cause No. 43629-GCA20), November 2011. Presented testimony addressing gas procurement and incentive mechanism issues on behalf of the Office of Utility Consumer Counselor.

## KEVIN L. PORTER

Mr. Porter is a Vice President and Principal at Exeter Associates, Inc., with over 25 years of experience in renewable energy technologies, state and federal regulation of the electric power industry, and transmission access and policy. He leads and performs research in the design, implementation and evaluation of renewable energy policies; on the grid integration of renewable energy technologies; and on the development and implementation of transmission policies. Mr. Porter's recent work includes studies of the Federal Energy Regulatory Commission's generation interconnection policies; the development of state transmission infrastructure authorities; the performance of state renewable portfolio standards in the Northeastern United States; state and regional initiatives to develop new transmission; and on designing feed-in tariffs for renewable energy generation. He also led a large study for the California Energy Commission that assessed the feasibility of incorporating up to 33 percent renewable energy generation by 2020. He is considered one of the leading experts on renewable energy policy design and implementation, and he has authored or co-authored nearly 100 journal articles and research reports. His clients include or have included the American Wind Energy Association, the California Energy Commission, the Center for Resource Solutions, the Clean Energy States Alliance, the Geothermal Energy Association, the National Association of Regulatory Utility Commissioners, the National Renewable Energy Laboratory, and the National Wind Coordinating Collaborative.

### Education:

B.S. (Environmental Studies) - Lewis and Clark College, 1982

M.A. (Economics) - American University, 1998

### Previous Employment:

1990-2001     Senior Policy Analyst  
National Renewable Energy Laboratory  
Washington, D.C.

1988-1990     Research Analyst  
Investor Responsibility Research Center  
Washington, D.C.

1985-1988     Research Analyst  
Renewable Energy Institute  
Washington, D.C.

1985            Research Assistant  
Analysis, Review & Critique  
Washington, D.C.

1984	Intern Environmental and Energy Study Institute Washington, D.C.
1983	Legislative Aide/Research Assistant State Senator John Kitzhaber Salem, OR
1982-1983	Intern Congressman Ron Wyden Portland, OR

Professional Work Experience:

At the National Renewable Energy Laboratory, Mr. Porter performed analyses on the economic and technical status of renewable energy technologies; federal and state renewable energy policy development and impacts; and the implications of electric restructuring for renewable energy technologies. He has advised multiple states, industry groups and the U.S. Department of Energy on the development and implementation of renewable energy policies, especially the renewables portfolio standard and system benefit charges. He also has conducted research in transmission access and transmission pricing in competitive markets. He also designed a database of U.S. grid-connected renewable electric projects that is available on the Internet, and has been consulted by DOE, EPA, industry groups, state regulatory agencies, and other businesses and academic institutions on the database.

At the Investor Responsibility Research Center, Mr. Porter co-wrote a directory of the 100 leading developers of renewable energy power plants in the U.S. and overseas. The directory was cited in the *Wall Street Journal*, the *New York Times*, and the *Washington Post*, as well as on CNN and Voice of America. Mr. Porter also assisted in research on nuclear power investments in preparations for a socially responsible investment fund, now offered as an investment option by TIAA-CREF, the world's largest retirement fund.

At the Renewable Energy Institute, Mr. Porter helped compile a directory of the economic, technical and market status renewable energy technologies, co-wrote analyses of how utilities evaluate renewable energy technologies, and how states implemented Public Utility Regulatory Policies Act of 1978.

Major Publications and Reports:

*Challenges and Approaches to Integrating Variable Generation into Electricity Grids*, World Bank, forthcoming (with Marcelino Madrigal).

*Wind Power and Electricity Markets*, Utility Wind Integration Group, October 2011 (with Jennifer Rogers).

*Alternative Energy Resource Market Assessment*, National Association of Regulatory Utility Commissioners, September 2011 (with Ed Holt, Jennifer Rogers and Jason Gifford).

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- “FERC Proposed Rule on the Integration of Variable Energy Resources,” presented before the Energy Foundation Meeting on Ancillary Services, April 26, 2011.
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- “PJM Intermittent Resources Working Group from a Stakeholder’s Perspective,” presented before the Utility Wind Integration Group’s 2010 Workshop, Portland, Oregon, April 14, 2010.
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- “Costs and Cost Recovery: What Other Regions Have Done,” presented before the Second Midwest Tradable Renewable Credits Workshop, Madison, Wisconsin, June 16, 2004.
- “Results of Midwest Tradable Renewable Credits Survey,” presented before the Second Midwest Tradable Renewable Credits Workshop, Madison, Wisconsin, June 16, 2004.
- “Transmission Briefs and Power Pool Rules,” presented before the U.S. Department of Energy’s Peer Review of the Wind Technologies Program, Washington, D.C., May 5, 2004.
- “Transmission Issues with Renewable Energy Technologies,” presented at the Earth Technologies Forum, Washington, D.C., April 13, 2004.
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- “A Status Report on State RPS and SBC Policies,” presented at the Windpower 2000 conference, May 1, 2000, Palm Springs, California (with Ryan Wiser).
- “FERC Order 2000 – Implications for Wind Energy,” presented at the National Wind Coordinating Committee’s Transmission Workshop, March 1, 2000, Denver, Colorado.
- “The Impact of State RPS and SBC Policies Under Electric Restructuring,” presented before Representative Sherwood Boehlert’s (R-NY) office, January 31, 2000, Washington, D.C.
- “Navigating the Policy Landscape,” presented at the Environmental Standards conference, January 20, 2000, Washington, D.C.
- “The Impact of State RPS and SBC Policies Under Electric Restructuring,” presented at the Environmental Standards conference, January 20, 2000, Washington, D.C.
- “Potential Market Impacts of Green Marketing and RPS and SBC Policies for Renewable Energy,” presented before the EIA Electricity Weekly Forum, January 11, 2000.
- “Update on State RPS Policies and Activities,” presented before the Wind Powering America Strategy Meeting, December 1999 (with Ryan Wiser).

“Biomass in the PJM Region,” presented before the Mid-Atlantic Green-e Meeting on Biomass Power, Philadelphia, PA, December 1999.

“Emerging Markets for Wind Power: The Role of State Policies During Restructuring,” presented before Windpower 1999, Burlington, Vermont, June 20-23, 1999 (with Ryan Wisner and Steve Clemmer).

*Update on Transmission and FERC*, presented to the Utility Wind Interest Group’s 1999 Annual Meeting, Midland, Texas, May 17-19, 1999.

“Green Power Marketing in Retail Competition: An Early Assessment,” presented before the Fourth Biomass Conference of the Americas, August 29-September 2nd, 1999, Oakland, California (with Ryan Wisner and Jeff Fang).

“NREL Restructuring Activities,” presentation to William Keese, Chair, California Energy Commission, June 1998.

“Renewable Policies Past and Present, and Possible Restructuring Policies for Renewables” presentation to Dan Alpert, staff to Senator Jeff Bingham (D-NM), June 1998.

“Independent System Operators and Bioenergy Technologies,” presented at Bioenergy 1998, October 4-8, 1998.

“What is Happening with Independent System Operators,” presented at Windpower 1998, Bakersfield, California, April 26-30, 1998.

“FERC’s Open-Access NOPR: Predictions, Implications, and Post-NOPR Initiatives,” presented before the Southeast Municipal Power Colloquium, Atlanta, Georgia, April 10, 1996.

“Stranded Investment, Transmission Access and IRP: FERC’s Activities and Implications for IRP,” presented before IRP/PBR Program Review Meeting, Arlington, Virginia, December 16, 1994.

“Transmission and IRP,” presented before the NARUC/DOE Fifth National IRP Conference, Kalispell, Montana, May 16, 1994.

## CHRISTINA R. MUDD

Ms. Mudd is a Senior Analyst at Exeter Associates, Inc. with over 15 years of experience in energy efficiency, renewable energy, and climate change policy. With Exeter Ms. Mudd provides detailed analysis on the economic impacts of energy and environmental policies. She also provides technical support to state and federal agencies by reviewing utility supply contracts and rates, reviewing the economic feasibility of alternative energy projects, and exploring regulatory and policy options to expand the use of energy efficient technologies and distributed resources.

In 2008, Ms. Mudd was appointed to a four-year appointment on the Howard County Commission on Sustainability and the Environment by County Executive Ken Ulman, where she serves as the Chair of the Howard County Energy Task Force.

Christina previously worked as a Senior Associate for Hagler Bailly, Inc., working under contract to USAID, providing technical support to developing countries. Under contract to USAID Ms. Mudd examined the application of market-based instruments for purposes of reducing greenhouse gas emissions and mitigating other environmental impacts in the Philippines, India, and Indonesia. Ms. Mudd also worked in Mexico, establishing comprehensive environmental and energy efficiency programs for the reduction of greenhouse gas emissions.

### Education:

B.S. Political Science and Biology, James Madison University, Harrisonburg, VA, 1992

M.A. International Affairs: Concentration in Energy Policy and Economics, Johns Hopkins University, Paul H. Nitze School for Advanced International Studies (SAIS), Washington, D.C., 1998

### Previous Employment:

2000-2004	Assistant Director/Policy Analyst Maryland Energy Administration Annapolis, MD
1998-2000	Senior Associate PHB – Hagler Bailly (now PA Consulting, Inc.) Arlington, VA
1997-1998	Associate (part-time) Louis Berger International, Inc. Washington, D.C.

1992-1996 Program Manager  
Maryland International Center (World Trade Center Institute)  
Baltimore, MD

Professional Work Experience:

Ms. Mudd's work at Exeter Associates, Inc. is primarily related to the analysis of state regulatory and legislative policies for the development of renewable resources, the expansion of energy efficiency and conservation, and the use of distributed resources. She also has considerable experience with the analysis of climate change mitigation strategies, including the evaluation of various benefits-costs assessments and the Regional Greenhouse Gas Initiative. She prepares briefing memoranda for state government officials on regulatory proceedings, legislative initiatives, and technical issues. She has authored numerous reports and research papers at the request of state clients.

Ms. Mudd assists the Maryland Department of Natural Resources, Maryland Energy Administration, and Maryland Department of Environment reviewing policies and programs related to electricity regulation, energy efficiency, renewable energy, and climate change. She is familiar with regulatory proceedings of the Federal Energy Regulatory Commission as well as the operation of markets in the PJM Interconnection. Ms. Mudd also participates in working groups and proceedings before the Maryland Public Service Commission on behalf of the Department of Natural Resources and Maryland Energy Administration.

Under a contract between Exeter Associates and the National Association of Regulatory Utility Commissioners, Ms. Mudd served as the Executive Director for the National Council on Electricity Policy, a joint venture between the National Association of Regulatory Utility Commissioners (NARUC), the National Association of State Energy Officials (NASEO), the National Conference of State Legislatures (NCSL), National Association of Clean Air Agencies (NACAA), and the National Governors Association (NGA). In this capacity, Ms. Mudd facilitated meetings, workshops, and teleconferences on matters related to state electricity policy and regulation. Ms. Mudd also represented the National Council and its members on the National Action Plan on Energy Efficiency, a private-public initiative started in the fall of 2005 to create a sustainable and aggressive national commitment to energy efficiency through the collaborative efforts of gas and electric utilities, utility regulators, and other partner organizations.

In addition to her work with state government officials, Ms. Mudd has also conducted energy supply options studies and utility service assessments. Specifically, she provides detailed assessments and reviews of energy supply contracts and procurement strategies for U.S. government facilities. Working with the U.S. Air Force Civil Engineer Support Agency Ms. Mudd has identified more than \$5 million in savings attributed to utility billing errors and improved procurement and supply strategies. She has also analyzed and reviewed the various power supply options available to several U.S. Department of Energy Installations and National Laboratories, including strategies for the procurement of renewable energy resources.



At the Maryland Energy Administration, Ms. Mudd advised the Director and the Governor's Office on policy issues concerning greenhouse gas emissions, energy efficiency, and renewable energy. She coordinated the Maryland Interstate Agency Working Group on Climate Change, Maryland's first multi-agency effort addressing the issue of Climate Change, and contributed to and oversaw the development of the *GHG Emissions Reductions in Maryland, Volume I: Current State Government Activities, and Volume II: Maryland Climate Change Action Plan*. She also provided analysis to Legislative Services and members of the General Assembly as well as technical support during briefings and hearings. Ms. Mudd managed State programs on energy efficiency and conservation for the industrial, commercial, and transportation sectors. She developed proposals and managed contracts between the State and the U.S. Department of Energy and U.S. Environmental Protection Agency. She also managed a small staff for the implementation of the activities related to DOE's Industries of the Future, Clean Cities, Green Building, Biomass, and Distributed Energy Resources programs. Ms. Mudd helped to establish the Maryland Combined Heat and Power Application Center at the University of Maryland, creating strategic partnerships and identifying sources of funding; and she arranged for Maryland's participation in the DOE-funded Midwest Regional Carbon Sequestration Partnership.

While with PHB Hagler Bailly (now PA Consulting), Ms. Mudd conducted market studies on distributed energy resources and energy efficiency, including the expected technology development timelines, price comparisons, efficiency comparisons, and commercial applications. Ms. Mudd worked with government officials in Mexico City to adopt a process for identifying and analyzing energy efficiency projects. She also helped to conduct a full environmental review for Indonesia in support of a national environmental strategy, and examined the potential impact of privatization and restructuring of electric utilities on the environment in Asia and Latin America.

At Louis Berger International, Ms. Mudd worked on behalf of the United States Asia Environmental Partnership, a project funded by the U.S. Agency for International Development, which encourages energy efficiency and pollution prevention in ten Asian countries. She also coordinated research for best practices in environmental management, including the application of ISO 14001 as a certification tool.

Ms. Mudd began her professional career creating training and exchange programs at the Maryland International Center (World Trade Center Institute) in Baltimore. She managed contracts with the U.S. Agency for International Development, the U.S. Trade and Development Authority, and the U.S. Information Agency; and developed and managed programs focused on environmental management, energy management, and government policy. She organized training programs specifically related to the development of waste-to-energy projects, and worked closely with the Maryland Department of Business and Economic Development (at that time the Department of Employment and Economic Development) and the Baltimore Development Corporation. During her five years at the Center, Ms. Mudd developed proposals for grants and contracts procuring nearly \$1 million for the Center's programs.

**Publications and Consulting Reports:**

- “Maryland Power Plants and the Environment: A Review of the Impacts of Power Plants and Transmission Lines on Maryland’s Natural Resources, Maryland Power Plant Research Program, PPRP-CEIR-15,” January 2010 (with Steven Estomin, Sari Fink, and Jennifer Rogers of Exeter Associates, Inc. and contributing authors from Versar, Inc. and Environmental Resources Management).
- “Guidance for the Development of Renewable Energy Projects at Air Education and Training Command Bases,” prepared for the U.S. Air Force, Air Force Civil Engineer Support Center (Tyndall AFB, Florida) and the Air Education and Training Command (Randolph AFB, Texas), January 2010 (with Steven Estomin and Sari Fink).
- “2009 Inventory of Renewable Energy Generators Eligible for the Maryland Renewable Energy Portfolio Standard,” prepared for the Power Plant Research Program, Maryland Department of Natural Resources, January 2010 (with Steven Estomin and Sari Fink of Exeter Associates, Inc. and contributing authors from BCS, Inc.)
- “Economic Transmission Upgrade Planning and Cost Allocation.” (draft report) Prepared for the National Renewable Energy Laboratory, September 2009 (with Sari Fink, Kevin Porter, and Jennifer Rogers)
- “American Clean Energy and Security Act, H.R. 2454: Analysis of Emissions Cap and Benefit Costs Modeling.” (draft report) Prepared for the Maryland Department of the Environment, August 2009 (with Jennifer Rogers and Sari Fink)
- “Generation Interconnection Policies and Wind Power: A Discussion of Issues, Problems, and Potential Solutions.” National Renewable Energy Laboratory, NREL Report No. SR-550-44508, February 2009 (with Sari Fink, Kevin Porter and Jennifer DeCesaro).
- “Report on Distributed Generation in Maryland.” Prepared for the Maryland Power Plant Research Program, November 2008. (With Sari Fink.)
- “PPRP Analysis in Support of the Regional Greenhouse Gas Initiative: Study Compendium.” Prepared for the Maryland Power Plant Research Program, October 2008. A Compendium of twelve technical briefs, of which five were authored by Christina Mudd.
- “Generation Interconnection Policies and Wind Power.” (Draft Report) Prepared for the National Renewable Laboratory, U.S. Department of Energy, September 2008. (With Kevin Porter, Jennifer DeCesaro, and Sari Fink.)
- “Maryland Power Plants and the Environment: A Review of the Impacts of Power Plants and Transmission Lines on Maryland's Natural Resources, Maryland Power Plant Research Program, PPRP-CEIR-14,” January 2008 (With Steven Estomin and Sari Fink, of Exeter

Associates and contributing authors from Environmental Resources Management, and Versar, Inc.)

“The International Experience with Variable Renewable Energy Generation.” Prepared for the California Energy Commission, PIER Renewable Energy Technologies Program. February 2007 (With Kevin Porter and Michelle Weisburger.)

“State And Regional Policies that Encourage Utility Energy Efficiency Programs: Study Pursuant to Section 139(a) of the Energy Policy Act of 2005.” Prepared for the National Association of Regulatory Utility Commissioners and the National Association of State Energy Officers in support of the U.S. Department of Energy’s Report to Congress. July 2006. (with Lowell Unger, Alliance to Save Energy; Rich Sedano, Regulatory Assistance Project; and Kevin Porter)

“Inventory and Analysis of Combined Heat and Power Systems in Maryland.” Prepared for the Maryland Power Plant Research Program, April 2006. (With Michael Lee)

“Inventory of Renewable Energy Resources Eligible for the Maryland Renewable Energy Portfolio Standard,” Prepared for the Maryland Power Plant Research Program, March 2006 (with Jim McVeigh, Joseph Cohen, Kevin Porter and Michael Lee)

“The Potential for Biomass Cofiring in Maryland,” prepared for the Maryland Power Plant Assessment Division, March 2006. (With Steven Estomin and Michael Lee)

“Wind Power Options Assessment.” Prepared for the Maryland Power Plant Research Program and the Maryland Energy Administration, January 2006. (With Matthew Kahal and Steven Estomin.)

“Environmental Review Report INGENCO Wholesale Power, LLC Landfill Gas-to-Energy Project Newland Park Landfill Wicomico County, Maryland.” Environmental Resources Management, Inc., Versar, Inc., Metametrics, Inc., and Exeter Associates, Inc., PPSE-NPL-01, January 2006. (With Tom Weissinger, P.E., Robert Sawyer, Daniel Goldstein, P.E. Robert Keating, Fred Kelley, and Peter Hall)

“Methods of Green Power Acquisition for State Government,” prepared for the Maryland Power Plant Assessment Division, December 2004.

“Economic Analysis of a Power Plant Fueled by Poultry Litter to be Located on Maryland’s Eastern Shore,” prepared for the Maryland Power Plant Assessment Division, December 2004.

“Idaho National Engineering and Environmental Laboratory Electric Power Supply Options Study,” prepared for the U.S. DOE, Federal Energy Management Program, November 2004.

“Assessment of Post-2004 Western Area Power Administration Federal Preference Power Entitlements for the Northern California Air Force Installations,” prepared for the Air Force Civil Engineering Support Agency, June 2004.

“An Initial View on Methodologies for Emission Baselines: Energy Efficiency Case Study” prepared for the Organization for Economic Co-Operation and Development (OECD) and the International Energy Agency, June 2000. (With Dan Violette and Marshall Kneipp)

“Hanford 1100 Area Case Study” prepared for the Superfund Redevelopment Program of the U.S. Environmental Protection Agency, February 2000.

“Analysis of Privatization Methods in the Electricity Sector,” prepared for USAID, October 1999. (With Keith Kozloff and Shvetank Shah)

“Environmental Markets in the Andean Region (Bolivia, Ecuador and Peru),” prepared for USAID, August 1999. (With Elizabeth Marcotte)

“Indonesia Environmental Management Country Strategy,” prepared for the Asian Development Bank, December 1998. (With Elizabeth Marcotte)

“Gap Analysis of Corporate Environmental Management Policy and the ISO 14001 Standard for Environmental Management,” prepared for a Fortune 500 Multi-National OEM, November 1998. (With Amit Dalal)

Expert Testimony Presented:

Before the Pennsylvania Public Utility Commission in Docket No. M-2009-2123945, Petition of Pennsylvania Power and Light Approval of its Smart Meter Technology Procurement and Installation Plan, October 2009, for the Pennsylvania Office of Consumer Advocate. Testified on smart grid issues. (Case settled prior to cross-examination.)

Before the Pennsylvania Public Utility Commission in Docket No. M-20092123948, Petition of Duquesne Light Company for Approval of its Smart Meter Technology Procurement and Installation Plan, October 2009, for the Pennsylvania Office of Consumer Advocate. Testified on smart grid issues.

Before the Pennsylvania Public Utility Commission in Docket No. R-2010-2214415, UGI Central Penn Gas, Inc. 2011 Base Rate Proceeding, May 2011. Testified regarding proposed energy efficiency programs, proposed costs and policy issues on behalf of the Pennsylvania Office of Consumer Advocate. (Case settled prior to cross-examination.)

## EMMA L. NICHOLSON

Dr. Nicholson is a senior economist at Exeter Associates, Inc. At Exeter, Dr. Nicholson's work includes modeling the economic impacts of proposed pricing mechanisms, market rule changes, and new infrastructure in electric power systems. She also specializes in cost allocation for electric utility rate proceedings, the operation and design of energy markets, evaluating alternative energy supply options for large retail customers, conducting econometric forecasts of energy requirements and peak demand, and preparing statistical analyses of energy market data.

### Education:

B.A. Economics and Political Science, University of Maryland College Park, May 2001

M.A. Economics, Georgetown University, December 2004

Ph.D. Economics, Georgetown University, August 2008.

Dissertation: "Essays on Restructured Electricity Markets."

### Previous Employment:

2008-2009 Senior Consultant, Energy Practice  
Bates White, LLC.  
Washington, D.C.

2004-2006 Industry Economist (three summer internships)  
Federal Energy Regulatory Commission  
Washington, D.C.

2001-2003 Research Assistant  
Exeter Associates, Inc.  
Columbia, Maryland

### Professional Work Experience:

Dr. Nicholson's work at Exeter Associates, Inc. is primarily related to energy market analysis, econometric forecasting, evaluation of alternative energy supply options, and power supply acquisition. Dr. Nicholson performs class cost allocation studies through the use of utility cost of service models in support of testimony provided in rate case proceedings. Dr. Nicholson has also supported the Indiana Office of Utility Consumer Counselor in settlement negotiations and helped them evaluate the rate impacts of various class revenue spreads.

Dr. Nicholson was a key member of the modeling team that prepared the Long Term Electricity Report for the State of Maryland, which Exeter prepared for the State's Power Plant Research Program. Dr. Nicholson developed key inputs to the Study and reviewed the outputs of the

production cost model. Dr. Nicholson also drafted sections of the Report. Dr. Nicholson also led a study of the effects of wind generation on wholesale electricity prices in ERCOT in a study funded by the Department of Energy's National Renewable Energy Laboratory.

With Bates White, she examined NYMEX trade data to support the testimony of a Bates White expert testifying on behalf of the Federal Energy Regulatory Commission's (FERC) Office of Enforcement. Dr. Nicholson also created 20-year forecasts of electric generation capacity, hourly load and fuel costs for a load flow model used to estimate the economic and environmental impacts of a proposed 1,200 MW DC transmission line in New York.

Dr. Nicholson worked at the Federal Energy Regulatory Commission in the summers of 2004, 2005, and 2006. She interned at the Office of Administrative Litigation in 2004 and 2005 where she participated as a member of FERC staff in crafting a position about a proposed natural gas interconnection in south Louisiana. She also investigated the merits of a proposed transmission adder and examined the implications of PJM's Three-Pivotal Supplier Test. Dr. Nicholson worked in the Office of Energy Markets and Rates, Central Division, in 2006 where she investigated a complaint about a retroactive price change in the Midwest ISO. She also examined the effects of a proposed Midwest ISO rule change that would charge virtual bidders for uplift.

Dr. Nicholson began her professional career as a Research Assistant at Exeter Associates, where she developed the econometric models used to generate a ten-year forecast of electricity consumption and peak demand in the state of Maryland. She built various econometric and Excel-based models to estimate the financial impacts of proposed rate changes associated with various utility rate case proceedings.

Expert Testimony:

Before the Pennsylvania Public Utility Commission, Docket No. R-2010-2172665, September 2010, on behalf of the Pennsylvania Office of Consumer Advocate on cost allocation and rate design issues.

Before the Indiana Utility Regulatory Commission, Cause No. 43839, June 2010, on behalf of the Indiana Office of Utility Consumer Counselor on proper cost allocation methods.

Publications and Consulting Reports:

"Towards Equilibrium Offers in Unit Commitment Auctions with Nonconvex Costs," with Ramteen Sioshansi. *Journal of Regulatory Economics*, Vol. 40. No. 1, August 2011.

"The Relationship between Wind Generation and Balancing Energy Market Prices in ERCOT: 2007-2009, with Jennifer Rogers and K. Porter. National Renewable Energy Laboratory, November 2010.

“Abandon all Hope? FERC’s Evolving Standards for Identifying Comparable Firms and Estimating the Rate of Return,” with Jonathan Lesser, *The Energy Law Journal*. Vol 30:105; pp. 105-132, April 2009.

“Forecasted Electric Energy Consumption and Peak Demands for Maryland.” Exeter Associates, Inc., 2002. (Prepared for the Maryland Department of Natural Resources, Power Plant Research Program.)

Participation in Conferences, Seminars, and Workshops:

2006 and 2007 Midwestern Economic Association Meetings, presenter and discussant.

Peer reviewer for the *Journal of Environmental Economics and Management*. (2009 through present.)

## SARI A. FINK

Ms. Fink is an economist at Exeter Associates, Inc. and works principally in the areas of renewable energy, environmental economics, and market analysis. Prior to coming to Exeter, Ms. Fink had previous experience conducting research and economic analysis related to development of alternative energy sources, environmental issues, and climate change issues for the British Columbia Ministry of Energy, Mines, and Petroleum Resources. With Exeter Ms. Fink provides analysis on the economic impacts of energy and environmental policies. Ms. Fink assists the Maryland Department of Natural Resources, Maryland Energy Administration and Maryland Department of Environment reviewing policies and programs related to electricity regulation, energy efficiency, renewable energy, and climate change.

### Education:

A.A.S. Electronics Engineering Technology  
College of New Caledonia, Prince George, BC, 1990

B.S. Economics and Environmental Studies  
University of Victoria, Victoria, BC, 2000

M.A. Economics, University of Victoria, Victoria, BC, 2007

### Previous Employment:

2001-2003 Policy Advisor  
British Columbia Ministry of Energy, Mines & Petroleum Resources,  
Victoria, BC

2000-2001 Laboratory Instructor  
University of Victoria, Victoria, BC

1990-1996 Process Operator/Power Engineer  
FMC of Canada, Ltd.  
Prince George Hydrogen Peroxide Plant, Prince George, BC

### Professional Work Experience:

At the Ministry of Energy, Mines & Petroleum Resources, Ms. Fink advised Ministry executives on policies concerning alternative energy, environmental issues in the oil, gas and electricity sectors, and climate change. She provided input to the Provincial Energy Policy regarding the development of alternative energy resources in the province. Ms. Fink provided research on climate change issues and policies, and represented the Ministry on a National Intergovernmental Analysis and Modeling Working Group tasked with conducting an economic analysis of the Kyoto Protocol for Canada.



With Exeter Ms. Fink contributed substantially to the recent Exeter project, Long-term Electricity Report for Maryland (LTER). Ms. Fink participated in developing modeling assumptions, assessing modeling results, and drafting several sections of the LTER document. Ms. Fink also managed Exeter's participation in the Cumulative Environmental Impact Report (CEIR) for the Maryland Department of Natural Resources (DNR). The CEIR is a bi-annual report prepared by two DNR contractors that examines the impacts of power plant development in the State.

Ms. Fink works regularly on electric and gas regulation issues. She conducts research into rate cases and helps prepare internal memoranda for the Department of Energy on rate cases that involve DOE facilities. Ms. Fink is currently involved in conducting utility evaluations of Air Force bases for the Department of Defense. This includes examining electricity, natural gas, and water supply contracts and prices for each base and identifying where savings could be achieved. With respect to utility rates, Ms. Fink also monitors national electric, natural gas, and water rate activities and other issues, and prepares monthly reports for the DOE and the Air Force outlining developments that may potentially affect the cost of utilities to DOE and Air Force facilities, for example, utility rate applications.

Publications and Consulting Reports:

"Maryland Power Plants and the Environment: A Review of the Impacts of Power Plants and Transmission Lines on Maryland's Natural Resources", prepared for the Maryland Power Plant Research Program, PPRP-CEIR-16, January 2012, (with Michael Buckley, and Jennifer Rogers, of Exeter Associates and contributing authors from Environmental Resources Management, and Versar, Inc.) <http://esm.versar.com/pprp/ceir16/intro.htm>

"Long-Term Electricity Report for Maryland," prepared for the Maryland Power Plant Research Program, December 2011, (with Steven Estomin, Kevin Porter, Christina Mudd, Emma Nicholson, Michael Buckley, Jennifer Rogers, and Krista Ozarowski). [http://esm.versar.com/pprp/pprac/Longterm\\_Electricity\\_Report.htm](http://esm.versar.com/pprp/pprac/Longterm_Electricity_Report.htm)

"Planning for Wind Energy," Rynne, S. et.al., American Planning Association, Planning Advisory Service Report Number 566, November 2011, (contributor).

"2010 Wind Technologies Market Report," prepared for the U.S. Department of Energy, June 2011, (contributor). <http://www1.eere.energy.gov/windandhydro/pdfs/51783.pdf>

"A Survey of Transmission Cost Allocation Methodologies for Regional Transmission Organizations," prepared for the National Renewable Energy Laboratory, February 2011, (with Kevin Porter, Christina Mudd, and Jennifer Rogers). <http://www.nrel.gov/docs/fy11osti/49880.pdf>

- “The Relevance of Generation Interconnection Procedures to Feed-in Tariffs in the United States,” prepared for the National Renewable Energy Laboratory, October 2010, (with Kevin Porter and Jennifer Rogers). <http://www.nrel.gov/docs/fy11osti/48987.pdf>
- “2009 Wind Technologies Market Report”, prepared for the U.S. Department of Energy, August 2010, (contributor).
- “Transmission Cost Allocation Methodologies for Regional Transmission Organizations,” prepared for the National Renewable Energy Laboratory, July 2010, (with Jennifer Rogers and Kevin Porter). <http://www.nrel.gov/docs/fy10osti/48738.pdf>
- “Examples of Wind Energy Curtailment Practices,” prepared for the National Renewable Energy Laboratory, July 2010, (with Jennifer Rogers and Kevin Porter). <http://www.nrel.gov/docs/fy10osti/48737.pdf>
- GE Energy, “Western Wind and Solar Integration Study”, prepared for the National Renewable Energy Laboratory, May 2010, (Study Team contributor).
- “Guidance for the Development of Renewable Energy Projects at Air Education and Training Command Bases”, prepared for the Air Force Civil Engineering Support Agency Tyndall Air Force Base and Air Force Education and Training Command Randolph Air Force Base, January 2010, (with C. Mudd, S. Estomin, K. Ozarowski, and M. Fullenbaum).
- “Maryland Power Plants and the Environment: A Review of the Impacts of Power Plants and Transmission Lines on Maryland’s Natural Resources”, prepared for the Maryland Power Plant Research Program, PPRP-CEIR-15, January 2010, (with Steven Estomin, Jennifer Rogers, and Christina Mudd, of Exeter Associates and contributing authors from Environmental Resources Management, and Versar, Inc.).
- “Healthy” Human Development Indices,” Social Indicators Research, Journal No. 11205, Springer, Published online: December 27, 2009, (with Merwan H. Engineer and Nilanjana Roy).
- “Wind Energy Curtailment Case Studies”, prepared for the National Renewable Laboratory, U.S. Department of Energy, October 2009, (with C. Mudd, K. Porter, and B. Morgenstern).
- “Moving Beyond Paralysis: How States and Regions Are Creating Innovative Transmission Policies for Renewable Energy Projects”, The Electricity Journal, Volume 22, Issue 7, August/September 2009, (with Allison Schumacher and Kevin Porter).
- 2008 Wind Technologies Market Report, prepared for the U.S. Department of Energy, July 2009, (contributor).

A Review of Large-Scale Wind Grid Integration in the United States, prepared for The Energy Foundation, China Sustainable Energy Program, April 2009, (with K. Porter, C. Mudd, J. DeCesaro, and R. Wiser).

"State Transmission Infrastructure Authorities: The Story So Far," *Electricity Journal*, March 2009, (with Kevin Porter).

"Generation Interconnection Policies and Wind Power: A Discussion of Issues, Problems, and Potential Solutions." Prepared for the National Renewable Laboratory, U.S. Department of Energy, January 2009, (with Kevin Porter, Christina Mudd, and Jennifer DeCesaro).

"Report on Distributed Generation in Maryland." Prepared for the Maryland Power Plant Research Program, November 2008, (with Christina Mudd).

"PPRP Analysis in Support of the Regional Greenhouse Gas Initiative: Study Compendium." Prepared for the Maryland Power Plant Research Program, October 2008. A Compendium of twelve technical briefs, compilation and summaries by Sari Fink, who also previously co-authored two of the briefs.

"Annual Report on U.S. Wind Power Installation, Cost, and Performance Trends: 2007," Prepared for U.S. Department of Energy, May 2008, (contributing author).

"Adjusting the Human Development Index for Mortality," Presented at Canadian Economies Association 2008 Conference, May 2008, (with M. Engineer and N. Roy).

"State Transmission Infrastructure Authorities: The Story So Far," Prepared for National Renewable Energy Lab, April 2008, (with Kevin Porter).

"Renewable Portfolio Standards in the United States," Prepared for Lawrence Berkeley National Lab, April 2008, (contributing author).

"Bi-Monthly Transmission Updates," of the National Wind Coordinating Collaborative, Prepared for National Renewable Energy Lab. 2007-2008, (with Kevin Porter).

"Maryland Power Plants and the Environment: A Review of the Impacts of Power Plants and Transmission Lines on Maryland's Natural Resources, Maryland Power Plant Research Program, PPRP-CEIR-14," January 2008, (with Steven Estomin and Christina Mudd, of Exeter Associates and contributing authors from Environmental Resources Management, and Versar, Inc.)

## JENNIFER L. ROGERS

Ms. Rogers is an Economist at Exeter Associates, Inc. Prior to joining Exeter, Ms. Rogers worked as a research assistant at Northeastern University in the fields of industrial organization and labor economics. In graduate school, Ms. Rogers' studies focused on economic modeling and policy analysis. With Exeter, Ms. Rogers provides assistance in reviewing policies and programs related to conservation and energy efficiency; assists in the development of electric and natural gas sales forecasts; and conducts analysis on renewable energy initiatives, cost allocation, and rate design alternatives.

### Education:

B.A. Economics, Saint Mary's College of Maryland, St. Mary's City, MD, 2007

M.A. Economics, Northeastern University, Boston, MA, 2009

### Previous Employment:

2009-2011	Economic Research Assistant Exeter Associates, Inc.
2007-2008	Research and Teaching Assistant Northeastern University, Boston, MA
2008	Administrative Assistant Association for Cultural Economics International Conference, Boston, MA
2003-2007	Office Assistant St. Mary's College of Maryland, St. Mary's City, MD
2005	Intern: Brokerage Department Lehman Brothers, London, UK

### Professional Work Experience:

As a Research Assistant at Northeastern University, Ms. Rogers developed surveys to be used in a longitudinal labor economics study, tutored undergraduate economics students, and provided research on a variety of economics-related topics. As an administrative assistant for the

Association for Cultural Economics International Conference, Ms. Rogers served as the primary liaison between the Association and over 200 potential conference presenters.

Publications and Consulting Reports:

*Long-Term Electricity Report for Maryland*, prepared for the Maryland Department of Natural Resources Power Plant Research Program Pursuant to Executive Order 01.01.2010.16, December 2011, (with Steven Estomin, Kevin Porter, Christina Mudd, Emma Nicholson, Sari Fink, Michael Buckley, and Krista Ozarowski),  
[http://esm.versar.com/pprp/pprac/Longterm\\_Electricity\\_Report.htm](http://esm.versar.com/pprp/pprac/Longterm_Electricity_Report.htm).

“Wind Power and Electricity Markets,” Compiled for the Utility Wind Integration Group, October 2011 (with Kevin Porter and Sari Fink),  
<http://www.uwig.org/windinmarketstableOct2011.pdf>.

*Alternative Energy Resource Market Assessment*, National Association of Regulatory Utility Commissioners, A report for the Public Utility Commission of Ohio, September 2011 (with Kevin Porter of Exeter Associates, Inc., Ed Holt & Associates, Inc., and Sustainable Energy Advantage LLC),  
<http://www.naruc.org/Publications/FINAL%20full%20OH%20Holt%20SERCAT%20report.pdf>.

*Central Wind Power Forecasting Programs in North America by Regional Transmission Organizations and Electric Utilities: Revised Edition*, National Renewable Energy Laboratory, NREL Report No. NREL/SR-5500-51263, March 2011 (with Kevin Porter),  
<http://www.nrel.gov/docs/fy11osti/51263.pdf>.

*A Survey of Transmission Cost Allocation Methodologies for Regional Transmission Organizations*, National Renewable Energy Laboratory, NREL Report No. SR-5500-49880, February 2011 (with Kevin Porter, Sari Fink, and Christina Mudd),  
[http://www.nrel.gov/wind/systemsintegration/pdfs/2011/fink\\_transmission\\_cost\\_allocation.pdf](http://www.nrel.gov/wind/systemsintegration/pdfs/2011/fink_transmission_cost_allocation.pdf).

*The Relationship between Wind Generation and Balancing-Energy Market Prices in ERCOT: 2007–2009*, National Renewable Energy Laboratory, NREL Report No. NREL/SR-5500-49415, November 2010 (with Kevin Porter and Emma Nicholson),  
[http://www.nrel.gov/wind/systemsintegration/pdfs/2010/nicholson\\_balancing\\_energy\\_market.pdf](http://www.nrel.gov/wind/systemsintegration/pdfs/2010/nicholson_balancing_energy_market.pdf).

*The Relevance of Generation Interconnection Procedures to Feed-in Tariffs in the United States*, National Renewable Energy Laboratory, NREL Report No. NREL/SR-6A20-48987, October 2010 (with Kevin Porter and Sari Fink),  
<http://www.nrel.gov/docs/fy11osti/48987.pdf>.

*Transmission Cost Allocation Methodologies for Regional Transmission Organizations*, National Renewable Energy Laboratory, NREL Report No. NREL/SR-550-48738, July 2010 (with Kevin Porter and Sari Fink),  
[http://www.nrel.gov/wind/systemsintegration/pdfs/2010/fink\\_transmission\\_cost\\_allocation.pdf](http://www.nrel.gov/wind/systemsintegration/pdfs/2010/fink_transmission_cost_allocation.pdf).

*Examples of Wind Energy Curtailment Practices*, National Renewable Energy Laboratory, NREL Report No. NREL/SR-550-48737, July 2010 (with Kevin Porter and Sari Fink),  
<http://www.nrel.gov/docs/fy10osti/48737.pdf>.

*Status of Centralized Wind Power Forecasting in North America*, National Renewable Energy Laboratory, NREL/SR-550-47853, April 2010 (with Kevin Porter),  
<http://www.nrel.gov/docs/fy10osti/47853.pdf>.

“Bi-Monthly Transmission Updates,” of the National Wind Coordinating Collaborative, Prepared for National Renewable Energy Lab, August 2009 - June 2010 (with Kevin Porter).

“Maryland Power Plants and the Environment: A Review of the Impacts of Power Plants and Transmission Lines on Maryland’s Natural Resources, Maryland Power Plant Research Program, PPRP-CEIR-15,” January 2010 (with Steven Estomin, Christina Mudd, and Sari Fink of Exeter Associates, Inc. and contributing authors from Versar, Inc. and Environmental Resources Management).

## KRISTA M. OZAROWSKI

Ms. Ozarowski is an economics Research Assistant at Exeter Associates, Inc.

Ms. Ozarowski provides assistance in research for policies and programs related to conservation and energy efficiency, and conducts analyses on renewable energy initiatives. During her undergraduate career, Ms. Ozarowski focused her studies in the fields of public policy, econometrics, and game theory.

### Education:

B.A. Economics, University of Maryland, College Park, 2009

### Previous Employment:

2007-2009	Orientation Advisor University of Maryland, College Park, MD
2005	Intern: Clark & Anderson (PAs) Glen Burnie, MD

### Professional Work Experience:

As an Office Assistant at University of Maryland, Ms. Ozarowski transitioned new students into the University, designed and completed presentations with deans, and met with over 8,000 new students. Presented on new technologies at the NODA ("National Orientation Directors Association") Conference in March 2009.

With Exeter Ms. Ozarowski has worked with the U.S. Air Force Civil Engineer Support Agency to complete utility service assessments. Specifically, she assists in providing a detailed analysis of energy usage, supply contracts, and a review of billing practices. Most recently, Exeter has located over \$5 million in savings to the U.S. Air Force with these strategies.

### Publications and Consulting Reports

"Long-Term Electricity Report for Maryland," prepared for the Maryland Power Plant Research Program, December 2011, (with Steven Estomin, Kevin Porter, Christina Mudd, Emma Nicholson, Sari Fink, Michael Buckley, and Jennifer Rogers).

[http://esm.versar.com/pprp/pprac/Longterm\\_Electricity\\_Report.htm](http://esm.versar.com/pprp/pprac/Longterm_Electricity_Report.htm)

Guidance for the Development of Renewable Energy Projects at Air Education and Training Command Bases,” prepared for the Air Force Civil Engineering Support Agency Tyndall Air Force Base and Air Force Education and Training Command Randolph Air Force Base, January 2010, (with C. Mudd, S. Estomin, S. Fink, and M. Fullenbaum).



## MICHAEL T. BUCKLEY

Mr. Buckley is an Economic Research Assistant at Exeter Associates, Inc. Prior to joining Exeter, Mr. Buckley worked at the Maryland Department of the Environment as part of the Governor's Summer Internship Program. During his undergraduate career, Mr. Buckley concentrated his studies in the field of natural resource economics, as well as environmental and natural resource policy.

At Exeter, Mr. Buckley assists senior staff in researching policies and programs related to renewable energy, energy efficiency, demand response, and climate change. This includes tasks such as research and analyses of rate designs and incentive mechanisms that promote energy efficiency and renewable energy technologies. Mr. Buckley also assists staff in the development of electricity and natural gas price forecasts. Additionally, Mr. Buckley provides support in the evaluation and analysis of utility contracts and bills for large-scale customers.

### Education:

B.S. Agricultural Economics  
Concentration in Natural Resource Economics  
Colorado State University, Fort Collins, CO, 2010

### Previous Employment:

2009 Intern – Climate Change Division  
Air and Radiation Management Administration  
Maryland Department of the Environment  
Baltimore, MD

### Professional Work Experience:

At the Maryland Department of the Environment, Mr. Buckley gained considerable experience in Maryland's electric power industry. This involved the evaluation of a Maryland power company to determine its eligibility for Regional Greenhouse Gas Initiative (RGGI) allowances from the Long-Term Contract Set Aside Account. Mr. Buckley also assisted in the development of a Request for Proposals for a consulting firm to provide economic analyses and related support to the Department. Additional projects included a Cost Benefit Analysis of LEED Certification in Maryland and working as part of a policy research team to prepare and present a policy proposal to Maryland's Governor, Martin O'Malley.

Publications and Consulting Reports:

“Maryland Power Plants and the Environment: A Review of the Impacts of Power Plants and Transmission Lines on Maryland's Natural Resources”, prepared for the Maryland Power Plant Research Program, PPRP-CEIR-16, January 2012 (With Steven Estomin, Sari Fink, Christina Mudd, and Jennifer Rogers of Exeter Associates and contributing authors from Environmental Resources Management and Versar, Inc.).

“Long-Term Electricity Report for Maryland”, prepared for the Maryland Power Plant Research Program, December 2011 (With Steven Estomin, Sari Fink, Christina Mudd, Emma Nicholson, Krista Ozarowski, Kevin Porter, and Jenifer Rogers of Exeter Associates and contributions from ABB/Ventyx and BCS, Inc.).

“2010 Wind Technologies Market Report”, prepared for the National Renewable Energy Laboratory, June 2011 (contributor).

“Moving Beyond ‘Paper versus Plastic’: Mitigating the Environmental Impacts of Disposable Bags in Maryland”, Policy Recommendations for Governor Martin O’Malley, August 2009 (With Halley Epstein, Brian Frazee, Virginia Gordon, and Katherine Heller).

Bid Summary

The OCA posted the RFP for services on our website, ran a legal notice advertisement in the Union Leader and Concord Monitor on February 19, 2012, and also provided it to thirteen consulting firms that work in the utility industry. The OCA received five proposals in response to the RFP.

The proposals received were from Backus, Meyer & Branch, LLP; Exeter Associates, Inc.; Scott J. Rubin; Synapse Energy Economics, Inc.; and Kenneth E. Traum.

The OCA had four staff members review the proposals, the Consumer Advocate, Meredith A. Hatfield, the Assistant Consumer Advocate, Rorie E.P. Hollenberg, the Finance Director, Donna L. McFarland, and the Utility Analyst, Stephen R. Eckberg. Each reviewer considered:

- Whether the proposals were complete and met the RFP requirements;
- The quality and extent of the bidder's experience and expertise in utility operations and regulation;
- Ability to complete the tasks necessary for the job;
- The knowledge and practical skills of both the firm and the staff assigned in the proposal;
- Any experience and qualifications in providing similar services to Commissions, Consumer Advocates, or other similar clients;
- The proposed hourly rate for the project;
- Availability during the timeframe of the docket;
- Potential conflicts of interest; and
- Distance and accessibility to the OCA's offices.

After this process, the reviewers determined that the OCA should seek approval to contract with Exeter Associates, Inc. (The OCA also contracted with Scott J. Rubin which was approved at the March 7, 2012, Governor and Council meeting.).



STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF HUMAN SERVICES  
BUREAU OF HOMELESS AND HOUSING SERVICES

Nicholas A. Toumpas  
Commissioner  
  
Mary Ann Cooney  
Associate Commissioner

105 PLEASANT STREET, CONCORD, NH 03301  
603-271-5059 1-800-852-3345 Ext. 5059  
Fax: 603-271-5139 TDD Access: 1-800-735-2964 www.dhhs.nh.gov

February 4, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court, and

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to the provisions of Chapter 224:14, II, Laws of 2011, Additional Revenues, authorize the Department of Health and Human Services, Office of Human Services, Bureau of Homeless and Housing Services to accept and expend Emergency Solutions Grant federal funds from the US Department of Housing and Urban Development to provide services to homeless individuals throughout the State of New Hampshire in the amount of \$877,687 effective upon date of Fiscal Committee and Governor and Executive Council approval, through June 30, 2013, and further authorize the allocation of these funds in the accounts below.

05-95-95-958310-7176 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SVCS, HHS: COMMISSIONER, DCBCS BHHS, HOUSING – SHELTER PROGRAM

Class/Object	Class Title	Current Authorized	Increase/ (Decrease) Amount	Revised Authorized
<b>SFY 2013</b>				
000-408072	Federal Funds	\$4,853,752.70	\$887,687.00	\$5,741,439.70
	General Fund	\$0.00	\$0.00	\$0.00
<b>Total Revenue</b>		<b>\$4,853,752.70</b>	<b>\$887,687.00</b>	<b>\$5,741,439.70</b>
010-500100	Personal Services – Permanent	\$62,879.00	\$0.00	\$62,879.00
020-500200	Current Expenses	\$13,860.00	\$0.00	\$13,860.00
021-502668	Food Institutions	\$0.00	\$0.00	\$0.00
022-500255	Rents-Leases Other Than State	\$2,178.00	\$0.00	\$2,178.00
026-500251	Organizational Dues	\$1,750.00	\$0.00	\$1,750.00
030-500301	Equipment	\$7,500.00	\$0.00	\$7,500.00
041-500801	Audit Fund Set Aside	\$5,017.00	\$888.00	\$5,905.00
042-500620	Additional Fringe Benefits	\$5,332.00	\$0.00	\$5,332.00
057-500535	Books, Periodicals, Subscrip	\$500.00	\$0.00	\$500.00
060-500602	Benefits	\$31,775.00	\$0.00	\$31,775.00

070-500704	In-State Travel Reimbursement	\$3,045.00	\$0.00	\$3,045.00
080-500714	Out of State Travel	\$4,872.00	\$0.00	\$4,872.00
102-500731	Contracts for Program Services	<u>\$4,715,044.70</u>	<u>\$886,799.00</u>	<u>\$5,601,843.70</u>
Total Expense		<u>\$4,853,752.70</u>	<u>\$887,687.00</u>	<u>\$5,741,439.70</u>

#### EXPLANATION

The Department of Health and Human Services, Office of Human Services, Bureau of Homeless and Housing Services seeks approval to accept and expend Emergency Solutions grant funds in the amount of \$887,687 from the US Department of Housing and Urban Development. The grant was awarded for the period of August 16, 2012, through August 15, 2013. A copy of the grant agreement is attached

The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 allowed for an increase in funding and eligible activities within the Emergency Shelter Grant Program, which has been renamed the Emergency Solutions Grant Program. The Department of Housing and Urban Development increased funding to the program to expand eligible services to include focus on preventing homelessness and rapidly re-housing homeless persons. Throughout New Hampshire, there is an ongoing need for housing and services for homeless individual and families. These services include rental assistance, security deposit assistance for rent and/or utilities, utility payments and housing stability case management to assist in accessing and maintaining housing.

Should Fiscal Committee and Governor and Executive Council determine not to approve this request, individuals and families may not receive needed essential services leading to ongoing homelessness or becoming homeless. Additionally, the Department of Housing and Urban Development would recapture the funds awarded and place future grant agreement with the Bureau of Homeless and Housing Services at risk.

In response to the anticipated two-part question, "Can these funds be used to offset general funds?" and "What is the compelling reason for not offsetting general funds?" the Bureau offers the following information: these Federal funds cannot be used to offset general funds, as they are restricted to the activities referenced herein. Should this request be denied, the funds in question must be returned to the Federal government.

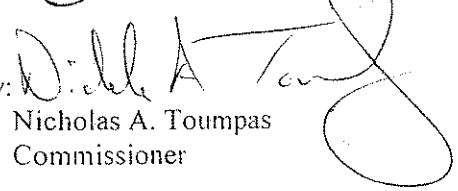
Geographic area served: Statewide.

Source of Funds: 100% Federal Funds.

If federal funds become no longer available, general funds will not be requested to support the program expenditures.

Respectfully submitted:

  
Mary Ann Cooney  
Associate Commissioner

Approved by:   
Nicholas A. Toumpas  
Commissioner

Office of Human Services  
Bureau of Homeless & Housing Service

Housing – Shelter Program

Fiscal Situation

010-095-7176

SFY-2013 Current Authorized	\$4,853,752.70
Emergency Solutions Grant Award	<u>887,687.00</u>
Revised SFY 2013 Appropriation	\$5,741,439.70

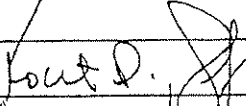
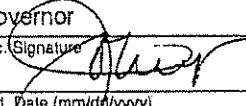
DEW  
2/4/2013

# Grant Agreement

Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act, 42 USC 11371 et seq.

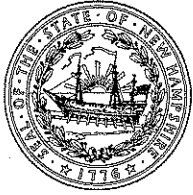
U.S. Department of Housing and Urban Development  
Office of Community Planning and Development  
Emergency Solutions Grants Program

Grant Number: E-12-DC-33-0001

1. Name of Grantee (as shown in item 5 of Standard Form 424) State of New Hampshire		2. Grantee's 9-digit Tax ID Number 026000618	
2. Grantee's DUNS Number: 011040545			
3. Grantee's Complete Address (as shown in item 5 of Standard Form 424) 105 Pleasant Street Concord, NH 03301			
<p><b>Grant Agreement:</b> This Grant Agreement between the Department of Housing and Urban Development (HUD) and the above named Grantee is made pursuant to the authority of Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.). The Grantee's submissions under 24 CFR Part 91 that pertain to this Grant, the HUD regulations at 24 CFR Part 576 (as now in effect and as may be amended from time to time), section 100261 of the Moving Ahead for Progress in the 21st Century Act (Public Law 112-141), and any special conditions attached to this Grant Agreement constitute part of this Grant Agreement. Subject to the provisions of this Grant Agreement, HUD will make the Grant available to the Grantee upon execution of the Grant Agreement by the Grantee and HUD. The Grant may be used to pay costs incurred after the date specified in item 8 below, provided the activities to which the costs are related are carried out in compliance with all applicable requirements. The Grantee agrees to assume all of the responsibilities with respect to environmental review, decision making, and action required under the HUD regulations at 24 CFR Part 58. The Grantee shall also comply with the Office of Management and Budget requirements for Universal Identifier and Central Contractor Registration and Reporting Subaward and Executive Compensation Information at 2 CFR Part 25, Appendix A to Part 25—Award Term, and 2 CFR Part 170, Appendix A to Part 170—Award Term.</p>			
5. Special Conditions (check one): <input type="checkbox"/> None <input checked="" type="checkbox"/> Attached			
6a. Date HUD Received Grantee's Annual Submission under 24 CFR Part 91 (mm/dd/yyyy) 02/02/2012		6b. Date Grantee Notified: (mm/dd/yyyy)	
7. Date of Start of Grantee's Program Year (mm/dd/yyyy) 01/01/2012		8. Date Use of Funds May Begin (the later of the date in 6a and the date in 7) (mm/dd/yyyy) 01/01/2012	
9. Funding Approval (check one): <input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment			
10. Amount of Emergency Solutions Grant: \$			
10a. Funds Reserved for this Grantee		\$887,687	
10b. Funds Now Being Approved		\$887,687	
10c. Reservation to be Cancelled (10a minus 10b)		\$	
11. Name and Complete Address of Department Designated to Administer the Grant 105 Pleasant Street Concord, NH 03301			
11a. Name of Authorized Official Maureen Ryan			
11b. Title Bureau Administrator		11c. Signature	11d. Date (mm/dd/yyyy)
11e. Phone Number 603.271.5043		11f. Fax Number 603.271.5139	11g. E-mail Address Maureen.u.ryan@dhs.state.nh.us
12. U.S. Department of Housing and Urban Development		13. Grantee Name State of New Hampshire	
12a. Name of Authorized Official Robert D. Shumeyko		13a. Name of Authorized Official John Lynch	
12b. Title Director		13b. Title Governor	
12c. Signature 		13c. Signature 	
12d. Date (mm/dd/yyyy) 08/16/2012		13d. Date (mm/dd/yyyy) 9/6/12	

	A	B	C	D	E	F	G	H	I	J
1	Department of Health and Human Services									
2	Bureau of Homeless and Housing Services									
3	SFY 2013 Account History									
4	BHHS		Original Budget	Salary & Benefit Reduction 12000	RSA 224:202 12002	Balance Forward	DHHS Transfer FIS 13-031 2-1-13	Current Authorized	Requested Action	Revised Authorized
5	Housing - Shelter Program									
6	010-095-7176-000-8072	Federal Funds	\$4,015,414.00	(\$3,230.00)	(\$1,320.00)	\$842,888.70	\$0.00	\$4,853,752.70	\$887,687.00	\$5,741,439.70
7	010-095-7176	General Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8	Total Revenue		\$4,015,414.00	(\$3,230.00)	(\$1,320.00)	\$842,888.70	\$0.00	\$4,853,752.70	\$887,687.00	\$5,741,439.70
9										
10	010-095-7176-010	Personal Services-Perm	\$62,879.00	\$0.00	\$0.00	\$0.00	\$0.00	\$62,879.00	\$0.00	\$62,879.00
11	010-095-7176-020	Current Expenses	\$13,860.00	\$0.00	\$0.00	\$0.00	\$0.00	\$13,860.00	\$0.00	\$13,860.00
12	010-095-7176-021	Food Institutions	\$1,000.00	\$0.00	\$0.00	\$0.00	(\$1,000.00)	\$0.00	\$0.00	\$0.00
13	010-095-7176-022	Rents-Leases Other than State	\$2,178.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,178.00	\$0.00	\$2,178.00
14	010-095-7176-026	Organizational Dues	\$1,750.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,750.00	\$0.00	\$1,750.00
15	010-095-7176-030	Equipment	\$7,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,500.00	\$0.00	\$7,500.00
16	010-095-7176-041	Audit Fund Set Aside	\$4,017.00	\$0.00	\$0.00	\$0.00	\$1,000.00	\$5,017.00	\$888.00	\$5,905.00
17	010-095-7176-042	Additional Fringe Benefits	\$5,332.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,332.00	\$0.00	\$5,332.00
18	010-095-7176-057	Books, Periodicals Subscriptions	\$500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$500.00	\$0.00	\$500.00
19	010-095-7176-060	Benefits	\$36,325.00	(\$3,230.00)	(\$1,320.00)	\$0.00	\$0.00	\$31,775.00	\$0.00	\$31,775.00
20	010-095-7176-070	In State Travel Reimbursement	\$3,045.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,045.00	\$0.00	\$3,045.00
21	010-095-7176-080	Out of State Travel Reimbursement	\$4,872.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,872.00	\$0.00	\$4,872.00
22	010-095-7176-102	Contracts for Program Services	\$3,872,156.00	\$0.00	\$0.00	\$842,888.70	\$0.00	\$4,715,044.70	\$886,799.00	\$5,601,843.70
23	Total Expenses		\$4,015,414.00	(\$3,230.00)	(\$1,320.00)	\$842,888.70	\$0.00	\$4,853,752.70	\$887,687.00	\$5,741,439.70
24										
25			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00





STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF MEDICAID BUSINESS AND POLICY

129 PLEASANT STREET, CONCORD, NH 03301-3857  
603-271-9384 1-800-852-3345 Ext.9384  
Fax: 603-271-8431 TDD Access: 1-800-735-2964

Nicholas A. Toumpas  
Commissioner

Kathleen A. Dunn  
Associate Commissioner

February 11, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

Pursuant to the provision of Chapter 224:14, II Laws of 2011; Additional Revenues, authorize the Department of Health and Human Services, Office of Medicaid Business and Policy, to accept and expend federal funds from the Centers for Medicare and Medicaid Services for the Adult Medicaid Quality Grant in the amount of \$118,204.00 effective upon approval by the Fiscal Committee and Governor and Council through June 30, 2013 and further authorize the allocation of the funds in the accounts below.

**SFY 2013**

**05-95-95-956010-6126 HEALTH AND SOCIAL SERVICES, DEPARTMENT OF HEALTH AND HUMAN SVCS,  
HHS: COMMISSIONER, OFF MEDICAID & BUSINESS POLICY, MEDICAID ADMINISTRATION**

CLASS OBJ	CLASS TITLE	Current Authorized Budget	Increase/ (Decrease)	Revised Modified Budget
000-403951	Federal Funds	\$7,302,020.57	\$118,204.00	\$7,420,224.57
001-403626	Other Funds	\$674,296.00	\$0.00	\$674,296.00
	General Fund	\$6,696,490.56	\$0.00	\$6,696,490.56
	Total Revenue	\$14,672,808.13	\$118,204.00	\$14,791,012.13
010-500100	Personal Services - Perm Classified	\$3,242,939.00	\$6,404.00	\$3,249,343.00
012-500128	Personal Services - Unclassified	\$503,055.00	\$0.00	\$503,055.00
018-500106	Overtime	\$79,192.00	\$0.00	\$79,192.00
020-500200	Current Expenses	\$228,546.00	\$1,480.00	\$230,026.00
022-500246	Rents and Leases Other than State	\$6,507.00	\$0.00	\$6,507.00
026-500251	Organizational Dues	\$9,419.00	\$0.00	\$9,419.00
027-502799	Transfers to OIT	\$0.00	\$0.00	\$0.00
028-500292	Transfer to General Services	\$0.00	\$0.00	\$0.00
030-500300	Equipment New/Replacement	\$3,729.00	\$15,000.00	\$18,729.00
040-500800	Indirect Costs	\$35,987.00	\$0.00	\$35,987.00
041-500801	Audit Set Aside	\$9,451.71	\$0.00	\$9,451.71

042-500620	Additional Fringe benefits	\$174,340.00	\$0.00	\$174,340.00
049-500294	Transfer to other State Agencies	\$93,430.00	\$0.00	\$93,430.00
050-500100	Personal Services - Temp/Appointe	\$50,840.00	\$0.00	\$50,840.00
060-500602	Benefits	\$1,879,401.00	\$3,910.00	\$1,883,311.00
066-500543	Employee Training	\$6,225.00	\$0.00	\$6,225.00
070-500700	In-State Travel	\$14,911.00	\$2,654.00	\$17,565.00
080-500710	Out-of State Travel	\$7,341.00	\$0.00	\$7,341.00
101-500729	Medical Payments to Providers	\$378,189.00	\$0.00	\$378,189.00
102-500731	Contracts for Program Services	\$5,531,176.42	\$88,756.00	\$5,619,932.42
512-500352	Transportation of Clients	\$2,418,129.00	\$0.00	\$2,418,129.00
Total Expense		\$14,672,808.13	\$118,204.00	\$14,791,012.13

#### EXPLANATION

The Department of Health and Human Services has received a two - year federal Adult Medical Quality Grant award in the amount of \$1,982,944.00 effective December 21, 2012. This request is to accept and expend the funds made available for the remainder of SFY 2013 in the amount of \$118,204.00. The remaining grant award to be expended in SFYs 2014/2015 are included in the Department's agency budget request. The project is 100% federally funded with no state match requirements.

The Adult Medicaid Quality Grant funded by the Affordable Care Act is designed to support State Medicaid agencies in building the capacity to collect, report and analyze data on the Initial Core of Set Health Care Quality Measures for adults enrolled in Medicaid. The goal of the funding is to support States in developing their capacity for standardized collection and reporting of data on the quality of health care providers to adults covered by Medicaid. This funding helps strengthen the Department of Health and Human Services analytic capacity required as part of the Medicare Care Management program measuring and improving the quality of care for all clients enrolled in Medicaid. States are required to work with hospitals, other providers, Departments of Public Health and other relevant agencies to obtain the data necessary to develop the infrastructure needed to meet the three aims of the grant project over the course of the two-year grant period. These items are:

- Test and evaluate methods for collection and reporting of the Initial Core Set Measures;
- Develop staff capacity to report the data, analyze and use the data for monitoring and improving access and the quality of care in Medicaid;
- Conduct at least two Medicaid quality improvement projects related to the Initial Core Set Measures.

The New Hampshire Department of Health and Human Services is committed to the use of data in understanding and improving the health of its Medicaid population. The Department of Health and Human Services has taken substantive steps in measuring and reporting quality through the launch of the New Hampshire Medicaid Quality Indicators ([www.nhmedicaidquality.org](http://www.nhmedicaidquality.org)) website in July 2012. The New Hampshire Medicaid Quality Indicators currently includes many of the Centers for Medicare and Medicaid Services Adult Medicaid Quality Indicators and building the website has provided valuable experience in the area of measurement production and presentation. The Centers for Medicare and Medicaid Services Adult Medicaid Quality Grant: Measuring and Improving the Quality of Care in Medicaid will allow the State to test and evaluate additional

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Executive Council  
February 11, 2013  
Page 3

meaningful quality improvement. New Hampshire Medicaid's grant-supported quality improvements initiatives will be (1) to address and improve statewide follow up care after a mental health hospitalization and (2) reduce the number of early term elective deliveries,  $\geq 37$  through  $< 39$  weeks. Through this grant, New Hampshire will also build the State's analytic capacity by adding two new data analysts, providing staff training and hiring a grant manager and project coordinator.

Area served: statewide.

Source of Funds: 100 % Centers for Medicare & Medicaid Services, Adult Medicaid Quality Grants

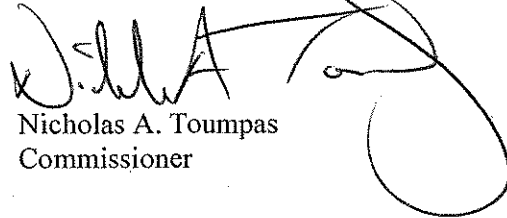
In the event Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,



Kathleen A. Dunn, MPH

Associate Commissioner and Medicaid Director

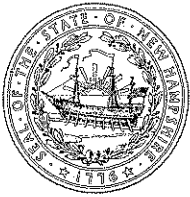


Nicholas A. Toumpas  
Commissioner

Cc: Copy of Grant Award Certificate  
Account History (Office of Medicaid Business and Policy)  
Statutory Authority

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	CLASS ORU																
2	CLASS TITLE	Budget Budget	Balance Brought Forward	Adjusted Authorized	\$50K Reduction	UNIT EMPLOYED	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position
3	05 Health and Social Services	\$0,393,689.00	\$412,028.52	\$5,618,689.52	(\$124,410.00)	\$560,655.00	\$51,720.00	\$86,962.00	\$56,649.00	(\$90.00)	\$0.00	\$27,860.00	\$24,132.00	\$0.00	\$7,202,020.52	\$7,202,020.52	\$0.00
4	95 Dept. of Health and Human Svcs	\$0,174,905.00	\$423,028.56	\$5,978,323.56	(\$119,300.00)	\$0.00	\$0.00	\$0.00	\$54,842.00	\$0.00	\$0.00	\$47,437.00	\$51,172.00	\$0.00	\$5,696,491.61	\$5,696,491.61	\$0.00
5	95 HHS, Commissioner	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6	956010 Off Medicaid & Business Policy	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
7	SEFV 2013	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8	66-66-97-2601B-6126 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
9	SYCS, HHS, COMMISSIONERS OFF MEDICAID & BUSINESS POLICY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
10	MEDICAID ADMINISTRATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
11	CLASS ORU																
12	CLASS TITLE	Budget Budget	Balance Brought Forward	Adjusted Authorized	\$50K Reduction	UNIT EMPLOYED	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position	Transfer of Position
13	010-61260000-403951	\$0,393,689.00	\$412,028.52	\$5,618,689.52	(\$124,410.00)	\$560,655.00	\$51,720.00	\$86,962.00	\$56,649.00	(\$90.00)	\$0.00	\$27,860.00	\$24,132.00	\$0.00	\$7,202,020.52	\$7,202,020.52	\$0.00
14	010-61260000-403951	\$0,174,905.00	\$423,028.56	\$5,978,323.56	(\$119,300.00)	\$0.00	\$0.00	\$0.00	\$54,842.00	\$0.00	\$0.00	\$47,437.00	\$51,172.00	\$0.00	\$5,696,491.61	\$5,696,491.61	\$0.00
15	010-61260000-403956	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
16			Total Revenue	\$12,583,574.00		\$384,656.00	\$82,111.00	\$86,962.00	\$51,691.00	(\$90.00)	\$0.00	\$73,297.00	\$73,297.00	\$0.00	\$14,972,808.13	\$14,972,808.13	\$0.00
17	010-61260000-403951	\$0,074,133.00	\$0.00	\$2,974,133.00	(\$40,087.00)	\$0.00	\$51,881.00	\$50,915.00	\$60,867.00	\$0.00	\$0.00	\$48,376.00	\$48,376.00	\$0.00	\$3,242,939.00	\$3,242,939.00	\$0.00
18	012-500128	\$593,055.00	\$0.00	\$393,055.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$393,055.00	\$393,055.00	\$0.00
19	018-500106	\$79,192.00	\$0.00	\$79,192.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$79,192.00	\$79,192.00	\$0.00
20	020-500200	\$728,846.00	\$0.00	\$228,846.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$228,846.00	\$228,846.00	\$0.00
21	022-500246	\$5,242.00	\$0.00	\$5,507.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,507.00	\$5,507.00	\$0.00
22	026-500251	\$9,419.00	\$0.00	\$9,419.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,419.00	\$9,419.00	\$0.00
23	027-500299	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
24	027-500292	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
25	028-500232	\$3,729.00	\$0.00	\$3,729.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,729.00	\$3,729.00	\$0.00
26	030-500300	\$53,987.00	\$0.00	\$53,987.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$53,987.00	\$53,987.00	\$0.00
27	040-500800	\$8,437.00	\$0.00	\$8,437.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,437.00	\$8,437.00	\$0.00
28	042-506638	\$174,340.00	\$0.00	\$174,340.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$174,340.00	\$174,340.00	\$0.00
29	042-506639	\$93,430.00	\$0.00	\$93,430.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$93,430.00	\$93,430.00	\$0.00
30	049-500254	\$50,840.00	\$0.00	\$50,840.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50,840.00	\$50,840.00	\$0.00
31	050-500100	\$30,840.00	\$0.00	\$30,840.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$30,840.00	\$30,840.00	\$0.00
32	060-500602	\$1,906,384.00	\$0.00	\$1,906,384.00	(\$203,698.00)	\$0.00	\$29,230.00	\$35,987.00	\$30,623.00	(\$89.00)	\$0.00	\$26,821.00	\$26,821.00	\$0.00	\$1,879,430.00	\$1,879,430.00	\$0.00
33	066-500543	\$5,222.00	\$0.00	\$5,222.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,222.00	\$5,222.00	\$0.00
34	070-500700	\$14,911.00	\$0.00	\$14,911.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$14,911.00	\$14,911.00	\$0.00
35	080-500710	\$7,341.00	\$0.00	\$7,341.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,341.00	\$7,341.00	\$0.00
36	101-500729	\$378,189.00	\$0.00	\$378,189.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$378,189.00	\$378,189.00	\$0.00
37	102-500731	\$3,670,043.00	\$849,776.13	\$4,519,819.13	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,519,819.13	\$4,519,819.13	\$0.00
38	512-500352	\$2,418,129.00	\$0.00	\$2,418,129.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,418,129.00	\$2,418,129.00	\$0.00
39			Total Expense	\$12,583,574.00	(\$234,635.00)	\$360,655.00	\$82,111.00	\$86,962.00	\$51,691.00	(\$90.00)	\$0.00	\$73,297.00	\$73,297.00	\$0.00	\$14,972,808.13	\$14,972,808.13	\$0.00

	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI	AJ	AK
2														
3														
4														
5														
6														
7														
8		SFY 2013												
9		05-95-9560010-6126 HEALTH AND SOCIAL SERVICES, DEPARTMENT OF HEALTH AND HUMAN SVCS,												
10		HHS: COMMISSIONER, OFF MEDICAID & BUSINESS POLICY, MEDICAID ADMINISTRATION												
11														
12	CLASS ACCOUNT	CLASS TITLE	Current Authorized Budget	Increase/ (Decrease)	Revised Modified Budget									
13	000-403951	Federal Funds	\$7,302,020.52	\$0.00	\$7,302,020.52									
14		General Fund	\$6,696,491.61	\$0.00	\$6,696,491.61									
15	000-403626	Other Funds	\$674,296.00	\$118,204.00	\$792,500.00									
16		Total Revenue	\$14,672,808.13	\$118,204.00	\$14,791,012.13									
17														
18	010-500100	Personal Services - Perm Classified	\$3,242,939.00	\$6,404.00	\$3,249,343.00									
19	012-500128	Personal Services - Unclassified	\$503,055.00	\$0.00	\$503,055.00									
20	018-500106	Overtime	\$79,192.00	\$0.00	\$79,192.00									
21	020-500200	Current Expenses	\$228,546.00	\$1,480.00	\$230,026.00									
22	022-500246	Rents and Leases Other than State	\$6,507.00	\$0.00	\$6,507.00									
23	026-500251	Organizational Dues	\$9,419.00	\$0.00	\$9,419.00									
24	030-500300	Equipment New/Replacement	\$3,729.00	\$15,000.00	\$18,729.00									
25	040-500800	Indirect Costs	\$35,987.00	\$0.00	\$35,987.00									
26	041-500801	Audit Set Aside	\$9,452.00	\$0.00	\$9,452.00									
27	042-500620	Additional Fringe benefits	\$174,340.00	\$0.00	\$174,340.00									
28	049-500294	Transfer to other State Agencies	\$93,430.00	\$0.00	\$93,430.00									
29	050-500100	Personal Services - Temp/Appointe	\$50,840.00	\$0.00	\$50,840.00									
30	060-500602	Benefits	\$1,879,401.00	\$3,910.00	\$1,883,311.00									
31	066-500543	Employee Training	\$6,225.00	\$0.00	\$6,225.00									
32	070-500700	In-State Travel	\$14,911.00	\$2,654.00	\$17,565.00									
33	080-500710	Out-of State Travel	\$7,341.00	\$0.00	\$7,341.00									
34	101-500729	Medical Payments to Providers	\$378,189.00	\$0.00	\$378,189.00									
35	102-500731	Contracts for Program Services	\$5,531,176.13	\$88,756.00	\$5,619,932.13									
36	512-500352	Transportation of Clients	\$2,418,129.00	\$0.00	\$2,418,129.00									
37		Total Expense	\$14,672,808.13	\$118,204.00	\$14,791,012.13									
38														
39														
40														
41														



STATE OF NEW HAMPSHIRE

DEPARTMENT OF HEALTH AND HUMAN SERVICES

29 HAZEN DRIVE, CONCORD, NH 03301-6527  
 603-271-4517 1-800-852-3345 Ext. 4517  
 Fax: 603-271-4519 TDD Access: 1-800-735-2964



Nicholas A. Toumpas  
 Commissioner

José Thier Montero  
 Director

January 7, 2013

The Honorable Mary Jane Wallner, Chairman  
 Fiscal Committee of the General Court, and

Her Excellency, Governor Margaret Wood Hassan  
 and the Honorable Council  
 State House  
 Concord, New Hampshire 03301

**REQUESTED ACTION**

Pursuant to the provisions of Chapter 224:14, II, Laws of 2011, Additional Revenues, authorize the Department of Health and Human Services, Division of Public Health Services, Bureau of Population Health and Community Services, Maternal and Child Health Section to accept and expend federal funds in the amount of \$560,419.00 from the Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Mental Health Services to fund the Cooperative Agreement for Linking Actions for Unmet Needs in Children's Health (aka Project Launch) effective upon date of approval by the Fiscal Committee and Governor and Council, through June 30, 2013, and further authorize the funds to be allocated as follows:

05-95-90-902010-2996 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SVS, HHS: DIVISION OF PUBLIC HEALTH, BUREAU OF POPULATION HEALTH AND COMMUNITY SERVICES, PROJECT LAUNCH NH

SFY 2013

Class/Object	Class Title	Current Modified Budget	Increase (Decrease) Amount	Revised Modified Amount
000-403944	Federal Funds	\$0.00	\$560,419.00	\$560,419.00
000-000000	General Funds	\$0.00	\$0.00	\$0.00
<b>Total Revenue</b>		<b>\$0.00</b>	<b>\$560,419.00</b>	<b>\$560,419.00</b>
020-500200	Current Expense	\$0.00	\$1,835.00	\$1,835.00
026-500251	Memberships	\$0.00	\$500.00	\$500.00
030-500300	Equipment	\$0.00	\$2,000.00	\$2,000.00
041-500801	Audit Fund Set Aside	\$0.00	\$561.00	\$561.00
050-500109	Personal Serv - Temp	\$0.00	\$11,062.00	\$11,062.00
060-500602	Benefits	\$0.00	\$846.00	\$846.00

066-500543	Staff Training	\$0.00	\$1,928.00	\$1,928.00
070-500704	In State Travel	\$0.00	\$1,000.00	\$1,000.00
080-500710	Out of State Travel	\$0.00	\$1,700.00	\$1,700.00
102-500731	Contracts for Program Services	\$0.00	\$538,987.00	\$538,987.00
<b>Total Expenses</b>		<b>\$0.00</b>	<b>\$560,419.00</b>	<b>\$560,419.00</b>

**EXPLANATION**

Grant funds awarded for periods after SFY 2013 will be included in the Operating Budgets for SFY 2014 and SFY 2015.

Project Launch is a Cooperative Agreement with the Substance Abuse and Mental Health Services Administration. As outlined in the terms of this agreement, a minimum of 65% of these funds will be awarded to a local community agency to expand and enhance effective services that address young child wellness. The local team will increase developmental screening of young children; integrate behavioral health interventions into healthcare practice; increase the identification and treatment of behavioral health issues in child care and Head Start; improve the well-being of young children through home visiting; and improve families' ability to support their children through training and education.

The Cooperative Agreement also requires a maximum of 20% of these funds support evaluation activities to help determine the readiness of other communities, throughout the state, and identify improvements needed to replicate the model above.

Finally, a portion of the funds, \$21,432.00, will remain in the Maternal and Child Health Section to pay operating expenses, audit, travel, and a .50 FTE Young Child Wellness Expert who will be the liaison to the Contractor.

Funds are budgeted for an existing position for Personnel Services – Temporary and Benefits (Class 050 and 060) to support .50 FTE of one part time position.

Position ID	Classification	FTE	LG
PTDPHS 140	Health Promotion Advisor	.50 FTE	23

Funds are budgeted in Current Expense (Class 020) for telephone, office supplies and other program operating expenses.

Funds are budgeted in Memberships (Class 026) to pay dues for professional memberships.

Funds are budgeted in Equipment (Class 030) for the purchase of a laptop computer to assist in carrying out program activities.

Funds are budgeted in Staff Training (Class 066) for program staff training relevant to the program.

Funds are budgeted in In- State Travel (Class 070) for travel by program staff for in state meetings and training, site visits and technical assistance.

Funds are budgeted in Out-of-State Travel (Class 080) for staff to attend and participate in a grant sponsored annual meeting in Washington DC.

Funds budgeted in Contracts for Program Services (Class 102) to fund a contract that will provide the required Young Child Wellness Expert to co-lead the state level Council on Young Child Wellness (Spark New Hampshire) and a staff position to provide administrative assistance to the project staff in carrying out their roles and responsibilities. In addition, the contractor will ensure that Spark New Hampshire serves as the Project Launch service planning and oversight Young Child Wellness Council.

Sixty-five percent of the funds, as required by the terms and conditions of the federal agreement, will be contracted to a local community agency for infrastructure development and direct service. All activities share a common goal of supporting and promoting the wellness of young children and their families. This contract will support a Young Child Wellness Coordinator to lead the project at the local level; complete a local-level environmental scan in the first five months of the grant in partnership with the local council and state partners; develop a local-level strategic plan to support young child wellness; and establish a local planning and oversight Council on Young Child Wellness. The responsibilities of the local council will include assisting in the development of the local-level environmental scan and strategic plan; oversight of the development and implementation of services and activities; and participation in infrastructure reform, policy development, social marketing, and workforce development activities at the local level. The pilot grantee will be expected to implement a range of evidence-based practices.

The Division of Public Health Services will also contract with a Local Evaluator to provide leadership in planning and developing the evaluation plan and collecting, analyzing, and disseminating data. The evaluator will also ensure participation in the national cross-site evaluation, including training and technical assistance on common data elements, tools, and approaches and provide ongoing evaluation technical assistance to service providers and the Project Launch team. The evaluator will also report on the evaluation through annual technical reports, quarterly data entry, and monthly meetings and calls with federal project officers and the national cross-site evaluation team.

The following information is provided in accordance with the Comptroller's instructional memorandum dated September 21, 1981:

1) List of personnel involved:

Part-Time Health Promotion Advisor, LG 23, Position # PTDPHS 140

2) Nature, need and duration:

The Young Child Wellness Advisor will provide technical assistance; conduct project management, program planning and implementation in the area of health promotion to young child wellness partners and public health professionals for the New Hampshire Division of Public Health Services, Bureau of Population Health and Community Services, Maternal and Child Health Section, Project Launch.

3) Relationship to existing agency programs:

Project Launch activities are consistent with several of the priorities identified by the Department of Health and Human Services, Division of Public Health Services. The integration of behavioral health interventions into healthcare practice in the local community will improve access to children's mental health services for families. The Project is designed to decrease the use and abuse of alcohol, tobacco and other substances among youth, pregnant women and through home visiting.



In addition the local team will increase standardized developmental screening in the community, which will improve access for families with young children. Increasing the identification and treatment of behavioral health issues in child care and Head Start will provide families and caregivers with much needed support and access to trained respite and childcare providers.

- 4) Has similar program been requested of the Legislature and denied?

No

- 5) Why wasn't funding included in the agency's budget request?

These funds were awarded September 11, 2012. It was not known that these funds would be available at the time the agency established its SFY 2012-2013 biennial budget.

- 6) Can portions of the grant funds be utilized for other purposes?

Federal funds allocated to the state cannot be used for other purposes.

- 7) Estimate the funds required to continue this position:

<u>Position (Salary &amp; Benefits)</u>	<u>FY 2014</u>	<u>FY 2015</u>
Health Promotion Advisor	\$22,115.00	\$22,115.00

Audit costs are included per state requirements.

In response to the anticipated two-part question, "Can these funds be used to offset General Funds?" and "What is the compelling reason for not offsetting General Funds?" the Division offers the following information: These funds may not be used to offset General Funds as they are specifically granted to the State for the purpose of providing the services described above.

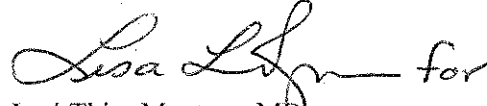
These funds will not change the program eligibility levels. No new program will be established with the acceptance of these funds.

Area served: Statewide

Source of funds: These funds are 100% Federal from the Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Mental Health Services to fund Project Launch New Hampshire. Attached is the Notice of Grant Award and award history. Notice of these funds was received on September 11, 2012. They were not added to the operating budget because these are new funds recently granted to the State and were not anticipated at the time the budget was developed.

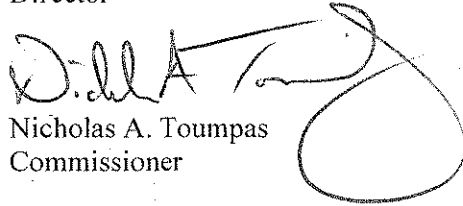
In the event that these Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

 for

José Thier Montero, MD  
Director

Approved by:



Nicholas A. Toumpas  
Commissioner

JTM/JAS/cl



Project Launch  
Department of Health and Human Services  
Substance Abuse and Mental Health Services Administration  
Center for Mental Health Services

Notice of Award

Issue Date: 09/11/2012

Grant Number: 1H79SM061289-01

Program Director:  
Deirdre Dunn

Project Title: Project LAUNCH NH

Grantee Address	Business Address
NH STATE DEPT/HLTH STATISTICS/DATA MGMT Dolores Cooper Business Administrator Public Health Services 29 Hazen Drive Concord, NH 033016503	Dolores Cooper Business Administrator NH STATE DEPT HEALTH & HUMAN SVCS Public Health Services 29 Hazen Drive Concord, NH 03301

Budget Period: 09/30/2012 – 09/29/2013

Project Period: 09/30/2012 – 09/29/2017

Dear Grantee:

The Substance Abuse and Mental Health Services Administration hereby awards a grant in the amount of \$839,650 (see "Award Calculation" in Section I and "Terms and Conditions" in Section III) to NH STATE DEPT/HLTH STATISTICS/DATA MGMT in support of the above referenced project. This award is pursuant to the authority of Section 520A of the PHS Act, as amended, and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Award recipients may access the SAMHSA website at [www.samhsa.gov](http://www.samhsa.gov) (click on "Grants" then SAMHSA Grants Management), which provides information relating to the Division of Payment Management System, HHS Division of Cost Allocation and Postaward Administration Requirements. Please use your grant number for reference.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact your Grants Management Specialist and your Government Project Officer listed in your terms and conditions.

Sincerely yours,

  
Gwendolyn Simpson  
Grants Management Officer  
Division of Grants Management

See additional information below

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**SECTION I – AWARD DATA – 1H79SM061289-01****Award Calculation (U.S. Dollars)**

Salaries and Wages	\$23,361
Fringe Benefits	\$4,142
Personnel Costs (Subtotal)	\$27,503
Supplies	\$6,670
Consortium/Contractual Cost	\$723,227
Travel Costs	\$2,700
Other	\$80,550
<b>Direct Cost</b>	<b>\$839,650</b>
Approved Budget	\$839,650
Federal Share	\$839,650
Cumulative Prior Awards for this Budget Period	\$0
<b>AMOUNT OF THIS ACTION (FEDERAL SHARE)</b>	<b>\$839,650</b>

SUMMARY TOTALS FOR ALL YEARS	
YR	AMOUNT
1	\$839,650
2	\$839,650
3	\$839,650
4	\$839,650
5	\$839,650

\* Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project.

**Fiscal Information:**

CFDA Number: 93.243  
EIN: 1026000618B3  
Document Number: 12SM61289A  
Fiscal Year: 2012

IC	CAN	Amount
SM	C96C516	\$839,650

**SM Administrative Data:**

PCC: LAUNCH / OC: 4145

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**SECTION II – PAYMENT/HOTLINE INFORMATION – 1H79SM061289-01**

Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). Inquiries regarding payment should be directed to: The Division of Payment Management System, PO Box 6021, Rockville, MD 20852, Help Desk Support – Telephone Number: 1-877-614-5533.

The HHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. The telephone number is: 1-800-HHS-TIPS (1-800-447-8477). The mailing address is: Office of Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington, DC 20201.

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**SECTION III – TERMS AND CONDITIONS – 1H79SM061289-01**

**AWARD HISTORY  
Project LAUNCH  
Grant #: 1H79SM061289**

Award Ending 9/29/2013 839,659/12*9	629,738
Expended through 6/30/12	-
Unobligated Balance Unable to Spend	<u>-</u>
Award Balance	629,738
SFY 13 Appropriation **	-
OYR	<u>-</u>
Available to Accept in SFY 13	629,738
Amount Requested this Action	<u><u>560,419</u></u>

**\*\* SFY 13 Appropriation**

010-090-29960000	Current	OYR	Total	This Action	Revised Budget
Project LAUNCH	-	-	-	560,419	560,419
<b>Total</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>560,419</u>	<u>560,419</u>



STATE OF NEW HAMPSHIRE  
 DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 OFFICE OF MEDICAID BUSINESS AND POLICY

129 PLEASANT STREET, CONCORD, NH 03301-3857  
 603-271-9384 1-800-852-3345 Ext.9384  
 Fax: 603-271-8431 TDD Access: 1-800-735-2964

Nicholas A. Toumpas  
 Commissioner

Kathleen A. Dunn  
 Associate Commissioner

February 11, 2013

The Honorable Mary Jane Wallner, Chairman  
 Fiscal Committee of the General Court,  
 State House  
 Concord New Hampshire 03301

Her Excellency, Governor Margaret Wood Hassan  
 and the Honorable Council  
 State House  
 Concord, New Hampshire 03301

**REQUESTED ACTION**

Pursuant to the provision of Chapter 224:14, II Laws of 2011, Additional Revenues, authorize the Department of Health and Human Services, Office of Medicaid Business and Policy, to accept and expend additional Title XXI State Children's Health Insurance Program federal funds from the Centers for Medicare and Medicaid Services in the amount of \$9,745,766.00 effective upon approval by the Fiscal Committee and Governor and Council through June 30, 2013 further authorize the allocation of these funds in the accounts below:

**SFY 2013**

**05-95-95-956010-6147 HEALTH AND SOCIAL SERVICES, DEPARTMENT OF HEALTH AND HUMAN SVCS,  
 HHS: COMMISSIONER, OFF MEDICAID & BUSINESS POLICY, PROVIDER PAYMENTS**

CLASS ACCOUNT	CLASS TITLE	Current Authorized Budget	Increase / (Decrease)	Revised Modified Budget
000-403978	Federal Funds	\$186,429,532.17	\$4,872,883.00	\$191,302,415.17
000-409288	CHIPRA	\$0.00	\$4,872,883.00	\$4,872,883.00
009-407786	Agency Income MEAD	\$325,247.25	\$0.00	\$325,247.25
009-407785	Agency Income: Uncompensated Care Fund	\$81,691,047.00	\$0.00	\$81,691,047.00
	General Fund	\$96,546,371.71	\$0.00	\$96,546,371.71
	Total Revenue	\$364,992,198.13	\$9,745,766.00	\$374,737,964.13
041-500801	Audit Set Aside	\$247,503.20	\$9,736.00	\$257,239.20
101-500729	Medical Payments to Providers	\$277,956,944.93	\$9,736,030.00	\$287,692,974.93
565-500917	Outpatient Hospital	\$86,787,750.00	\$0.00	\$86,787,750.00
	Total Expense	\$364,992,198.13	\$9,745,766.00	\$374,737,964.13

### EXPLANATION

These funds were not included in the State Fiscal Year 2012-2013 operating budget due to the uncertainty of the continuance of enhanced match for children 133%-185% of the federal poverty level as provided for in the Children's Health Insurance Program Reauthorization Act of 2009. This request is based on the experience of the first and second quarter costs trended forward for the remainder of the State Fiscal Year 2013.

This requested action accepts additional federal revenue of \$4,872,883.00 and represents additional federal funding associated with federal stimulus funds made available by the Children's Health Insurance Program Reauthorization Act of 2009 from the federal Centers for Medicare and Medicaid Services for the enhanced Federal Medical Assistance Percentage for eligible expenses for the period July 1, 2012, thru June 30, 2013. New Hampshire qualifies for enhanced match for qualified services to individuals from 50.0% to 65.0%.

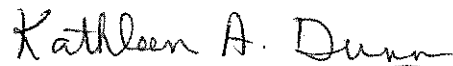
New Hampshire qualifies for enhanced match for children 133% to 185% of the federal poverty level. The amount of \$4,872,883.00 was calculated based on the increase in Federal Medical Assistance Percentage for actual eligible expenses for the period of July 1, 2012, through December 31, 2012, and the projected amount for the period of January 1, 2013, to June 30, 2013 for this qualifying group.


Area served: statewide

Source of Funds: The additional federal funds are 100% from the federal Centers for Medicare and Medicaid Services.

In the event Federal Funds become no longer available, General Funds will not be requested to support this program.

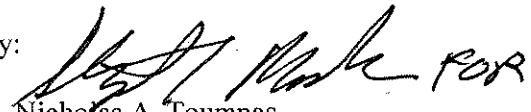
Respectfully submitted,



Kathleen A. Dunn, MPH 

Associate Commissioner and Medicaid Director

Approved by:



Nicholas A. Toumpas  
Commissioner

Attachments:

Account History (Office of Medicaid Business and Policy)

Statutory Authority

A	B	C	D	E	F	G	H	I	K	L	M	N	O	P	Q	R
1	SFY 2013															
2	05-95-95-956010-6147															
3	05 Health and Social Services															
4	95 Dept Health and Human Svcs															
5	95 HHS: Commissioner															
6	956010 Off Medicaid & Business Policy															
7	SFY 2013															
8	05-95-95-956010-6147, HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND															
9	HHS: COMMISSIONER, OFF MEDICAID & BUSINESS POLICY															
10	PROVIDER PAYMENTS															
11	CLASS OBJ	CLASS TITLE	Enacted Budget	Balance Brought Forward	Adjusted Authorized	Electronic Health Records Fiscal	Department Transfer 02/01/13	Revised Modified Budget	REVISED TABLE FOR FISCAL ITEM as of 2/21/13							
12	010-61470000-403978	Federal Funds	\$159,286,363.00	\$6,071,822.97	\$165,358,185.97	\$17,639,826.20	\$3,431,520.00	\$186,429,532.17								
13	010-61470000-407786	Agency Income MEAD	\$160,659.00	\$164,588.25	\$325,247.25	\$0.00	\$0.00	\$325,247.25	CLASS ACCOUNT	CLASS TITLE	Current Authorized Budget	Increase / (Decrease)	Revised Modified Budget			
14	010-61470000-407785	Agency Income: Uncompensated Care Fund	\$81,691,149.00	(\$102.00)	\$81,691,047.00	\$0.00	\$0.00	\$81,691,047.00	000-403978	Federal Funds	\$186,429,532.17	\$4,872,883.00	\$191,302,415.17			
15	010-61470000	General Fund	\$77,213,973.00	\$5,907,336.71	\$83,121,309.71	\$0.00	\$13,425,062.00	\$96,546,371.71	000-409288	CHIPRA	\$0.00	\$4,872,883.00	\$4,872,883.00			
16		Total Revenue	\$318,352,144.00	\$12,143,645.93	\$330,495,789.93	\$17,639,826.20	\$16,856,582.00	\$364,992,198.13	009-407786	Agency Income MEAD	\$325,247.25	\$0.00	\$325,247.25			
17									009-407785	Agency Income: Uncompensated Care Fund	\$81,691,047.00	\$0.00	\$81,691,047.00			
18	041-500801	Audit Set Aside	\$220,587.00	\$0.00	\$220,587.00	\$17,622.20	\$9,294.00	\$247,503.20		General Fund	\$96,546,371.71	\$0.00	\$96,546,371.71			
19	101-500729	Medical Payments to Providers	\$245,343,807.00	\$12,143,645.93	\$257,487,452.93	\$17,622,204.00	\$2,847,288.00	\$277,956,944.93		Total Revenue	\$364,992,198.13	\$9,745,766.00	\$374,737,964.13			
20	565-500917	Outpatient Hospital	\$72,787,750.00	\$0.00	\$72,787,750.00	\$0.00	\$14,000,000.00	\$86,787,750.00								
21		Total Expense	\$318,352,144.00	\$12,143,645.93	\$330,495,789.93	\$17,639,826.20	\$16,856,582.00	\$364,992,198.13	041-500801	Audit Set Aside	\$247,503.20	\$9,736.00	\$257,239.20			
22									101-500729	Medical Payments to Providers	\$277,956,944.93	\$9,736,030.00	\$287,692,974.93			
23			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	565-500917	Outpatient Hospital	\$86,787,750.00	\$0.00	\$86,787,750.00			
24										Total Expense	\$364,992,198.13	\$9,745,766.00	\$374,737,964.13			
25																
26	Additional follow-up items requiring ACTION:															
27	fiscal item for 100% medicare rate funds October submission			NOTE: I changed the Federal and General Amounts to equal the amounts on the updated Dept Transfer done on 01/14/13.												
28	Medicaid to schools audit resolution															
29																
30	DHS disallowance															
31																
32																
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Chapter 224:14, II, Laws of 2011 Department of Health and Human Services; Program Eligibility; Additional Revenues; Transfer Among Accounts.

I. For the biennium ending June 30, 2013, the department of health and human services shall not authorize, without prior consultation with the house health and human services and elderly affairs committee and the senate health and human services committee and the approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase or decrease enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is required by federal law.

II. Notwithstanding any provision of the law to the contrary, for the biennium ending June 30, 2013, the fiscal committee of the general court and the governor and council may authorize the commissioner of the department of health and human services to accept and expend additional revenues in excess of \$50,000, that are in addition to the budgeted amounts, from any source, which become available to the department; provided, that such expenditures do not increase eligibility standards or benefit levels.

III. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary except RSA 9:17-c, and subject to the approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2013, the commissioner of the department of health and human services is hereby authorized to transfer funds within and among all accounting units within the department, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department, with the exception of class 60 transfers.



STATE OF NEW HAMPSHIRE  
DEPARTMENT OF INFORMATION TECHNOLOGY  
27 Hazen Dr., Concord, NH 03301  
Fax: 603-271-1516 TDD Access: 1-800-735-2964  
www.nh.gov/ doit

Peter C. Hastings  
Acting Commissioner

February 6, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

**REQUESTED ACTION**

In accordance with the provisions of Chapter 224:210, Laws of 2011, authorize the Department of Information Technology to transfer appropriations in the amount of \$779,832.84, summarized below effective the date of Legislative Fiscal Committee approval through June 30, 2013. The transfer will have no impact on General Funds or State Revenue. 100% Other Funds (Agency Class 027)

From/To	Account	SFY 13 Appropriation	Increase/ (Decrease)	Revised Appropriation
IT for Safety Technology-Software	01-03-03-030010 76230000-038	\$1,661,992.69	(468,500.00)	\$1,193,492.69
IT for Safety Technology-Hardware	01-03-03-030010 76230000-037	\$940,302.68	468,500.00	\$1,408,802.68
	Subtotal	2,602,295.37	0.00	\$2,602,295.37
IT for Liquor Commission Technology-Software	01-03-03-030010 76770000-038	472,022.00	(132,582.84)	\$339,439.16
IT for Liquor Commission Technology-Hardware	01-03-03-030010 76770000-037	587,924.52	132,582.84	\$720,507.36
	Subtotal	1,059,946.52	0.00	\$1,059,946.52
Central IT Services & Ops Technology-Software	01-03-03-030010 77030000-038	2,627,198.27	(160,750.00)	\$2,466,448.27
Central IT Services & Ops Technology-Hardware	01-03-03-030010 77030000-037	1,154,828.19	160,750.00	\$1,315,578.19
	Subtotal	3,782,026.46	0.00	\$3,782,026.46
IT Salaries and Benefits Personal Service Perm	01-03-03-030010 77080000-010	21,461,549.00	(18,000.00)	\$21,443,549.00
IT Salaries and Benefits Personal Service Temp	01-03-03-030010 77080000-050	157,344.00	18,000.00	\$175,344.00
	Subtotal	21,618,893.00	0.00	\$21,618,893.00
Source of funds:				
Transfer from other Agencies-100% Other	01-03-03-030010 001-406305	29,063,161.35	0.00	29,063,161.35
	Totals	\$29,063,161.35	0.00	\$29,063,161.35

EXPLANATION

The transfer of appropriation reflects adjustments to operating expense accounts to address projected information technology shortfalls with the Department of Information Technology (DoIT). The projected shortages include the Technology-Hardware along with Personal Services-Temp.

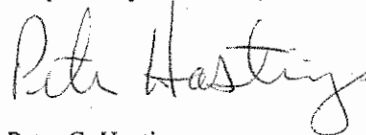
Expenditure patterns for the six months of State Fiscal Year (SFY) 2013 have been analyzed and taken into consideration when projecting expenditures for the balance of the year. Based upon this review and an assessment of the agency's needs at this time, it was determined that DoIT was experiencing less than originally anticipated expenditures in some classes and had technical needs to support that required funding in different classes. This transfer will provide for the continued efficient provision of DoIT services.

The following information is provided in accordance with the Budget Officer's instructional memorandum dated April 17, 1985 to support the requested actions:

- A. Justification:  
Workstations, networks, software and operational needs at agencies supported by DoIT have been assessed. The agencies have provided justification for transferring funds.
- B. Does this transfer involve continuing programs or one-time projects?  
The transfer involves continuing programs.
- C. Is this transfer required to maintain existing program levels or will it increase the program level?  
The transfer is required to maintain existing program levels.
- D. Cite any requirements, which make this program mandatory.  
Not applicable.
- E. Identify the source of funds on all accounts listed on this transfer.  
The source of funds for this transfer is 100% Other Funds. DoIT does not anticipate any impact on General Funds as a result of this transfer.
- F. Will there be any effect on revenue as a result of this transfer?  
There is no anticipated effect on revenue as a result of this transfer.
- G. Are funds expected to lapse if this transfer is not approved?  
It is anticipated that some funds will lapse whether or not this transfer is approved.
- H. Are personnel services involved?  
Yes. We have identified additional needs within Class 050-Personal Services-Temp in support of the statewide VoIP project.

The Department of Information Technology has conducted a review of DoIT operations to ensure that available funds are maximized to the greatest degree possible and to ensure that available funds are used to support mission critical project at each agency.

Respectfully Submitted,



Peter C. Hastings  
Acting Commissioner

PH/rc

Item #	Meeting	Department	Chapter / RSA Reference	General	Federal	Other	Total	Positions Established		Comments
								Full-Time	Part-Time	
Note: This summary does not include additional federal American Recovery and Reinvestment Act (ARRA) revenues.										
<b>FISCAL YEAR 2012</b>										
12-219	June'12	Agriculture, Markets and Food, Department of	RSA 14:30-a, VI	-	-	145,000	145,000			
		<b>Agriculture, Markets and Food, Department of Total</b>		-	-	145,000	145,000	-	-	
11-245	Sept '11	Corrections, Department of	RSA 14:30-a, VI	-	99,361	-	99,361			
11-334	Dec'11	Corrections, Department of	RSA 14:30-a, VI	-	-	682,291	682,291	5		Positions replace 5 similar general funded positions
12-001	Dec'11	Corrections, Department of	RSA 14:30-a, VI	-	135,591	-	135,591			
12-182	May'12	Corrections, Department of	RSA 14:30-a, VI	-	-	237,736	237,736			Item FIS 12-344 extends end date
12-226	June'12	Corrections, Department of	RSA 14:30-a, VI	-	-	73,841	73,841	1		
		<b>Corrections, Department of Total</b>		-	234,952	973,868	1,208,820	6		
11-260	Sept'11	DHHS-Division of Community Based Care	Chapter 224:14, II, Laws of 2011	-	-	520,521	520,521			
11-225	Sept'11	DHHS-Division of Community Based Care	Chapter 224:14, II, Laws of 2011	-	-	152,950	152,950			
11-311	Oct'11	DHHS-Division of Community Based Care	Chapter 224:14, II, Laws of 2011	-	599,347	-	599,347			
11-302	Oct'11	DHHS-Division of Community Based Care	Chapter 224:14, II, Laws of 2011	-	13,901	-	13,901			
11-325	Dec'11	DHHS-Division of Community Based Care	Chapter 224:14, II, Laws of 2011	-	1,669,800	-	1,669,800			
11-337	Dec'11	DHHS-Division of Community Based Care	Chapter 224:14, II, Laws of 2011	-	300,029	-	300,029			
12-030	Jan'12	DHHS-Division of Community Based Care	Chapter 224:14, II, Laws of 2011	100,000	-	-	100,000			
12-206	June'12	DHHS-Division of Community Based Care	Chapter 224:14, II, Laws of 2011	-	-	81,750	81,750			
12-217	June'12	DHHS-Division of Community Based Care	Chapter 224:14, II, Laws of 2011	-	60,000	-	60,000			
		<b>DHHS-Division of Community Based Care Total</b>		100,000	2,643,077	755,221	3,498,298	-	-	
11-213	Sept'11	DHHS-Division of Family Assistance	Chapter 224:14, II, Laws of 2011	-	50,050	-	50,050			
		<b>DHHS-Division of Family Assistance Total</b>		-	50,050	-	50,050	-	-	
11-301	Oct'11	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	384,031	-	384,031			
11-303	Oct'11	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	-	119,630	119,630			
11-314	Oct'11	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	84,039	-	84,039			
11-315	Oct'11	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	233,860	-	233,860			
11-338	Dec'11	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	242,792	-	242,792			
11-339	Dec'11	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	858,817	-	858,817			
11-340	Dec'11	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	713,931	-	713,931			
12-017	Jan'12	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	-	164,595	164,595			
12-069	Feb'12	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	2,131,176	-	2,131,176			1
12-223	June'12	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	(500,000)	500,000	-			-
		<b>DHHS-Division of Public Health Services Total</b>		-	4,148,646	784,225	4,932,871	-	-	1
11-336	Dec'11	DHHS-Office of Medicaid Business and Policy	Chapter 224:14, II, Laws of 2011	-	651,367	-	651,367			
12-073	Feb'12	DHHS-Office of Medicaid Business and Policy	Chapter 224:14, II and III, Laws of 2011	(598,544)	599,143	-	599			Series of accepting fed funds and transferring gen funds to other acct units
12-073	Feb'12	DHHS-Office of Medicaid Business and Policy	Chapter 224:14, II and III, Laws of 2011	598,544	599,143	-	1,197,687			see above
12-073	Feb'12	DHHS-Office of Medicaid Business and Policy	Chapter 224:14, II and III, Laws of 2011	(2,095,712)	5,450,533	-	3,354,821			see above
12-073	Feb'12	DHHS-Office of Medicaid Business and Policy	Chapter 224:14, II and III, Laws of 2011	2,095,712	3,895,929	-	5,991,641			see above
		<b>DHHS-Office of Medicaid Business and Policy Total</b>		-	11,196,114	-	11,196,114	-	-	
12-170	May'12	DHHS-Office of the Commissioner	Chapter 224:14, II and III, Laws of 2011	-	(147,621)	126,273	(21,348)			
12-171	May'12	DHHS-Office of the Commissioner	Chapter 224:14, II and III, Laws of 2011	-	156,718	3,038,882	3,195,600			
12-172	May'12	DHHS-Office of the Commissioner	Chapter 224:14, II and III, Laws of 2011	-	369,666	5,675	375,341			
		<b>DHHS-Office of the Commissioner Total</b>		-	378,763	3,170,830	3,549,593	-	-	
11-269	Oct'11	Education, Department of	RSA 14:30-a, VI	-	589,551	-	589,551	1		
12-002	Jan'12	Education, Department of	RSA 14:30-a, VI	-	272,204	-	272,204			
12-074	Feb'12	Education, Department of	RSA 14:30-a, VI	-	1,201,771	-	1,201,771	1		
12-185	May'12	Education, Department of	RSA 14:30-a, VI	-	105,563	-	105,563			1
		<b>Education, Department of Total</b>		-	2,169,089	-	2,169,089	2		1
11-313	Oct'11	Employment Security, Department of	RSA 14:30-a, VI	-	1,602,067	-	1,602,067			
		<b>Employment Security, Department of Total</b>		-	1,602,067	-	1,602,067	-	-	

Item #	Meeting	Department	Chapter / RSA Reference	General	Federal	Other	Total	Positions Established	Comments
11-306	Oct'11	Energy and Planning	RSA 14:30-a, VI	-	70,204	-	70,204		
11-307	Oct'11	Energy and Planning	RSA 14:30-a, VI	-	401,051	-	401,051		
		<b>Energy and Planning Total</b>		-	471,255	-	471,255		
11-250	Sept'11	Environmental Services, Department of	RSA 14:30-a, VI	-	-	250,000	250,000		
11-277	Oct'11	Environmental Services, Department of	RSA 14:30-a, VI	-	300,000	-	300,000		
11-278	Oct'11	Environmental Services, Department of	RSA 14:30-a, VI	-	292,597	-	292,597		
11-297	Oct'11	Environmental Services, Department of	RSA 14:30-a, VI	-	50,100	-	50,100		
11-349	Dec'11	Environmental Services, Department of	RSA 14:30-a, VI	-	-	420,000	420,000		
12-113	April'12	Environmental Services, Department of	RSA 14:30-a, VI	-	-	97,500	97,500		
12-148	May'12	Environmental Services, Department of	RSA 14:30-a, VI	-	-	200,000	200,000		
12-149	May'12	Environmental Services, Department of	RSA 14:30-a, VI	-	-	60,067	60,067		
12-285	June'12	Environmental Services, Department of	RSA 14:30-a, VI	-	-	647,962	647,962		
		<b>Environmental Services, Department of Total</b>		-	642,697	1,675,529	2,318,226	-	-
11-238	Sept'11	Fish & Game Department	RSA 14:30-a, VI	-	192,078	6,114	198,192		
12-016	Jan'12	Fish & Game Department	RSA 14:30-a, VI	-	339,038	-	339,038		
		<b>Fish &amp; Game Department Total</b>		-	531,116	6,114	537,230	-	-
12-056	Feb'12	Information Technology, Department of	RSA 14:30-a, VI	-	-	880,922	880,922		
		<b>Information Technology, Department of Total</b>		-	-	880,922	880,922	-	-
11-289	Oct'11	Insurance Department	RSA 14:30-a, VI	-	333,000	-	333,000		
11-305	Oct'11	Insurance Department	RSA 14:30-a, VI	-	1,000,000	-	1,000,000	1	RSA 124:15 for consultants
12-183	May'12	Insurance Department	RSA 14:30-a, VI	-	-	51,000	51,000		
12-183	May'12	Insurance Department	RSA 14:30-a, VI	-	1,029,934	-	1,029,934		Item also extends end date of 11-305, and continues the position and consultants.
		<b>Insurance Department Total</b>		-	2,362,934	51,000	2,413,934	-	1
11-212	Sept'11	Justice, Department of	RSA 14:30-a, VI	-	-	54,665	54,665		
11-246	Sept'11	Justice, Department of	RSA 14:30-a, VI	-	100,000	-	100,000		
11-298	Oct'11	Justice, Department of	RSA 14:30-a, VI	-	100,000	-	100,000		
12-033	Jan'12	Justice, Department of	RSA 14:30-a, VI	-	985,141	-	985,141		
12-114	April'12	Justice, Department of	RSA 14:30-a, VI	-	110,107	-	110,107		FIS 12-285 amends end date to 6/30/13
12-124	April'12	Justice, Department of	RSA 14:30-a, VI	-	-	27,316	27,316		
		<b>Justice, Department of Total</b>		-	1,295,248	81,981	1,377,229	-	-
11-279	Oct'11	Liquor Commission	RSA 14:30-a, VI	-	399,168	-	399,168	1	1
		<b>Liquor Commission Total</b>		-	399,168	-	399,168	1	1
11-312	Oct'11	Public Utilities Commission	RSA 14:30-a, VI	-	115,204	-	115,204		
12-220	June'12	Public Utilities Commission	RSA 14:30-a, VI	-	16,886	-	16,886		
		<b>Public Utilities Commission Total</b>		-	132,090	-	132,090	-	-
11-222	Sept'11	Resources & Economic Development	RSA 14:30-a, VI	-	78,178	-	78,178		
11-236	Sept'11	Resources & Economic Development	RSA 14:30-a, VI	-	1,076,674	381,691	1,458,365		
11-324	Dec'11	Resources & Economic Development	RSA 14:30-a, VI	-	90,000	-	90,000		
12-027	Jan'12	Resources & Economic Development	RSA 14:30-a, VI	-	205,800	-	205,800		
12-043	Jan'12	Resources & Economic Development	RSA 14:30-a, VI	-	299,493	-	299,493		1
12-058	Feb'12	Resources & Economic Development	RSA 14:30-a, VI	-	-	322,373	322,373		Item also budgeted \$168,413 of unexpended funds with an end date of 6/30/12
12-077	March'12	Resources & Economic Development	RSA 14:30-a, VI	-	-	201,499	201,499		
12-093	March'12	Resources & Economic Development	RSA 14:30-a, VI	-	-	97,280	97,280		
12-211	June'12	Resources & Economic Development	RSA 14:30-a, VI	-	393,832	210,980	604,812		

Item #	Meeting	Department	Chapter / RSA Reference	General	Federal	Other	Total	Positions Established	Comments
12-213	June'12	Resources & Economic Development	RSA 14:30-a, VI	-	112,521	-	112,521		
		<b>Resources &amp; Economic Development Total</b>		-	2,256,498	1,213,823	3,470,321	-	1
11-226	Sept'11	Safety, Department of	RSA 14:30-a, VI	-	175,497	-	175,497		
11-251	Sept'11	Safety, Department of	RSA 14:30-a, VI	-	5,000,000	-	5,000,000		
11-252	Sept'11	Safety, Department of	RSA 14:30-a, VI	-	2,447,569	-	2,447,569		
11-253	Sept'11	Safety, Department of	RSA 14:30-a, VI	-	-	353,925	353,925		
11-254	Sept'11	Safety, Department of	RSA 14:30-a, VI	-	1,784,265	-	1,784,265		
11-271	Sept'11	Safety, Department of	RSA 14:30-a, VI	-	5,000,000	-	5,000,000		
11-272	Sept'11	Safety, Department of	RSA 14:30-a, VI	-	20,000,000	-	20,000,000		
11-299	Oct'11	Safety, Department of	RSA 14:30-a, VI	-	-	86,605	86,605		
11-333	Dec'11	Safety, Department of	RSA 14:30-a, VI	-	236,201	-	236,201	1	
11-351	Dec'11	Safety, Department of	RSA 14:30-a, VI	-	83,469	-	83,469	1	
12-003	Jan'12	Safety, Department of	RSA 14:30-a, VI	-	-	65,635	65,635		
12-004	Jan'12	Safety, Department of	RSA 14:30-a, VI	-	-	113,790	113,790		
12-021	Jan'12	Safety, Department of	RSA 14:30-a, VI	-	-	646,129	646,129		RSA 124:15 for consultants
12-024	Jan'12	Safety, Department of	RSA 14:30-a, VI	-	-	131,652	131,652		
12-034	Jan'12	Safety, Department of	RSA 14:30-a, VI	-	-	153,300	153,300		
12-035	Jan'12	Safety, Department of	RSA 14:30-a, VI	-	-	825,126	825,126		
12-036	Jan'12	Safety, Department of	RSA 14:30-a, VI	-	5,000,000	-	5,000,000		
12-059	Feb'12	Safety, Department of	RSA 14:30-a, VI	-	-	26,000	26,000		
12-078	March'12	Safety, Department of	RSA 14:30-a, VI	-	-	106,619	106,619		
12-101	April'12	Safety, Department of	RSA 14:30-a, VI	-	133,540	-	133,540		
12-104	April'12	Safety, Department of	RSA 14:30-a, VI	-	95,698	-	95,698		
12-115	April'12	Safety, Department of	RSA 14:30-a, VI	-	6,574,948	-	6,574,948		
12-184	May'12	Safety, Department of	RSA 14:30-a, VI	-	-	86,490	86,490		
		<b>Safety, Department of Total</b>		-	46,531,187	2,595,271	49,126,458	2	-
11-355	Dec'11	Transportation, Department of	RSA 14:30-a, VI	-	-	2,455,683	2,455,683		
12-133	April'12	Transportation, Department of	RSA 14:30-a, VI	-	195,660	-	195,660		
12-134	April'12	Transportation, Department of	RSA 14:30-a, VI	-	-	76,000	76,000		
12-196	June'12	Transportation, Department of	RSA 14:30-a, VI	-	-	394,317	394,317		
12-214	June'12	Transportation, Department of	RSA 14:30-a, VI	-	-	3,400,000	3,400,000		
		<b>Transportation, Department of Total</b>		-	195,660	6,326,200	6,521,860	-	-
11-332	Dec'11	Treasury, Department of	RSA 14:30-a, VI	-	-	362,132	362,132		
		<b>Treasury, Department of Total</b>		-	-	362,132	362,132		
		<b>FY 2012 Total</b>		100,000	77,240,610	19,022,116	96,362,727	11	5
<b>FISCAL YEAR 2013</b>									
12-257	July'12	Adjutant General's Department	RSA 14:30-a, VI	-	2,124,500	-	2,124,500		
		<b>Adjutant General's Department Total</b>		-	2,124,500	-	2,124,500		
12-300	Sept'12	Administrative Services, Department of	RSA 14:30-a, VI	-	220,250	-	220,250		
		<b>Administrative Services, Department of Total</b>		-	220,250	-	220,250		
12-318	Nov'12	Corrections, Department of	RSA 14:30-a, VI	-	173,306	-	173,306		
		<b>Corrections, Department of Total</b>		-	173,306	-	173,306		
13-030	Feb'13	DHHS-Office of Commissioner	Chapter 224:14, II and III, Laws of 2011	-	(647,578)	13,191	(634,387)		
13-031	Feb'13	DHHS-Office of Commissioner	Chapter 224:14, II and III, Laws of 2011	-	(7,087,447)	(1,173,883)	(8,261,330)		
13-032	Feb'13	DHHS-Office of Commissioner	Chapter 224:14, II and III, Laws of 2011	-	(125,731)	34,586	(91,145)		
		<b>DHHS-Office of Commissioner Total</b>		-	(7,860,756)	(1,126,106)	(8,986,862)		
12-323	Nov'12	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	308,262	-	308,262		
12-338	Nov'12	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	150,275	-	150,275		
13-013	Feb'13	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	72,573	-	72,573		
13-043	Feb'13	DHHS-Division of Public Health Services	Chapter 224:14, II, Laws of 2011	-	94,217	-	94,217		
		<b>DHHS-Division of Public Health Services Total</b>		-	625,327	-	625,327		
12-274	Nov'12	DHHS-Division of Community Based Care	Chapter 224:14, II, Laws of 2011	-	4,730,040	-	4,730,040		
12-322	Nov'12	DHHS-Division of Community Based Care	Chapter 224:14, II, Laws of 2011	-	1,752,753	-	1,752,753		
12-339	Nov'12	DHHS-Division of Community Based Care	Chapter 224:14, II, Laws of 2011	-	749,879	-	749,879		
12-360	Dec'12	DHHS-Division of Community Based Care	Chapter 224:14, II, Laws of 2011	-	784,428	-	784,428		

Item #	Meeting	Department	Chapter / RSA Reference	General	Federal	Other	Total	Positions Established	Comments
13-029	Feb'13	<b>DHHS-Division of Community Based Care Total</b>		-	8,017,100	-	8,017,100	-	
		DHHS-Division of Family Assistance	Chapter 224:14, II, Laws of 2011	-	4,500,000	-	4,500,000	-	
		<b>DHHS-Division of Family Assistance Total</b>		-	4,500,000	-	4,500,000	-	
13-028	Feb'13	DHHS-Bureau of Elderly and Adult Services	Chapter 224:14, II, Laws of 2011	-	293,169	-	293,169	-	
12-243	June'12	DHHS-Bureau of Elderly and Adult Services	Chapter 224:14, II, Laws of 2011	-	15,150,272	15,147,243	30,297,514	-	
		<b>DHHS-Bureau of Elderly and Adult Services Total</b>		-	15,443,441	15,147,243	30,590,683	-	
13-004	Feb'13	DHHS-Office of Human Services	Chapter 224:14, II, Laws of 2011	100,000	-	-	100,000	-	
		<b>DHHS-Office of Human Services Total</b>		100,000	-	-	100,000	-	
12-275	Sept'12	DHHS-Office of Medicaid Business and Policy	Chapter 224:14, II, Laws of 2011	-	17,639,826	-	17,639,826	-	
12-301	Sept'12	DHHS-Office of Medicaid Business and Policy	Chapter 224:14, II, Laws of 2011	-	-	651,707	651,707	-	
		<b>DHHS-Office of Medicaid Business and Policy Total</b>		-	17,639,826	651,707	18,291,533	-	
12-297	Sept'12	Education, Department of	RSA 14:30-a, VI	-	1,540,973	-	1,540,973	1	
		<b>Education, Department of Total</b>		-	1,540,973	-	1,540,973	1	
12-326	Nov'12	Environmental Services, Department of	RSA 14:30-a, VI	-	485,719	-	485,719	-	
12-365	Dec'12	Environmental Services, Department of	RSA 14:30-a, VI	-	-	2,000,000	2,000,000	-	
13-001	Feb'13	Environmental Services, Department of	RSA 14:30-a, VI	-	-	750,000	750,000	-	
13-008	Feb'13	Environmental Services, Department of	RSA 14:30-a, VI	-	875,877	-	875,877	-	
		<b>Environmental Services, Department of Total</b>		-	1,361,596	2,750,000	4,111,596	-	
13-009	Feb'13	Information Technology, Department of	RSA 14:30-a, VI	-	-	220,200	220,200	-	Establish consultant positions in class 46.
13-042	Feb'13	Information Technology, Department of	RSA 14:30-a, VI	-	-	295,000	295,000	-	Establish consultant positions in class 46.
		<b>Information Technology, Department of Total</b>		-	-	515,200	515,200	-	
12-251	July'12	Justice, Department of	RSA 14:30-a, VI	-	-	103,480	103,480	1	
12-320	Nov'12	Justice, Department of	RSA 14:30-a, VI	-	129,580	-	129,580	-	
12-284	Sept'12	Justice, Department of	RSA 14:30-a, VI	-	300,000	-	300,000	-	
		<b>Justice, Department of Total</b>		-	429,580	103,480	533,060	1	
12-250	Sept'12	Resources & Economic Development	RSA 14:30-a, VI	-	2,260,000	-	2,260,000	-	
12-299	Sept'12	Resources & Economic Development	RSA 14:30-a, VI	-	60,092	-	60,092	-	
12-330	Nov'12	Resources & Economic Development	RSA 14:30-a, VI	-	338,857	-	338,857	-	
		<b>Resources &amp; Economic Development Total</b>		-	2,658,949	-	2,658,949	-	
12-236	July'12	Safety, Department of	RSA 14:30-a, VI	-	6,000,000	-	6,000,000	-	
12-246	July'12	Safety, Department of	RSA 14:30-a, VI	-	-	60,514	60,514	-	
12-272	Sept'12	Safety, Department of	RSA 14:30-a, VI	-	465,212	-	465,212	-	
12-294	Sept'12	Safety, Department of	RSA 14:30-a, VI	-	-	146,306	146,306	-	
12-311	Nov'12	Safety, Department of	RSA 14:30-a, VI	-	-	454,500	454,500	-	
12-329	Nov'12	Safety, Department of	RSA 14:30-a, VI	-	-	331,048	331,048	-	Establish consultant positions in class 46.
12-366	Dec'12	Safety, Department of	RSA 14:30-a, VI	-	5,000,000	-	5,000,000	-	
13-003	Feb'13	Safety, Department of	RSA 14:30-a, VI	-	-	156,000	156,000	-	
13-011	Feb'13	Safety, Department of	RSA 14:30-a, VI	-	152,653	-	152,653	-	Two actions: 1 decrease by \$88 and 2 was accept \$152,741, netting to 152,653.
		<b>Safety, Department of Total</b>		-	11,617,865	1,148,368	12,766,233	-	
12-237	July'12	Transportation, Department of	RSA 14:30-a, VI	-	20,000,000	31,313,921	51,313,921	-	
12-241	July'12	Transportation, Department of	RSA 14:30-a, VI	-	-	2,025,000	2,025,000	-	
12-247	July'12	Transportation, Department of	RSA 14:30-a, VI	-	-	73,823	73,823	-	1 Establish one part time position and consultants
12-307	Nov'12	Transportation, Department of	RSA 14:30-a, VI	-	-	169,500	169,500	-	

ADDITIONAL REVENUES - BIENNIUM ENDING JUNE 30, 2013  
Fiscal Committee Approvals Through Meeting of 02/01/13

Item #	Meeting	Department	Chapter / RSA Reference	General	Federal	Other	Total	Positions Established	Comments
12-327	Nov'12	Transportation, Department of	RSA 14:30-a, VI	-	1,266,067	-	1,266,067	-	
13-041	Feb'13	Transportation, Department of	RSA 14:30-a, VI	-	-	250,000	250,000	-	
13-046	Feb'13	Transportation, Department of	RSA 14:30-a, VI	-	4,650,000	-	4,650,000	-	Establish consultant positions in class 46.
		<b>Transportation, Department of Total</b>		-	25,916,067	33,832,244	59,748,311	-	1
		<b>FY 2013 Total</b>		<b>100,000</b>	<b>84,408,024</b>	<b>53,022,136</b>	<b>137,530,160</b>	<b>2</b>	<b>1</b>
		<b>Biennium Totals</b>		<b>200,000</b>	<b>161,648,634</b>	<b>72,044,252</b>	<b>233,892,886</b>	<b>13</b>	<b>6</b>



AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)  
STIMULUS FUNDING

Fiscal Committee Approvals Through Meeting of 02/01/13

Item #	Meeting	Department	Chapter / RSA Reference	Federal	Other	Total	Comments	Temporary Positions Established		Position End Date	Audit Fund Set-Aside
								Full-Time	Part-Time		
<b>FISCAL YEAR 2009</b>											
09-124	April'09	Education, Department of	RSA 14:30-a, VI	50,000	-	50,000		-	-		-
09-130	April'09	Education, Department of	RSA 14:30-a, VI	50,000	-	50,000		-	-		-
09-131	April'09	Education, Department of	RSA 14:30-a, VI	1,000,000	-	1,000,000		-	-		-
09-135	April'09	Education, Department of	RSA 14:30-a, VI	1,001,406	-	1,001,406		-	1	12/31/2011	1,001
09-187	May'09	Education, Department of	RSA 14:30-a, VI	50,000	-	50,000		-	-		-
09-188	May'09	Education, Department of	RSA 14:30-a, VI	-	224,945	224,945	funds received from Labor-Workforce Opportunity Council	1	1	6/30/2011	-
		<b>Education, Department of Total</b>		<b>2,151,406</b>	<b>224,945</b>	<b>2,376,351</b>		<b>1</b>	<b>2</b>		<b>1,001</b>
09-230	Jun'09	Employment Security, Office of	RSA 14:30-a, VI	2,242,944	-	2,242,944	FIS 11-088 reallocates funds; FIS 10-159 extended position end dates from 6/30/10 to 6/30/11	6	-	6/30/2011	2,243
09-231	Jun'09	Employment Security, Office of	RSA 14:30-a, VI	1,617,171	-	1,617,171	FIS 10-160 extended position end dates from 6/30/10 to 9/30/10	14	9	9/30/2010	1,617
		<b>Employment Security, Office of Total</b>		<b>3,860,115</b>	<b>-</b>	<b>3,860,115</b>		<b>20</b>	<b>9</b>		<b>3,860</b>
09-095	April'09	Environmental Services, Department of	RSA 14:30-a, VI	1,730,000	-	1,730,000		-	-		1,730
09-162	May'09	Environmental Services, Department of	RSA 14:30-a, VI	1,286,000	-	1,286,000	FIS 11-120 reallocates funds	-	-		1,286
09-184	May'09	Environmental Services, Department of	RSA 14:30-a, VI	395,600	-	395,600		-	-		395
09-198	Jun'09	Environmental Services, Department of	RSA 14:30-a, VI	39,163,900	-	39,163,900	reallocates funds	-	3	12/31/2013	39,164
09-199	Jun'09	Environmental Services, Department of	RSA 14:30-a, VI	19,500,000	-	19,500,000	FIS 11-009 reallocates \$136,786 for better utilization of funds, FIS 12-100 reallocates \$14,700 for better utilization of funds	-	2	10/1/2015	19,500
		<b>Environmental Services, Department of Total</b>		<b>62,075,500</b>	<b>-</b>	<b>62,075,500</b>		<b>-</b>	<b>5</b>		<b>62,075</b>
09-148	May'09	DHHS-Division for Children, Youth & Families	Ch 263:28,II, L'07	1,201,200	-	1,201,200		-	-		1,200
09-185	May'09	DHHS-Division for Children, Youth & Families	Ch 263:28,II, L'07	2,236,379	-	2,236,379		-	-		2,234
		<b>DHHS-Division for Children, Youth &amp; Families Total</b>		<b>3,437,579</b>	<b>-</b>	<b>3,437,579</b>		<b>-</b>	<b>-</b>		<b>3,434</b>
09-139	May'09	DHHS-Division of Community-Based Care	Ch 263:28,II, L'07	634,394	-	634,394		-	-		634
09-140	May'09	DHHS-Division of Community-Based Care	Ch 263:28,II, L'07	452,034	-	452,034		-	-		452
09-145	May'09	DHHS-Division of Community-Based Care	Ch 263:28,II, L'07	282,159	-	282,159		-	-		282
09-146	May'09	DHHS-Division of Community-Based Care	Ch 263:28,II, L'07	6,584,636	-	6,584,636		-	-		6,585
09-147	May'09	DHHS-Division of Community-Based Care	Ch 263:28,II, L'07	433,645	-	433,645		-	-		434
09-186	May'09	DHHS-Division of Community-Based Care	Ch 263:28,II, L'07	4,270,736	-	4,270,736		-	-		4,271
09-193	May'09	DHHS-Division of Community-Based Care	Ch 263:28,II, L'07	20,613,070	-	20,613,070		-	-		19,540
		<b>DHHS-Division of Community-Based Care Total</b>		<b>33,270,674</b>	<b>-</b>	<b>33,270,674</b>		<b>-</b>	<b>-</b>		<b>32,197</b>
09-189	May'09	DHHS-Medicaid and Business Policy	Ch 263:28,II, L'07	16,068,204	-	16,068,204		-	-		16,054
09-190	May'09	DHHS-Medicaid and Business Policy	Ch 263:28,II, L'07	4,308,123	-	4,308,123		-	-		4,304

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02/04/13

AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)  
STIMULUS FUNDING

Fiscal Committee Approvals Through Meeting of 02/01/13

Item #	Meeting	Department	Chapter / RSA Reference	Federal	Other	Total	Comments	Temporary Positions Established		Position End Date	Audit Fund Set-Aside
								Full-Time	Part-Time		
09-191	May'09	DHHS-Medicaid and Business Policy	Ch 263:28,II, L'07	111,277	-	111,277		-	-		111
		DHHS-Medicaid and Business Policy Total		20,487,604	-	20,487,604		-	-		20,469
09-111	April'09	Labor, Department of	RSA 14:30-a, VI	925,806	-	925,806		-	-		926
09-112	April'09	Labor, Department of	RSA 14:30-a, VI	1,876,488	-	1,876,488		-	-		1,876
09-113	April'09	Labor, Department of	RSA 14:30-a, VI	2,188,517	-	2,188,517		-	-		2,188
09-114	April'09	Labor, Department of	RSA 14:30-a, VI	101,044	-	101,044		-	-		101
		Labor, Department of Total		5,091,855	-	5,091,855		-	-		5,091
09-240	Jun'09	Office of Economic Stimulus	RSA 14:30-a, VI	15,700,000	-	15,700,000		5	-	9/30/2011	15,700
09-353	Oct'09	Office of Economic Stimulus	RSA 14:30-a, VI	18,366,514	-	18,366,514		-	-		-
		Office of Economic Stimulus Total		34,066,514	-	34,066,514		5	-		15,700
09-088	March'09	Office of Energy & Planning	RSA 14:30-a, VI	23,218,594	-	23,218,594	FIS 12-254 reallocates \$431,550 between class lines	-	-		23,219
09-182	May'09	Office of Energy & Planning	RSA 14:30-a, VI	47,232	-	47,232		2	-	4/30/2012	47
10-204	Jun'10	Office of Energy & Planning	RSA 14:30-a, VI	(18,022,101)	-	(18,022,101)		-	-		(21,260)
		Office of Energy & Planning Total		5,243,725	-	5,243,725		2	-		2,006
09-089 & 09-277	March'09 & Aug'09	Transportation, Department of	RSA 14:30-a, VI	135,740,556	-	135,740,556	FIS 12-195 extends end date of FIS 09-089 from 2/17/12 to 9/30/15; FIS 12-238 moves \$150 from class 72 to class 60	-	-		135,744
09-151	May'09	Transportation, Department of	RSA 14:30-a, VI	1,000,000	-	1,000,000		-	-		-
09-163	May'09	Transportation, Department of	RSA 14:30-a, VI	4,600,000	-	4,600,000		-	-		-
		Transportation, Department of Total		141,340,556	-	141,340,556		-	-		135,744
		FY 2009 Total		\$ 311,025,528	\$ 224,945	\$ 311,250,473		28	16		\$ 281,578
<b>FISCAL YEAR 2010</b>											
09-229	Jun'09	Adjutant General	RSA 14:30-a, VI	5,081,000	-	5,081,000		-	-		5,076
		Adjutant General Total		5,081,000	-	5,081,000		-	-		5,076
09-222	Jun'09	Administrative Services, Department of	RSA 14:30-a, VI	-	215,264	215,264	funds received from Office of Energy & Planning	3	-	4/30/2012	-
09-261	Aug'09	Administrative Services, Department of	RSA 14:30-a, VI	68,405	-	68,405		-	-		-
10-003	Jan'10	Administrative Services, Department of	RSA 14:30-a, VI	67,766	-	67,766		-	-		68
10-046	Feb'10	Administrative Services, Department of	RSA 14:30-a, VI	-	5,387	5,387	funds received from Office of Energy & Planning	-	1	6/30/2011	-
		Administrative Services, Department of Total		136,171	220,651	356,822		-	-		68
09-223	Jun'09	Cultural Resources, Department of	RSA 14:30-a, VI	255,108	-	255,108		-	-		255
		Cultural Resources, Department of Total		255,108	-	255,108		-	-		255
09-124	April'09	Education, Department of	RSA 14:30-a, VI	165,765	-	165,765		-	-		-
09-130	April'09	Education, Department of	RSA 14:30-a, VI	708,156	-	708,156		-	-		-

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								Full-Time	Part-Time		
09-131	April'09	Education, Department of	RSA 14:30-a, VI	21,730,633	-	21,730,633		-	-		-
09-135	April'09	Education, Department of	RSA 14:30-a, VI	14,472,421	-	14,472,421		-	-		14,472
09-187	May'09	Education, Department of	RSA 14:30-a, VI	125,000	-	125,000		-	-		-
09-188	May'09	Education, Department of	RSA 14:30-a, VI	-	1,153,958	1,153,958	funds received from Labor-Workforce Opportunity Council	-	-		-
09-266	Aug'09	Education, Department of	RSA 14:30-a, VI	37,382	-	37,382		-	-		37
09-267	Aug'09	Education, Department of	RSA 14:30-a, VI	85,020	-	85,020		-	-		85
09-330	Oct'09	Education, Department of	RSA 14:30-a, VI	673,359	-	673,359		-	-		673
10-004	Jan'10	Education, Department of	RSA 14:30-a, VI	2,124,028	-	2,124,028	FIS 12-068 transfers funds between class lines, extends end date for fund use and positions, also decreases audit setaside by \$400. FIS 12-296 moves \$361	1	1	12/31/2011, FIS 12-068 changed end date to 6/30/12	1,724
		<b>Education, Department of Total</b>		40,121,762	1,153,958	41,275,720					16,992
10-154	May'10	Employment Security, Office of	RSA 14:30-a, VI	217,500	-	217,500	funds received through State of Vermont (accepted as Federal Funds); funds will support portion of two existing positions in addition to two new positions. FIS 11-316 extends positions, accepts additional funds for FY 2012 (see below) and transfers between classes.	2	-	12/31/2011	218
		<b>Employment Security, Office of Total</b>		217,500	-	217,500					218
09-245	Jul'09	Environmental Services, Department of	RSA 14:30-a, VI	500,000	-	500,000		-	-		500
09-312	Sept'09	Environmental Services, Department of	RSA 14:30-a, VI	1,800,000	-	1,800,000	FIS 12-055 transfers \$38,000 between class lines	-	-		-
09-313	Sept'09	Environmental Services, Department of	RSA 14:30-a, VI	2,523,000	-	2,523,000		-	-		-
10-111	April'10	Environmental Services, Department of	RSA 14:30-a, VI	-	400,000	400,000	funds received from Office of Energy & Planning	-	-		-

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								Full-Time	Part-Time		
10-114	April'10	Environmental Services, Department of	RSA 14:30-a, VI	-	-	-	reallocation of ARRA funds accepted in FY 2009 (09-184)	-	-		214
10-196	Jun'10	Environmental Services, Department of	RSA 14:30-a, VI	127,394	-	127,394		-	-		127
		<b>Environmental Services, Department of Total</b>		<b>4,950,394</b>	<b>400,000</b>	<b>5,350,394</b>					<b>841</b>
10-164	May'10	DHHS-Division of Behavioral Health	Ch 144:39,II, L'09	120,696	-	120,696	item also includes additional \$521,338 of other federal funds, and increases audit fund set-aside by \$642.	-	-		-
		<b>DHHS-Division of Behavioral Health Total</b>		<b>120,696</b>	<b>-</b>	<b>120,696</b>					<b>-</b>
09-243	Aug'09	DHHS-Division for Children, Youth & Families	Ch 144:39,II, L'09	3,624,621	-	3,624,621		-	-		1,623
10-099	April'10	DHHS-Division for Children, Youth & Families	Ch 144:39,II, L'09	110,165	-	110,165	item also includes additional \$110 of federal funds for audit fund set-aside	-	-		-
		<b>DHHS-Division for Children, Youth &amp; Families Total</b>		<b>3,734,786</b>	<b>-</b>	<b>3,734,786</b>					<b>1,623</b>
09-241	Jul'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	2,306,161	-	2,306,161		-	-		2,306
09-251	Aug'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	9,203,266	-	9,203,266	item also includes additional \$9,212 of federal funds for audit fund set-aside	-	-		-
09-252	Aug'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	430,735	-	430,735		-	-		431
09-253	Aug'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	21,357,094	-	21,357,094		-	-		18,473
09-253	Aug'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	28,070,516	-	28,070,516		-	-		28,042
09-254	Aug'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	17,073,509	-	17,073,509	item also includes additional \$17,074 of federal funds for audit fund set-aside	-	-		-
09-255	Aug'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	1,719,042	-	1,719,042	item also includes additional \$1,721 of federal funds for audit fund set-aside	-	-		-
09-256	Aug'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	546,892	-	546,892	item also includes additional \$547 of federal funds for audit fund set-aside	-	-		-
09-257	Aug'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	948,874	-	948,874	item also includes additional \$959 of federal funds for audit fund set-aside	-	-		-

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Item #	Meeting	Department	Chapter / RSA Reference	Federal	Other	Total	Comments	Temporary Positions Established		Position End Date	Audit Fund Set-Aside
								Full-Time	Part-Time		
09-297	Sept'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	4,687,400	-	4,687,400	item also includes additional \$4,692 of federal funds for audit fund set-aside	-	-		-
09-298	Sept'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	1,946,832	-	1,946,832	item also includes additional \$1,949 of federal funds for audit fund set-aside	-	-		-
09-326	Sept'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	700,700	-	700,700		-	-		700
09-394	Dec'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	1,001,000	-	1,001,000		-	-		1,000
10-093	April'10	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	197,460	-	197,460	item also includes additional \$198 of federal funds for audit fund set-aside	-	-		-
10-094	April'10	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	498,521	-	498,521	item also includes additional \$499 of federal funds for audit fund set-aside	-	-		-
10-102	April'10	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	5,861,751	-	5,861,751	item also includes additional \$707,868 of other federal funds, and increases audit fund set-aside by \$6,196.	-	-		-
10-103	April'10	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	3,427,217	-	3,427,217	item also includes additional \$3,427,217 of other federal funds, and increases audit fund set-aside by \$3,539.	-	-		-
10-104	April'10	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09	1,363,092	-	1,363,092	item also includes additional \$1,365,819 of other federal funds, and increases audit fund set-aside by \$2,727.	-	-		-
<b>DHHS-Division of Community-Based Care Total</b>				<b>101,340,062</b>	<b>-</b>	<b>101,340,062</b>					<b>50,952</b>
09-244	Aug'09	DHHS-Division of Family Assistance	Ch 144:39,II, L'09	3,762,500	-	3,762,500		-	-		3,763
09-294	Aug'09	DHHS-Division of Family Assistance	Ch 144:39,II, L'09	588,478	-	588,478		-	-		-
10-127	May'10	DHHS-Division of Family Assistance	Ch 144:39,II, L'09	3,654	-	3,654		-	-		2
<b>DHHS-Division of Family Assistance Total</b>				<b>4,354,632</b>	<b>-</b>	<b>4,354,632</b>					<b>3,765</b>
09-258	Aug'09	DHHS-Medicaid Business and Policy	Ch 144:39,II, L'09	40,058,742	-	40,058,742		-	-		40,019
10-058	Feb'10	DHHS-Medicaid Business and Policy	Ch 144:39,II, L'09	282,368	-	282,368		-	-		-

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								Full-Time	Part-Time		
10-115	April'10	DHHS-Medicaid Business and Policy	Ch 144:39,II, L'09	6,259,499	-	6,259,499	item also includes additional \$6,262,405 of other federal funds, and increases audit fund set-aside by \$7,711.	-	-		4,805
10-165	May'10	DHHS-Medicaid Business and Policy	Ch 144:39,II, L'09	110,891	-	110,891	item also includes \$479,039 of other federal funds, and increases audit fund set-aside by \$648.	-	-		-
		<b>DHHS-Medicaid Business and Policy Total</b>		46,711,499	-	46,711,499					44,824
10-090	Mar'10	DHHS-Office of Improvement, Integrity, & Info.	Ch 144:39,II, L'09	182,379	-	182,379		-	-		182
		<b>DHHS-Office of Improvement, Integrity, &amp; Info. Total</b>		182,379	-	182,379					182
09-315	Sept'09	DHHS-Division of Public Health Services	Ch 144:39,II, L'09	320,414	-	320,414		-	1	12/31/2011	320
09-325	Sept'09	DHHS-Division of Public Health Services	Ch 144:39,II, L'09	257,785	-	257,785		-	-		258
10-092	April'10	DHHS-Division of Public Health Services	Ch 144:39,II, L'09	121,778	-	121,778		-	-		123
10-128	May'10	DHHS-Division of Public Health Services	Ch 144:39,II, L'09	1,125	-	1,125		-	-		1
		<b>DHHS-Division of Public Health Services Total</b>		701,102	-	701,102					702
09-262	Aug'09	Information Technology, Department of	RSA 14:30-a, VI	-	50,800	50,800	funds received from Office of Economic Stimulus; FIS 11-028 extends effective date from 6/30/11 to 9/30/11	-	-		-
		<b>Information Technology, Department of Total</b>		-	50,800	50,800					-
09-225	Jun'09	Justice, Department of	RSA 14:30-a, VI	366,780	-	366,780		-	-		366
09-226	Jun'09	Justice, Department of	RSA 14:30-a, VI	60,301	-	60,301		-	-		60
09-227	Jun'09	Justice, Department of	RSA 14:30-a, VI	2,396,463	-	2,396,463	FIS 12-215 extends end date from 2/28/13 to 6/30/13	3	-	6/30/2012	2,395
09-228	Jun'09	Justice, Department of	RSA 14:30-a, VI	704,906	-	704,906		-	-		704
10-038	Feb'10	Justice, Department of	RSA 14:30-a, VI	98,000	-	98,000	FIS 11-111 extends end date to April 30, 2012	-	1	4/30/2012	-
		<b>Justice, Department of Total</b>		3,626,450	-	3,626,450					3,525
09-111	April'09	Labor, Department of	RSA 14:30-a, VI	154,300	-	154,300		-	-		154
09-112	April'09	Labor, Department of	RSA 14:30-a, VI	312,748	-	312,748		-	-		313
09-113	April'09	Labor, Department of	RSA 14:30-a, VI	364,754	-	364,754		-	-		365
09-114	April'09	Labor, Department of	RSA 14:30-a, VI	25,262	-	25,262		-	-		25
09-308	Sept'09	Labor, Department of	RSA 14:30-a, VI	558,591	-	558,591		-	-		559
		<b>Labor, Department of Total</b>		1,415,655	-	1,415,655					1,416
09-240	Jun'09	Office of Economic Stimulus	RSA 14:30-a, VI	10,422,000	-	10,422,000		-	-		10,422

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									Full-Time	Part-Time		
09-353	Oct'09	Office of Economic Stimulus	RSA 14:30-a, VI		(8,855,523)	-	(8,855,523)	reallocation of ARRA funds in this item includes an increase of \$500,000 in class 102 for auditing services in addition to audit fund set-aside amounts.	-	-		9,510
10-062	Feb'10	Office of Economic Stimulus	RSA 14:30-a, VI		(68,890)	-	(68,890)		2	-	9/30/2011	
		<b>Office of Economic Stimulus Total</b>			1,497,587	-	1,497,587					19,932
09-182	May'09	Office of Energy & Planning	RSA 14:30-a, VI		24,764,937	-	24,764,937		-	-		24,765
09-345	Oct'09	Office of Energy & Planning	RSA 14:30-a, VI		9,238,636	-	9,238,636	FIS 11-308 transfers \$4,865 between class lines	-	-		9,239
09-346	Oct'09	Office of Energy & Planning	RSA 14:30-a, VI		71,066	-	71,066		1	-	8/14/2012	71
09-384	Dec'09	Office of Energy & Planning	RSA 14:30-a, VI		1,251,817	-	1,251,817		-	-		1,252
10-203	Jun'10	Office of Energy & Planning	RSA 14:30-a, VI		6,459	-	6,459		1	-	5/31/2013	6
10-204	Jun'10	Office of Energy & Planning	RSA 14:30-a, VI		11,696,202	-	11,696,202		-	-		14,114
		<b>Office of Energy &amp; Planning Total</b>			47,029,117	-	47,029,117					49,447
09-389	Dec'09	Public Utilities Commission	RSA 14:30-a, VI		195,487	-	195,487		3	-	12/31/2012	195
10-112	April'10	Public Utilities Commission	RSA 14:30-a, VI		-	280,000	280,000	funds received from Office of Energy & Planning, FIS 12-057 transfers funds between class lines	-	-		280
10-144	May'10	Public Utilities Commission	RSA 14:30-a, VI		-	30,000	30,000	funds received from Office of Energy & Planning	-	-		30
10-145	May'10	Public Utilities Commission	RSA 14:30-a, VI		(77,401)	-	(77,401)		-	-		(77)
11-089	March'11	Public Utilities Commission	RSA 14:30-a, VI		(7,227)	-	(7,227)					
		<b>Public Utilities Commission Total</b>			110,859	310,000	420,859					428
09-318	Sept'09	Resources & Economic Development	RSA 14:30-a, VI		-	250,000	250,000	funds received from the Office of Economic Stimulus; FIS 12-123 reallocates \$26,000 for best utilization of funds	1	-	6/30/2012	-
09-354	Oct'09	Resources & Economic Development	RSA 14:30-a, VI		-	70,874	70,874	funds received from the Office of Economic Stimulus	1	-	9/30/2010	-
		<b>Resources &amp; Economic Development Total</b>			-	320,874	320,874					-
09-290	Aug'09	Safety, Department of	RSA 14:30-a, VI		-	69,755	69,755	funds received	1	-	6/30/2012	-

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									Full-Time	Part-Time		
09-342	Oct'09	Safety, Department of	RSA 14:30-a, VI		-	244,033	244,033	funds received from the Department of Justice; FIS 12-167 extends end date for grant and the 2 positions approved in original item	2	-	6/30/2012	-
09-347	Oct'09	Safety, Department of	RSA 14:30-a, VI		-	87,362	87,362	funds received from the Office of Economic Stimulus; extends the end date for grant and for position approved in original item.	1	-	6/30/2012	-
		<b>Safety, Department of Total</b>			-	401,150	401,150					-
09-371	Dec'09	Transportation, Department of	RSA 14:30-a, VI		310,070	-	310,070		-	-		-
10-121	April'10	Transportation, Department of	RSA 14:30-a, VI		1,304,433	-	1,304,433		-	-		-
		<b>Transportation, Department of Total</b>			1,614,503	-	1,614,503					-
10-010	Jan'10	Treasury Department	RSA 14:30-a, VI		400,000	-	400,000		-	-		-
		<b>Treasury Department Total</b>			400,000	-	400,000					-
		<b>FY 2010 Total</b>			\$ 263,601,262	\$ 2,857,433	\$ 266,458,695		22	4		\$ 200,246
<b>FISCAL YEAR 2011</b>												
09-222	Jun'09	Administrative Services, Department of	RSA 14:30-a, VI		-	220,205	220,205	funds received from Office of Energy & Planning	-	-		-
10-046	Feb'10	Administrative Services, Department of	RSA 14:30-a, VI		-	4,786	4,786	funds received from Office of Energy & Planning	-	-		-
10-300	Oct'10	Administrative Services, Department of	RSA 14:30-a, VI		82,124	-	82,124		-	-		-
		<b>Administrative Services, Department of Total</b>			82,124	224,991	307,115		-	-		-
09-223	Jun'09	Cultural Resources, Department of	RSA 14:30-a, VI		37,992	-	37,992		-	-		38
		<b>Cultural Resources, Department of Total</b>			37,992	-	37,992		-	-		38
09-241	Jul'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09		2,306,161	-	2,306,161		-	-		2,306
09-252	Aug'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09		54,265	-	54,265		-	-		54
09-326	Sept'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09		1,697,594	-	1,697,594		-	-		1,698
09-394	Dec'09	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09		(1,001,000)	-	(1,001,000)		-	-		(1,000)
11-092	March'11	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09		2,890,497	-	2,890,497	the non-arr-a feder	-	-		-
11-100	March'11	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09		8,761,984	-	8,761,984		-	-		8,762
11-101	March'11	DHHS-Division of Community-Based Care	Ch 144:39,II, L'09		17,439,803	-	17,439,803		-	-		17,440



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Item #	Meeting	Department	Chapter / RSA	Reference	Federal	Other	Total	Comments	Temporary Positions Established		Position End Date	Audit Fund Set-Aside
									Full-Time	Part-Time		
11-125	March'11	DHHS-Division of Community-Based Care	Ch 144:39,II,	L'09	1,901,509	-	1,901,509	Item included non ARRA federal funds that are accounted for on additional revenues	-	-		-
		<b>DHHS-Division of Community-Based Care Total</b>			<b>34,050,813</b>	<b>-</b>	<b>34,050,813</b>		<b>-</b>	<b>-</b>		<b>29,260</b>
11-036	Jan'11	DHHS-Bureau of Elderly and Adult Services	Ch 144:39,II,	L'09	17,241,609	-	17,241,609		-	-		17,224
11-036	Jan'11	DHHS-Bureau of Elderly and Adult Services	Ch 144:39,II,	L'09	26,398,707	-	26,398,707		-	-		26,372
11-191	June'11	DHHS-Bureau of Elderly and Adult Services	Ch 144:39,II,	L'09	696,933	-	696,933		-	-		697
		<b>DHHS-Bureau of Elderly and Adult Services Total</b>			<b>44,337,248</b>	<b>-</b>	<b>44,337,248</b>		<b>-</b>	<b>-</b>		<b>44,293</b>
09-244	Aug'09	DHHS-Division of Family Assistance	Ch 144:39,II,	L'09	1,237,500	-	1,237,500		-	-		1,238
09-294	Aug'09	DHHS-Division of Family Assistance	Ch 144:39,II,	L'09	115,404	-	115,404		-	-		-
10-247	Sept'10	DHHS-Division of Family Assistance	Ch 144:39,II,	L'09	3,763	-	3,763		-	-		-
		<b>DHHS-Division of Family Assistance Total</b>			<b>1,356,667</b>	<b>-</b>	<b>1,356,667</b>		<b>-</b>	<b>-</b>		<b>1,238</b>
		DHHS-Division for Children, Youth & Families	Ch 144:39,II,	L'09	664,277	-	664,277		-	-		-
11-035	Jan'11	DHHS-Division for Children, Youth & Families	Ch 144:39,II,	L'09	2,542,054	-	2,542,054		-	-		2,543
11-171	June'11	DHHS-Division for Children, Youth & Families	Ch 144:39,II,	L'09	2,472,621	-	2,472,621		-	-		2,543
		<b>DHHS-Division for Children, Youth &amp; Families Total</b>			<b>5,678,952</b>	<b>-</b>	<b>5,678,952</b>		<b>-</b>	<b>-</b>		<b>5,086</b>
10-090	Mar'10	DHHS-Office of Improvement, Integrity, & Info.	Ch 144:39,II,	L'09	2,423,494	-	2,423,494		-	-		2,423
		<b>DHHS-Office of Improvement, Integrity, &amp; Info. Total</b>			<b>2,423,494</b>	<b>-</b>	<b>2,423,494</b>		<b>-</b>	<b>-</b>		<b>2,423</b>
09-315	Sept'09	DHHS-Division of Public Health Services	Ch 144:39,II,	L'09	341,595	-	341,595		-	-		341
09-325	Sept'09	DHHS-Division of Public Health Services	Ch 144:39,II,	L'09	345,818	-	345,818		-	-		346
10-092	April'10	DHHS-Division of Public Health Services	Ch 144:39,II,	L'09	536,704	-	536,704		-	-		536
10-128	May'10	DHHS-Division of Public Health Services	Ch 144:39,II,	L'09	98,038	-	98,038		-	-		98
		<b>DHHS-Division of Public Health Services Total</b>			<b>1,322,155</b>	<b>-</b>	<b>1,322,155</b>		<b>-</b>	<b>-</b>		<b>1,321</b>
10-287	Oct'10	DHHS-Medicaid Business and Policy	Ch 144:39,II,	L'09	212,493	-	212,493		-	-		212
10-345	Nov'10	DHHS-Medicaid Business and Policy	Ch 144:39,II,	L'09 Ch 144:212,	10,395,814	-	10,395,814	Uncompensated Care Fund "DSH"	-	-		10,396
11-074	Feb'11	DHHS-Medicaid Business and Policy	Ch 144:39,II,	L'09	36,614,605	-	36,614,605		-	-		36,578
		<b>DHHS-Medicaid Business and Policy Total</b>			<b>47,222,912</b>	<b>-</b>	<b>47,222,912</b>		<b>-</b>	<b>-</b>		<b>47,186</b>
09-130	April'09	Education, Department of	RSA 14:30-a,	VI	50,000	-	50,000		-	-		-
09-131	April'09	Education, Department of	RSA 14:30-a,	VI	1,000,000	-	1,000,000		-	-		-
09-187	May'09	Education, Department of	RSA 14:30-a,	VI	15,310	-	15,310		-	-		-
09-188	May'09	Education, Department of	RSA 14:30-a,	VI	-	1,016,418	1,016,418	funds received from Labor-Workforce Opportunity Council	-	-		-
09-266	Aug'09	Education, Department of	RSA 14:30-a,	VI	42,713	-	42,713		-	-		43
09-267	Aug'09	Education, Department of	RSA 14:30-a,	VI	121,457	-	121,457		-	-		122
09-330	Oct'09	Education, Department of	RSA 14:30-a,	VI	977,008	-	977,008		-	-		976
10-004	Jan'10	Education, Department of	RSA 14:30-a,	VI	1,085,349	-	1,085,349		-	-		3,209
10-202	Jun'10	Education, Department of	RSA 14:30-a,	VI	15,473,827	-	15,473,827	FIS 12-026 transfers \$49,811 between class lines; FIS 12-306 extends end date	1	-	9/30/2011	15,474

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Item #	Meeting	Department	Chapter / RSA Reference	Federal	Other	Total	Comments	Temporary Positions Established		Position End Date	Audit Fund Set-Aside
								Full-Time	Part-Time		
10-237	Jul'10	Education, Department of	RSA 14:30-a, VI	2,645,093	-	2,645,093	FIS 12-283 transfers \$4552 between class lines and extends end date to 6/30/13	2	-	6/30/2012	2,645
11-086	March'11	Education, Department of	RSA 14:30-a, VI	808,155	-	808,155		-	-		-
11-087	March'11	Education, Department of	RSA 14:30-a, VI	23,730,632	-	23,730,632		-	-		-
		<b>Education, Department of Total</b>		<b>45,949,544</b>	<b>1,016,418</b>	<b>46,965,962</b>		<b>3</b>	<b>-</b>		<b>22,469</b>
11-141	May'11	Employment Security, Department of	RSA 14:30-a, VI	-	561,450	561,450	funds received from DRED				561
		<b>Employment Security, Department of Total</b>		<b>-</b>	<b>561,450</b>	<b>561,450</b>		<b>-</b>	<b>-</b>		<b>561</b>
10-278	Sept'10	Environmental Services, Department of	RSA 14:30-a, VI	78,217	-	78,217		-	-		-
		<b>Environmental Services, Department of Total</b>		<b>78,217</b>	<b>-</b>	<b>78,217</b>		<b>-</b>	<b>-</b>		<b>-</b>
09-262	Aug'09	Information Technology, Department of	RSA 14:30-a, VI	-	25,000	25,000	funds received from the Office of Economic Stimulus	-	-		-
		<b>Information Technology, Department of Total</b>		<b>-</b>	<b>25,000</b>	<b>25,000</b>		<b>-</b>	<b>-</b>		<b>-</b>
09-225	Jun'09	Justice, Department of	RSA 14:30-a, VI	220,220	-	220,220		-	-		220
09-227	Jun'09	Justice, Department of	RSA 14:30-a, VI	2,089,713	-	2,089,713		-	-		2,090
09-228	Jun'09	Justice, Department of	RSA 14:30-a, VI	353,735	-	353,735	FIS 11-085 chang	-	-		354
		<b>Justice, Department of Total</b>		<b>2,663,668</b>	<b>-</b>	<b>2,663,668</b>		<b>-</b>	<b>-</b>		<b>2,664</b>
09-111	April'09	Labor, Department of	RSA 14:30-a, VI	154,300	-	154,300		-	-		154
09-112	April'09	Labor, Department of	RSA 14:30-a, VI	312,748	-	312,748		-	-		313
09-113	April'09	Labor, Department of	RSA 14:30-a, VI	364,754	-	364,754		-	-		365
		<b>Labor, Department of Total</b>		<b>831,802</b>	<b>-</b>	<b>831,802</b>		<b>-</b>	<b>-</b>		<b>832</b>
09-240	Jun'09	Office of Economic Stimulus	RSA 14:30-a, VI	10,421,276	-	10,421,276		-	-		10,420
09-353	Oct'09	Office of Economic Stimulus	RSA 14:30-a, VI	(9,510,991)	-	(9,510,991)		-	-		(9,510)
10-062	Feb'10	Office of Economic Stimulus	RSA 14:30-a, VI	68,890	-	68,890		-	-		-
		<b>Office of Economic Stimulus Total</b>		<b>979,175</b>	<b>-</b>	<b>979,175</b>		<b>-</b>	<b>-</b>		<b>910</b>
09-182	May'09	Office of Energy & Planning	RSA 14:30-a, VI	547,941	-	547,941		-	-		548
		<b>Office of Energy &amp; Planning Total</b>		<b>547,941</b>	<b>-</b>	<b>547,941</b>		<b>-</b>	<b>-</b>		<b>548</b>
09-345	Oct'09	Office of Energy and Planning	RSA 14:30-a, VI	156,393	-	156,393		-	-		156
09-346	Oct'09	Office of Energy and Planning	RSA 14:30-a, VI	102,883	-	102,883		-	-		103
09-384	Dec'09	Office of Energy and Planning	RSA 14:30-a, VI	5,910	-	5,910	FIS 11-140 request to move funds between class lines	-	-		6
10-203	Jun'10	Office of Energy and Planning	RSA 14:30-a, VI	9,616,302	-	9,616,302		-	-		9,616
10-204	Jun'10	Office of Energy and Planning	RSA 14:30-a, VI	1,396,892	-	1,396,892		-	-		1,403
10-265	Sept'10	Office of Energy and Planning	RSA 14:30-a, VI	102,504	-	102,504	FIS 11-134 request to move funds between class lines; FIS 12-255 request to move funds between class lines and extend end date	-	-		-
10-280	Sept'10	Office of Energy and Planning	RSA 14:30-a, VI	-	-	-		2	-	4/30/2012	-

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Item #	Meeting	Department	Chapter / RSA	Reference	Federal	Other	Total	Comments	Temporary Positions Established		Position End Date	Audit Fund Set-Aside
									Full-Time	Part-Time		
10-323	Nov'10	Office of Energy and Planning	RSA 14:30-a, VI		2,565,000	-	2,565,000	FIS 11-113 reallocates funds in FY 11 and FY 12; FIS 12-054 transfers between class lines and extends end date.	-	-		
<b>Office of Energy and Planning Total</b>					<b>13,945,884</b>	<b>-</b>	<b>13,945,884</b>		<b>2</b>	<b>-</b>		<b>11,284</b>
09-389	Dec'09	Public Utilities Commission	RSA 14:30-a, VI		299,603	-	299,603		-	-		300
10-112	April'10	Public Utilities Commission	RSA 14:30-a, VI		-	140,000	140,000	funds received from Office of Energy & Planning	-	-		140
10-144	May'10	Public Utilities Commission	RSA 14:30-a, VI		-	350,000	350,000	funds received from Office of Energy & Planning	-	-		350
10-145	May'10	Public Utilities Commission	RSA 14:30-a, VI		22,779	-	22,779		-	-		23
11-089	March'11	Public Utilities Commission	RSA 14:30-a, VI		(22,094)	-	(22,094)		-	-		-
<b>Public Utilities Commission Total</b>					<b>300,288</b>	<b>490,000</b>	<b>790,288</b>		<b>-</b>	<b>-</b>		<b>813</b>
09-318	Sept'09	Resources & Economic Development	RSA 14:30-a, VI		-	250,000	250,000	funds received from the Office of Economic Stimulus	-	-		-
10-266	Sept'10	Resources & Economic Development	RSA 14:30-a, VI		972,474	-	972,474		-	-		-
11-029	Jan'11	Resources & Economic Development	RSA 14:30-a, VI		-	71,041	71,041	funds received from UNH to support broadband director pos	1	-		-
11-141	May'11	Resources & Economic Development	RSA 14:30-a, VI		561,450	-	561,450	FIS 13-010 extends end date for both DRED and DES to March 31, 2013	-	-		-
<b>Resources &amp; Economic Development Total</b>					<b>1,533,924</b>	<b>321,041</b>	<b>1,854,965</b>		<b>1</b>	<b>-</b>		<b>-</b>
09-290	Aug'09	Safety, Department of	RSA 14:30-a, VI		-	92,428	92,428	funds received from the Department of Justice	-	-		-
09-342	Oct'09	Safety, Department of	RSA 14:30-a, VI		-	267,533	267,533	funds received from the Department of Justice	-	-		-
09-347	Oct'09	Safety, Department of	RSA 14:30-a, VI		-	98,294	98,294	funds received from the Office of Economic Stimulus, FIS 13-023 reallocates \$29,300 of funds and accepts another \$28,815 of funds from NHDOJ	1	-		-

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Item #	Meeting	Department	Chapter / RSA Reference	Federal	Dther	Total	Comments	Temporary Positions Established		Position End Date	Audit Fund Set-Aside
								Full-Time	Part-Time		
11-177	June'11	Safety, Department of	RSA 14:30-a, VI	-	350,691	350,691	funds received from UNH to hire 2 temp fulltime microwave techs	-	2		-
		<b>Safety, Department of Total</b>		-	808,946	808,946		1	2		-
10-121	April'10	Transportation, Department of	RSA 14:30-a, VI	3,130,638	-	3,130,638		-	-		-
11-183	June'11	Transportation, Department of	RSA 14:30-a, VI	-	5,510,875	5,510,875	funds received from UNH	-	-		-
		<b>Transportation, Department of Total</b>		-	5,510,875	5,510,875		-	-		-
10-010	Jan'10	Treasury Department	RSA 14:30-a, VI	1,600,000	-	1,600,000		-	-		-
		<b>Treasury Department Total</b>		1,600,000	-	1,600,000		-	-		-
		<b>FY 2011 Total</b>		<b>\$ 208,073,438</b>	<b>\$ 8,958,721</b>	<b>\$ 217,032,159</b>		<b>7</b>	<b>2</b>		<b>\$ 170,926</b>
<b>FISCAL YEAR 2012</b>											
09-222	Jun'09	Administrative Services, Department of	RSA 14:30-a, VI	-	192,889	192,889	funds received from Office of Energy & Planning	-	-		-
		<b>Administrative Services, Department of Total</b>		-	192,889	192,889		-	-		-
09-315	Sept'09	DHHS-Division of Public Health Services	Ch 144:39, II, L'09	75,542	-	75,542		-	-		96
		<b>DHHS-Division of Public Health Services Total</b>		75,542	-	75,542		-	-		96
11-341	Dec'11	DHHS - Office of Information Services	Chapter 224:14, II, Laws of 2011	(494,078)	-	(494,078)		-	-		-
		<b>DHHS - Office of Information Services Total</b>		(494,078)	-	(494,078)		-	-		-
09-267	Aug'09	Education, Department of	RSA 14:30-a, VI	36,436	-	36,436		-	-		36
09-330	Oct'09	Education, Department of	RSA 14:30-a, VI	273,517	-	273,517		-	-		275
10-237	Jul'10	Education, Department of	RSA 14:30-a, VI	5,943,121	-	5,943,121		-	-		5,943
11-255	Sept'11	Education, Department of	RSA 14:30-a, VI	605,624	-	605,624		-	-		-
		<b>Education, Department of Total</b>		6,858,698	-	6,858,698		-	-		6,254
	May'11	Employment Security, Department of	RSA 14:30-a, VI	-	147,000	147,000	funds received from DRED				147
11-316	Oct'11	Employment Security, Department of	RSA 14:30-a, VI	58,000	-	58,000		-	-		58
		<b>Employment Security, Department of Total</b>		58,000	147,000	205,000		-	-		205
09-227	Jun'09	Justice, Department of	RSA 14:30-a, VI	1,767,579	-	1,767,579		-	-		1,769
		<b>Justice, Department of Total</b>		1,767,579	-	1,767,579		-	-		1,769
09-182	May'09	Office of Energy & Planning	RSA 14:30-a, VI	466,891	-	466,891		-	-		467
		<b>Office of Energy &amp; Planning Total</b>		466,891	-	466,891		-	-		467
09-345	Oct'09	Office of Energy and Planning	RSA 14:30-a, VI	156,393	-	156,393		-	-		156
09-346	Oct'09	Office of Energy and Planning	RSA 14:30-a, VI	121,302	-	121,302		-	-		121
09-384	Dec'09	Office of Energy and Planning	RSA 14:30-a, VI	4,273	-	4,273		-	-		4
10-203	Jun'10	Office of Energy and Planning	RSA 14:30-a, VI	183,721	-	183,721		-	-		184
10-204	Jun'10	Office of Energy and Planning	RSA 14:30-a, VI	4,929,007	-	4,929,007		-	-		5,742
10-265	Sept'10	Office of Energy and Planning	RSA 14:30-a, VI	(87,579)	-	(87,579)		-	-		-
11-309	Oct'11	Office of Energy and Planning	RSA 14:30-a, VI	-	90,000	90,000	FIS 12-164 reallocates \$4,850 between class lines	-	-		-
12-132	April'12	Office of Energy and Planning	RSA 14:30-a, VI	36,644	-	36,644	FIS 12-256 reallocates \$1,200 between class lines.	-	-		-
		<b>Office of Energy and Planning Total</b>		5,343,761	90,000	5,433,761		-	-		6,207

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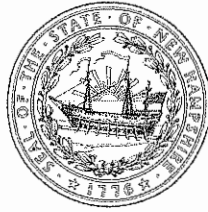
Item #	Meeting	Department	Chapter / RSA Reference	Federal	Other	Total	Comments	Temporary Positions Established		Position End Date	Audit Fund Set-Aside
								Full-Time	Part-Time		
09-318	Sept'09	Resources & Economic Development	RSA 14:30-a, VI	-	250,000	250,000	funds received from the Office of Economic Stimulus	-	-		-
11-141	May'11	Resources & Economic Development	RSA 14:30-a, VI	147,000	-	147,000		-	-		-
11-153	June'11	Resources & Economic Development	RSA 14:30-a, VI	-	75,442	75,442	funds received from UNH to support broadband director pos established in FIS 11-029	-	-		-
<b>Resources &amp; Economic Development Total</b>				147,000	325,442	472,442		-	-		-
09-389	Dec'09	Public Utilities Commission	RSA 14:30-a, VI	217,901	-	217,901		-	-		218
10-112	April'10	Public Utilities Commission	RSA 14:30-a, VI	-	96,000	96,000	funds received from Office of Energy & Planning	-	-		96
10-144	May'10	Public Utilities Commission	RSA 14:30-a, VI	-	120,000	120,000	funds received from Office of Energy & Planning	-	-		120
10-145	May'10	Public Utilities Commission	RSA 14:30-a, VI	43,880	-	43,880		-	-		44
11-089	March'11	Public Utilities Commission	RSA 14:30-a, VI	54,143	-	54,143		-	-		-
12-130	April'11	Public Utilities Commission	RSA 14:30-a, VI	-	100,000	100,000	funds received from OEP	-	-		-
<b>Public Utilities Commission Total</b>				315,924	316,000	631,924		-	-		478
09-290	Aug'09	Safety, Department of	RSA 14:30-a, VI	-	81,947	81,947	funds received from the Department of Justice	-	-		-
09-342	Oct'09	Safety, Department of	RSA 14:30-a, VI	-	174,360	174,360	funds received from the Department of Justice	-	-		-
09-347	Oct'09	Safety, Department of	RSA 14:30-a, VI	-	91,044	91,044	funds received from the Office of Economic Stimulus	-	-		-
<b>Safety, Department of Total</b>				-	347,351	347,351		-	-		-
<b>FY 2012 Total</b>				14,539,318	1,418,682	15,958,000		-	-		15,476
<b>FISCAL YEAR 2013</b>											
11-341	Dec'11	DHHS - Office of Information Services	Chapter 224:14, II, Laws of 2011	963,258	-	963,258		-	-		1,194
<b>DHHS - Office of Information Services Total</b>				963,258	-	963,258		-	-		1,194
11-141	May'11	Employment Security, Department of	RSA 14:30-a, VI	-	35,550	35,550	funds received from DRED	-	-		36
<b>Employment Security, Department of Total</b>				-	35,550	35,550		-	-		36
09-345	Oct'09	Office of Energy and Planning	RSA 14:30-a, VI	42,078	-	42,078		-	-		43
09-346	Oct'09	Office of Energy and Planning	RSA 14:30-a, VI	25,477	-	25,477		-	-		25
10-203	Jun'10	Office of Energy and Planning	RSA 14:30-a, VI	193,518	-	193,518		-	-		194
10-265	Sept'10	Office of Energy and Planning	RSA 14:30-a, VI	(14,925)	-	(14,925)		-	-		-

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Item #	Meeting	Department	Chapter / RSA Reference	Federal	Other	Total	Comments	Temporary Positions Established		Position End Date	Audit Fund Set-Aside
								Full-Time	Part-Time		
		Office of Energy and Planning Total		246,148	-	246,148		-	-		262
11-141	May'11	Resources & Economic Development	RSA 14:30-a, VI	35,550	-	35,550		-	-		-
11-153	June'11	Resources & Economic Development	RSA 14:30-a, VI	-	78,301	78,301	funds received from UNH to support broadband director pos established in FIS 11-029	-	-		-
		Resources & Economic Development Total		35,550	78,301	113,851		-	-		-
09-389	Dec'09	Public Utilities Commission	RSA 14:30-a, VI	70,547	-	70,547		-	-		71
10-145	May'10	Public Utilities Commission	RSA 14:30-a, VI	10,742	-	10,742		-	-		10
11-089	March'11	Public Utilities Commission	RSA 14:30-a, VI	(32,049)	-	(32,049)		-	-		-
		Public Utilities Commission Total		49,240	-	49,240		-	-		81
		FY 2013 Total		\$ 1,294,196	\$ 113,851	\$ 1,408,047		-	-		\$ 1,573
		CUMULATIVE TOTAL		\$ 798,533,741	\$ 13,573,632	\$ 812,107,374		57	22		\$ 669,799



JEFFRY A. PATTISON  
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Deputy Legislative Budget Assistant  
(603) 271-3161

State of New Hampshire  
OFFICE OF LEGISLATIVE BUDGET ASSISTANT  
State House, Room 102  
Concord, New Hampshire 03301

RICHARD J. MAHONEY, CPA  
Director, Audit Division  
(603) 271-2785

February 28, 2013

Fiscal Committee of the General Court  
The Honorable Mary Jane Wallner, Chairman  
State House  
Concord, New Hampshire 03301

Dear Representative Wallner and Members of the Committee,

I am writing to inform you of actions taken under the authority granted to me to approve step increases for employees of the LBA Office. I approved step increases as of the increment date for the following employees:

Michael Hoffman: Effective February 3, 2013, a one step increase from grade O-5 to grade O-6.

Date of hire: February 3, 1992 Date of previous increment: N/A

Richard J. Mahoney: Effective February 5, 2013, a one step increase from grade Q-4 to grade Q-5.

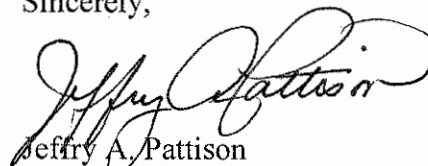
Date of hire: February 5, 2007 Date of previous increment: February 5, 2010

Owen M. Haberle: Effective February 6, 2013, a one step increase from grade K-Min to grade K-1.

Date of hire: February 6, 2012 Date of previous increment: N/A

Please let me know if you have any questions.

Sincerely,

  
Jeffrey A. Pattison  
Legislative Budget Assistant

JAP/rjm

JOINT LEGISLATIVE FACILITIES COMMITTEE  
 LEGISLATIVE BRANCH  
 DETAIL OF BALANCE OF FUNDS AVAILABLE  
 FISCAL YEAR 2013  
 As of 1/31/2013

Legislative Branch:	Org/ Class	Balance Forward	Appropriation	Income	Transfers	Expenditures	Encumbrances	Balance Available
<b>Senate:</b>	<b>1170</b>							
Personal svcs. - members	011		6,821.00			5,755.16		1,065.84
Personal svcs. - nonclassi	016		1,709,850.00			803,813.69		906,036.31
Current expenses	020		44,308.00		(119.00)	22,156.13		22,032.87
Rents-Leases other than state	022		9,500.00			5,082.95		4,417.05
Equipment	030		1,000.00					1,000.00
Telecommunications	039		24,192.00			9,230.78		14,961.22
Legal svcs.& consultants	046		77,000.00			16,085.38		60,914.62
Personal svcs. - temp/app	050		104,919.00			576.17		104,342.83
Benefits	060		606,495.00			331,893.19		274,601.81
Employee training	066		100.00		119.00	219.00		0.00
Travel:								
In state	070		155,000.00			32,891.73		122,108.27
Out of state	080		11,500.00			238.80		11,261.20
President's discretionary fund	285		4,499.00			3,555.34		943.66
Contingency	289		1.00					1.00
<b>Total</b>		0.00	2,755,185.00	0.00	0.00	1,231,498.32		1,523,686.68



Legislative Branch - continued:	Org/ Class	Balance Forward	Appropriation	Income	Transfers	Expenditures	Encumb rances	Balance Available
<b>House</b>	<b>1180</b>							
Personal srvs. - members	011		88,000.00			79,525.16		8,474.84
Personal srvs. - nonclassi	016		1,690,861.00			867,266.48		823,594.52
Current expenses	020		124,847.00		(3,200.00)	23,751.12		97,895.88
Rents-Leases Other than State	022		1,000.00		3,200.00	2,211.08		1,988.92
Maint. Other than bldg/grnd	024		6,000.00			5,904.00		96.00
Equipment	030		5,000.00		40,000.00			45,000.00
Telecommunications	039		36,653.00			16,172.59		20,480.41
Consultants	046		30,000.00		100,000.00 (E)	97,059.63		32,940.37
Personal srvs. - temp/app	050		231,722.00			48,688.80		183,033.20
Benefits	060		680,355.00			360,827.64		319,527.36
Employee training	066		500.00					500.00
Travel:								
In state	070		1,078,500.00		(40,000.00)	205,980.47		832,519.53
Out of state	080		125,000.00			7,465.11		117,534.89
Speaker's special fund	286		5,000.00			1,940.59		3,059.41
Democratic Leader's Account	287		3,500.00		(500.00)	1,287.69		1,712.31
Republican Leader's Account	288		3,000.00		500.00	1,085.97		2,414.03
Contingency	289		10,000.00					10,000.00
<b>Total</b>		<b>0.00</b>	<b>4,119,938.00</b>	<b>0.00</b>	<b>100,000.00</b>	<b>1,719,166.33</b>		<b>2,500,771.67</b>

		Balance Forward	Appropriation	Income	Transfers	Expenditures	Encumb rances	Balance Available
<b>Legislative Branch - continued:</b>								
<b>Operations</b>	<b>1160</b>							
Personal srvs. - nonclassi	016		193,299.00			111,350.70		81,948.30
Current expenses	020		5,000.00			440.08		4,559.92
Telecommunications	039		8,392.00			4,626.14		3,765.86
Own Forces Maint-Bldg & Grounds	047		2,000.00			81.74		1,918.26
Benefits	060		106,181.00			70,813.16		35,367.84
<b>Total</b>		0.00	314,872.00		0.00	187,311.82		127,560.18
<b>Joint Expenses</b>	<b>8677</b>							
Current expenses	020		65,108.00			6,686.93		58,421.07
Rents-Leases Other Than State	022		11,500.00			2,785.20		8,714.80
Organizational Dues	026		219,029.00			126,879.00		92,150.00
Equipment New/Replacement	030		100.00					100.00
Consultants	046		2,000.00					2,000.00
Transfer to Other State Agencies	049		3,000.00					3,000.00
Legislative Contingency	289		1.00					1.00
Legislative Printing & Binding	290		220,000.00			33,191.97		186,808.03
Joint Orientation	291		11,000.00			8,294.14		2,705.86
Redistricting	292		31,773.00					31,773.00
<b>Total</b>		0.00	563,511.00	0.00	0.00	177,837.24	0.00	385,673.76
Less estimated Revenue			-91,211.00	8,918.55	(A)			-82,292.45
<b>Total</b>		0.00	472,300.00	8,918.55	0.00	177,837.24	0.00	303,381.31
<b>Joint Legislative Historical Committee</b>	<b>8870-216</b>	63,985.79	10,000.00			7,510.03		66,475.76

Legislative Branch - continued:		Balance					Encumb	Balance
		Forward	Appropriation	Income	Transfers	Expenditures	rances	Available
<b>Visitor's Center:</b>	<b>1229</b>							
Personal srvs. - nonclassi	016		94,748.00			56,002.80		38,745.20
Current Expenses	020		776.00			280.78		495.22
Equipment	030		100.00					100.00
Telecommunications	039		1,224.00			485.16		738.84
Benefits	060		51,777.00			32,285.00		19,492.00
Employee training	066		100.00					100.00
<b>Total</b>		0.00	148,725.00		0.00	89,053.74		59,671.26
<b>Visitor's Ctr. Revolving Fund (G)</b>	<b>1230</b>							
Souvenir Purchases	106	12,019.62	0.00		37,052.00	16,001.89	0.00	33,069.73
Revenue	2016	37,052.91	0.00	24,300.52	(37,052.00) (B)			24,301.43
<b>Total</b>		49,072.53	0.00	24,300.52	0.00	16,001.89	0.00	57,371.16
<b>Legislative Accounting:</b>	<b>1166</b>							
Personal srvs. - nonclassi	016		191,655.00			112,389.03		79,265.97
Current expenses	020		2,006.00			110.74		1,895.26
Equipment	030		100.00					100.00
Telecommunications	039		994.00			405.00		589.00
Benefits	060		76,565.00			56,071.82		20,493.18
Employee training	066		100.00					100.00
Out of state travel	080		100.00					100.00
<b>Total</b>		0.00	271,520.00		0.00	168,976.59		102,543.41

Legislative Branch - continued:

	Org/ Class	Balance Forward	Appropriation	Income	Transfers	Expenditures	Encumb rances	Balance Available
<b>General Court Info. Systems:</b>	<b>4654</b>							
Personal svcs. - nonclassi	016		586,059.00			291,885.65		294,173.35
Current expenses	020		33,784.00			9,064.96		24,719.04
Equipment	030		10.00					10.00
Technology - Hardware	037		75,000.00			22,898.35		52,101.65
Technology - Software	038		87,000.00			21,545.56	0.00	65,454.44
Telecommunications	039		7,316.00			1,084.06		6,231.94
Consultants	046		10.00					10.00
Benefits	060		187,358.00			103,641.71		83,716.29
Employee training	066		10.00					10.00
In state travel	070		10.00					10.00
Out of state travel	080		10.00					10.00
<b>Total</b>		0.00	976,567.00		0.00	450,120.29	0.00	526,446.71

Protective Services:

	<b>1164</b>							
Personal svcs. - nonclassi	016		347,050.00			199,781.58		147,268.42
Current expenses	020		729.00			4.35		724.65
Equipment	030		1.00					1.00
Telecommunications	039		4,271.00			2,473.57		1,797.43
Personal svcs. - temp/app	050		3,884.00					3,884.00
Benefits	060		157,330.00			102,793.63		54,536.37
Employee training	066		1.00					1.00
Out-of-State Travel	080		1.00					1.00
<b>Total</b>		0.00	513,267.00		0.00	305,053.13		208,213.87

Legislative Branch - continued:

		Balance Forward	Appropriation	Income	Transfers	Expenditures	Encumb rances	Balance Available
<b>Health Services:</b>	<b>1165</b>							
Current expenses	020		1,525.00			365.26		1,159.74
Equipment	030		10.00					10.00
Telecommunications	039		475.00			264.53		210.47
Personal svcs. - temp/app	050		55,194.00			21,497.67		33,696.33
Benefits	060		4,660.00			1,644.56		3,015.44
Employee training	066		10.00					10.00
<b>Total</b>		0.00	61,874.00		0.00	23,772.02		38,101.98

Legislative Services:

	<b>1270</b>							
Personal svcs. - nonclassi	016		1,537,716.00			859,276.87		678,439.13
Current expenses	020		19,326.00			8,544.50		10,781.50
Rents-Leases other than State	022		5,800.00			2,852.00		2,948.00
Equipment	030		10.00					10.00
Telecommunications	039		7,074.00			3,762.64		3,311.36
Personal svcs. - temp/app	050		5,000.00			1,527.82		3,472.18
Benefits	060		524,419.00			359,720.56		164,698.44
Employee training	066		1,970.00					1,970.00
In state travel	070		10.00					10.00
Out of state travel	080		10.00					10.00
Printing and binding	290		10,000.00			3,333.17		6,666.83
<b>Total</b>		0.00	2,111,335.00		0.00	1,239,017.56		872,317.44
Less estimated revenue	009/2045		-4,166.00	1,185.20	©			-2,980.80
<b>Total</b>		0.00	2,107,169.00	1,185.20	©	1,239,017.56		869,336.64

Legislative Branch - continued:

		Balance Forward	Appropriation	Income	Transfers	Expenditures	Encumb rances	Balance Available
<b>Budget Division:</b>	<b>1221</b>							
Personal srvs. - nonclassi	016		637,469.00		45,000.00	399,388.06		283,080.94
Current expenses	020		10,967.00			5,298.73		5,668.27
Rents-Leases other than State	022		6,000.00			3,694.50		2,305.50
Organizational Dues	026		100.00					100.00
Equipment	030		2,500.00		9,000.00	6,745.96		4,754.04
Telecommunications	039		3,033.00			1,905.40		1,127.60
Consultants	046		15,000.00			8,060.00		6,940.00
Personal srvs. - temp/app	050		88,055.00		(14,000.00)			74,055.00
Benefits	060		218,925.00		87,000.00	171,442.99		134,482.01
Employee training	066		3,500.00			1,741.00		1,759.00
In state travel	070		500.00					500.00
Out of state travel	080		100.00		5,000.00	2,442.18		2,657.82
<b>Total</b>		0.00	986,149.00		132,000.00	600,718.82		517,430.18

Legislative Budget Assistant:

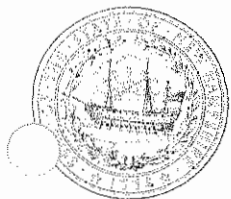
<b>Audit Division:</b>	<b>1222</b>							
Personal srvs. - nonclassi	016		2,076,150.00		(132,000.00)	986,697.93		957,452.07
Current expenses	020		12,860.00			6,666.87		6,193.13
Rents-Leases other than State	022		100,000.00		5,000.00	101,654.00		3,346.00
Equipment	030		20,000.00					20,000.00
Telecommunications	039		2,040.00			1,203.12		836.88
Consultans	046		570,000.00			402,012.00		167,988.00
Personal srvs. - temp/app	050		49,948.00		(5,000.00)	19,258.53		25,689.47
Benefits	060		814,604.00			446,798.94		367,805.06
Employee training	066		40,000.00			3,756.42		36,243.58
In state travel	070		15,000.00			3,949.61		11,050.39
Out of state travel	080		100.00					100.00
<b>Total</b>		0.00	3,700,702.00	0.00	(132,000.00)	1,971,997.42		1,596,704.58
Less estimated revenue	006/1251	282,875.00	-488,215.00	198,582.00		(D)		-6,758.00
<b>Total</b>		282,875.00	3,212,487.00	198,582.00	(132,000.00)	1,971,997.42		1,853,946.58

<b>Total</b>		395,933.32	15,950,053.00	232,986.27	100,000.00	8,188,035.20	0.00	8,490,937.39
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- (A) Proceeds from the sale of legislative subscriptions, advance sheets, permanent journals, and rosters, and royalties from Lexis Law Publishing.
  - (B) Pursuant to Chapter 177:151 State House Visitor's Center Revolving Fund established - Proceeds from sales of , souvenirs and expenditures from souvenir purchases transferred to V.C. Revolving account effective 10/18/06.
  - (C) Proceeds from sales of photocopies and rulemaking registers.
  - (D) Auditing fees
  - (E) Transferred in from Special Legislative Account - House Sub-account (Ch 224, L11)
- All class 10s and 12s - Personal Svcs. Permanent have been reclassified to class 16 - Personal Svcs. - nonclassified
- All class 13s and 16s - Personal Svcs. Non-permanent have been reclassified to class 50 - Personal Svcs. temp/appointe

# State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES  
OFFICE OF THE COMMISSIONER  
25 Capitol Street – Room 120  
Concord, New Hampshire 03301



LINDA M. HODGDON  
Commissioner  
(603) 271-3201

JOSEPH B. BOUCHARD  
Assistant Commissioner  
(603) 271-3204

January 31, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

## INFORMATIONAL ITEM

In accordance with 2011 N.H. Laws 224:80, Sale of Property, I respectfully submit this report regarding the progress of the sale of the Lakes Region Facility property in Laconia.

- A. Sale of Lakes Region Facility: 2011 N.H. Laws 224:80, Sale of Property, requires the Department of Administrative Services to offer the Lakes Region Facility property for sale to the City of Laconia "for not less than \$10 million." If the City does not accept that offer by July 1, 2012, then 2011 N.H. Laws 224:80 requires the Department to offer the property to Belknap County "at the fair market value." If the County does not accept that offer by August 15, 2012, then the Department is required to offer the property for sale on the open market "at no less than the fair market value" with a resulting sale to be completed by May 1, 2013. A formal offer was made to sell the property "as-is" to the City of Laconia for \$10 million. The City responded on April 24, 2012 with a counteroffer to purchase the property for \$2,160,000.00. 2011 N.H. Laws 224:80 does not authorize the Department to negotiate the offered sale price with the City or to accept a lower counteroffer. Because the City did not accept the offer to buy the property for \$10 million by July 1, 2012, a formal offer was made to sell the property "as-is" to the County of Belknap for \$1,760,000.00. That price is the estimated market value of the largest of the four parcels of land included in the property according to the final appraisal report issued on December 30, 2011 by the Chief Right-of-Way Appraiser of the Department of Transportation. The other three parcels were included in the offer to the County for no additional consideration, because as they are encumbered by a 99-year lease to the City they are assumed to have negligible value to any other party. By letter dated August 8, 2012 the Belknap County Board of Commissioners declined the offer to buy the property. Because the County did not accept the offer to buy the property by August 15, 2012, the Department has commenced preparations to offer the property for sale on the open market.



- B. Status of Sale Preparations: On December 30, 2011 the Chief Right-of-Way Appraiser of the Department of Transportation issued his final appraisal report. A boundary survey of the Lakes Region Facility property has been completed, and a subdivision plan and proposal have been developed to provide for the retention by the State of a relatively small portion of the property required for continuity of State agency operations. A subdivision application was filed with the City of Laconia Planning Department on January 25, 2012 and approved by the Laconia Planning Board at its April 3 meeting. Ongoing ancillary sale preparations include the determination of need for any utility reconfiguration or reservation of rights to ensure that the retention parcel is supported by utilities that are sufficiently independent of existing Lakes Region Facility infrastructure. The annexation of approximately 4 acres from the abutting Ahern State Park property, in order to provide road frontage for the retention parcel, is also underway. See the attached work plan spreadsheet for additional 2011 N.H. Laws 224:80 implementation details and budgeted cost estimates.
- C. Marketing Consultant RFP: On October 10, 2012, the Department issued a request for proposal (RFP) to select and hire an independent commercial real estate services firm to market the property on a national scale and to solicit comprehensive offers to purchase the property. An optional site visit for prospective RFP respondents was held at the property on October 24, 2012 and was attended by representatives from 2 real estate services firms. Proposals were due by November 16, 2012. Only one non-conforming proposal was received. Due to time constraints, the Department decided to cancel the RFP and approach the sole respondent about negotiating a marketing agreement. As of January 30, 2013 the terms of a proposed real property marketing agreement have been finalized between the Department and the vendor and the Department is awaiting receipt of the original contract and authority documents for submission to the Governor and Executive Council. The Department intends to submit the proposed real property marketing agreement to the Governor and Executive Council for approval at the meeting on February 20, 2013.

Respectfully Submitted,



Linda M. Hodgdon  
Commissioner

Attachment

Lakes Region Facility  
Work Plan to Implement 2011 N.H. Laws 224:80

Ref #	Task	Percent Complete	Project Plan - Revised 1/30/13			Task Leads		Budget Estimate	Comments / Dependencies
			Start	End	Duration	Primary Lead	Secondary Lead		
1	Preliminary Deed Review	100%		Completed	0 d	DAS		\$ -	
2	Preliminary Review of Encumbrances and Land Use Restrictions	100%		Completed	0 d	DAS		\$ -	
3	Market Value Appraisal (by Parcel)	100%		Completed	7 m	DOT		\$ 75,000	Appraisal is based on highest and best use as allowed by existing zoning. Market value is negatively impacted by likely environmental mitigation liabilities, existing buildings, structures and other artificial conditions.
4	Survey - Perimeter survey of each parcel including known easement areas, survey of Rte 106 frontage to determine driveway location, preparation of boundary and subdivision plats, locate and plot existing utilities, preparation of utility plan	99%	08/15/11	Ongoing	17.5 m	BPW/DAS	Contracted Services	\$ 56,673	Work complete; awaiting City Planning Dept. confirmation that subdivision approval contingencies have been satisfied and that subdivision plan has been recorded
5	Subdivision - Preparation and filing of subdivision application; City of Laconia subdivision review process	100%		Completed	5 m	BPW/DAS	Contracted Services	\$ 1,995	
6	Utility reconfiguration planning, determine/design easements as necessary	50%	11/01/11	Ongoing	TBD	DAS	BPW/Contracted Services	\$ -	Project to re-route Dube electrical supply from campus grid to Dwinell feed submitted in FY 2014-15 capital budget; other planning may have to wait until buyer is identified
7	Develop and release RFP for Redevelopment & Marketing Consultant; select top proposal; G&C authorization of contract needed	90%	05/01/12	02/20/13	10 m	DAS / F&MA		\$ -	RFP issued 10/10/12; proposals due 11/16/12; RFP cancelled and contract negotiated with sole respondent; seek G&C approval of contract on 2/20/13
8	Offer Lakes Region Facility property to City of Laconia for \$10 million	100%		Completed	4.5 m	DAS		\$ -	Offer sent to City; City responded with \$2.16 million counteroffer; 2011, 224:80 does not authorize negotiation with City on price; Offer to City expired 7/1/12
9	Lot line adjustment - Property transfer from DRED to DAS: transfer approx. 4 acres of Rte 106 frontage (Ahern State Park) to DAS to provide legal lot frontage for new subdivided retention parcel; LRPCUC approval; G&C approval of transfer needed	90%	04/15/12	02/20/13	10 m	DAS	DRED	\$ -	This is a discrete element of the larger subdivision plan; agreement reached with DRED in August 2012; resubmitted to LRPCUC (at LRPCUC request) and tabled at 9/18/12 meeting; LRPCUC approved on 11/27/12; submit to G&C for 2/20/13 meeting
10	Offer to City of Laconia Expires on 7/1/12	100%		Completed	N/A	N/A		\$ -	City did not accept offer by 7/1/12 deadline
11	Offer Lakes Region Facility property to Belknap County for market value	100%		Completed	45 d	DAS		\$ -	Offer sent to County to sell property for \$1,760,000; County responded on 8/8/12 with letter declining offer
12	Offer to Belknap County Expires on 8/15/12	100%		Completed	N/A	N/A		\$ -	County declined offer by letter dated 8/8/12
13	Redevelopment & Marketing Consultant - Field work; develop and execute marketing plan; solicit offers	0%	02/20/13	Undeterminable	TBD	Contracted*		\$ -	Dependency: G&C approval of contract
14	Disposition - Closing No Later Than	0%		05/01/13	N/A	DAS		\$ -	Sale to be completed by 5/1/13 per 2011, 224:80; one major obstacle is continuing presence and operation of DRF on property

\$ 133,668

**Notes**

- \* Consultant fees will be paid solely from sale proceeds.
- \* No CORD or LRPCUC approval is required



STATE OF NEW HAMPSHIRE  
DEPARTMENT OF CORRECTIONS  
DIVISION OF ADMINISTRATION

P.O. BOX 1806  
CONCORD, NH 03302-1806  
603-271-5610 FAX: 603-271-5639  
TDD Access: 1-800-735-2964

William L. Wrenn  
Commissioner

Bob Mullen  
Director

January 18, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

**INFORMATIONAL ITEM**

Pursuant to Chapter 223:13, Laws of 2011, the New Hampshire Department of Corrections is required to reduce state general fund appropriations by \$6,000,000 for the fiscal year ending June 30, 2012 and by \$7,000,000 for the fiscal year ending June 30, 2013. The Department is to provide a quarterly report of reductions made under this section to the fiscal committee of the general court.

The report attached reflects the Department's progress to date for the SFY 2013 budget reduction requirement.

Sincerely,

A handwritten signature in cursive script, appearing to read "William L. Wrenn".

William L. Wrenn  
Commissioner

<b>DOC SFY 2013 Budget Reduction Progress Report to Fiscal Committee</b> <b>Quarter ending December 2012</b> <b>Department of Corrections</b>
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<b>Back of the Budget Reduction Legislatively Mandated - SFY 2013</b>	<b>7,000,000</b>
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<b>Specific Class Lines Reductions taken in September 2012 report</b>				
<b>Org #</b>	<b>Class #</b>	<b>Org Name</b>	<b>Description of DOC Cuts</b>	
8302	102	Field Services	Reduce Administrative Home Confinement (AHC) budget	230,000
8302	050	Field Services	Transfer funding of part-time staff to non-general funds	40,000
8234	101	Medical/Dental	Reduce medical budgeted appropriation	884,000
8236	100	Pharmacy	Reduce pharmacy budgeted appropriation	216,000
				<b>1,370,000</b>

<b>Specific Reduction taken by G&amp;C approval, 11/14/2012, item #64</b>	
Supplement general funds with federal funds, Victim Services, accounting unit #8338	8,223

<b>Other Reductions in Process</b>	
1. Keep the equivalent of approximately 61 security, medical and program positions vacant throughout the entire fiscal year. Reduction to be accomplished via DAS Bureau of Accounts action. This savings does not include the sweep by Dept. of Administrative Services per Chapter 224:202 Laws of 2011.	5,000,000
2. Restructured inmate canteen program; replacing general funds with canteen funds	400,000
3. Other miscellaneous reductions to be determined by 6/30/2013	221,777
<b>Total Budget Reductions Mandated - SFY 2013</b>	<b>7,000,000</b>



# New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500  
(603) 271-3421  
FAX (603) 271-1438

www.WildNH.com  
e-mail: info@wildlife.nh.gov  
TDD Access: Relay NH 1-800-735-2964

January 29, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

In accordance with RSA 206:42, Search and Rescue, the NH Department of Fish & Game is submitting the following Quarterly Report of Expenditures for the period October 1, 2012 to December 31, 2012.

Balance Forward from FY 2012 (Undesignated Reserve)	\$	(\$76,309.44)
Plus: Revenue FY 2013	+	34,947.34
Less: Expenditures (1 <sup>st</sup> Qtr. 07/01/11 - 09/30/11) (1)	-	93,636.53
Less: Expenditures (2 <sup>nd</sup> Qtr. 10/01/12 -12/31/12) (2)	-	73,791.93
Personal Services		56,337.40
Current Expenses		5,585.14
Equipment		0.00
Benefits		11,869.39
In-State Travel		0.00
Out-of-State Travel		0.00
Total Expenditures – 2 <sup>nd</sup> Qtr. (2)	-	73,791.93
Less Encumbrances	-	8,642.90
Balance Available 12/31/12 (per NHFirst)		<u>\$(217,433.46)</u>

Footnotes:

1) Expenditures of \$93,636.53 shown represent direct expenditures charged to the Search & Rescue account in the 1<sup>st</sup> Quarter of the Fiscal Year.

2) Expenditures of \$73,791.93 shown represent direct expenditures charged to the Search & Rescue account in the 2<sup>nd</sup> Quarter of the Fiscal Year.

**REGION 1**

629B Main Street  
Lancaster, NH 03584-3612  
(603) 788-3164  
FAX (603) 788-4823  
email: reg1@wildlife.nh.gov

**REGION 2**

PO Box 417  
New Hampton, NH 03256  
(603) 744-5470  
FAX (603) 744-6302  
email: reg2@wildlife.nh.gov

**REGION 3**

225 Main Street  
Durham, NH 03824-4732  
(603) 868-1095  
FAX (603) 868-3305  
email: reg3@wildlife.nh.gov

**REGION 4**

15 Ash Brook Court  
Keene, NH 03431  
(603) 352-9669  
FAX (603) 352-8798  
email: reg4@wildlife.nh.gov

ACTIVITY SUMMARY

During the period of October 1 to December 31, 2012, the Law Enforcement Division participated in the following Search & Rescue activities:

47 Missions involving the search for and/or rescue of 50 individuals – 194.5 reg. hours costing \$7,959.49, + 650.25 OT hours costing \$25,435.42 and \$80 in boat cost = 844.75 total hours, total cost \$33,474.91 and 9,251 miles.

0 Drowning Missions for the recovery of 0 victims — 0 reg. hours + 0 OT hours = 0 total hours, 0 miles.

47 Total Missions — 194.5 reg. hours + 650.25 OT hours = 844.75 total hours, total cost \$33,474.91 and 9,251 miles.

Miscellaneous activities including dive team training, search and rescue training, equipment maintenance or relays, educational or training speaking engagements, etc. – 15 reg. hours costing \$631.20, + 0.0 OT hours = 15 total hours, 220 miles, 24.5 ATV miles.

TOTAL: 209.5 reg. hours + 650.25 OT hours = 859.75 total hours, total cost \$34,106.11 and 9,494.5 miles.

ACTIVITY SUMMARY UPDATE FOR PERIOD JULY 1, 2012 THROUGH SEPTEMBER 30, 2012

During the period July 1 to September 30, 2012, the Law Enforcement Division participated in the following Search and Rescue activities:

23 Missions involving the search for and/or rescue of 29 individuals – 652.5 reg. hours costing \$25,994.00, + 935.5 OT hours costing \$36,368.71 = 1,588 total hours, total cost \$62,362.71 and \$80 in boat cost, 17,556 miles, and 53 ATV miles.

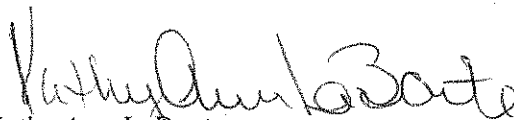
Miscellaneous activities including dive team training, search and rescue training, equipment maintenance or relays, educational or training speaking engagements, etc. – 13 reg. hours costing \$547.04, + 0.0 OT hours = 13 total hours, 270 miles.

TOTAL: 665.5 reg. hours + 935.5 OT hours = 1,601 total hours, total cost \$62,989.75 and 17,879 miles.

Respectfully submitted,



Glenn Normandeau  
Executive Director



Kathy Ann LaBonte  
Chief, Business Division



## New Hampshire Liquor Commission

50 Storrs Street, P.O. Box 503  
Concord, N.H. 03302-0503  
(603) 230-7026

Joseph W. Mollica  
Chairman

Michael R. Milligan  
Commissioner

January 30, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

### INFORMATIONAL ITEM

Pursuant to RSA 176:16, Funds:

*V. The commission may transfer funds totaling up to 5 percent of the operating budget in any fiscal year for any specific purposes to funds for other purposes within and among the appropriations for the operation of the commission. The commission shall report on a semi-annual basis to the fiscal committee of the general court all transfers accomplished under the provisions of this section. The provisions of this section shall not be subject to RSA 9:16-a, RSA 9:17-a, and RSA 9:17-c.*

For the period from July 1, 2012 through December 31, 2012, the Liquor Commission transferred \$54,000 in appropriated funds within and among organizational units, (approximately .1% of our FY2013 adjusted authorized budget). An outline of the transfers is provided below:

#### Equipment, \$30,000:

A transfer into the Division of Enforcement equipment account was performed to allow for the replacement of aging and maintenance heavy enforcement cruisers. Appropriations to replace the cruisers were originally budgeted in the lease account, however it was determined that it would be in the States best interest to buy the vehicles instead of leasing them and paying finance charges.

#### Out-of State Travel, \$10,000:

A transfer of \$10,000 into the Out-of state travel budget of the marketing budget was performed to allow our two wine buyers to travel out of state for educational wine conferences and seminars, and to arrange for special wine purchases direct from the wineries which result in exceptional selections at discounted pricing.

#### Grants, \$14,000

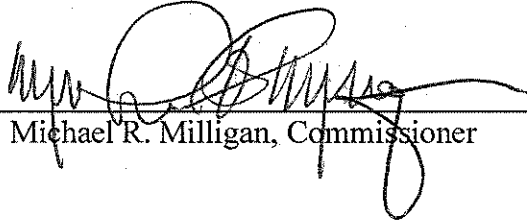
Transfers totaling \$14,000 were required within our grant budgets to adjust for the difference between actual award amounts received from grantors and those budgeted for during the biennial budget process.

Respectfully Submitted  
New Hampshire State Liquor Commission



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Joseph W. Mollica, Chairman



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Michael R. Milligan, Commissioner





## New Hampshire Liquor Commission

50 Storrs Street, P.O. Box 503  
Concord, N.H. 03302-0503  
(603) 230-7026

FIS 13 067

Joseph W. Mollica  
Chairman

Michael R. Milligan  
Commissioner

February 4, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

### INFORMATIONAL ITEM

Pursuant to Chapter 224, Laws of 2011, the New Hampshire Liquor Commission respectfully submits its quarterly report on Chapter 224-91, Liquor Commission; Employee Incentive Program and Chapter 224-92: Amended 177:1a Temporary State Stores, to the Joint Fiscal Committee.

1. In accordance with Chapter 224:91 – Liquor Commission; Employee Incentive Program.

*The liquor commission may develop and implement an employee incentive system for monetary incentives for its store managers and employees to reward superior customer service, organization and appearance of retail stores, creativity and attractiveness of displays, workplace safety records, and other relevant and objective criteria related to customer service and sales. The liquor commission shall report quarterly to the fiscal committee of the general court on the status of the incentive program. The incentive program shall be implemented through rules adopted by the commission in accordance with RSA 541-A.*

The Liquor Commission is in the final stages of developing an employee incentive system. To date no monetary incentives for store managers or employees have been issued. Once the draft policy is completed, it will be reviewed by the Attorney General's Office, and then forwarded to the rules committee for approval in accordance with RSA 541-A.

2. In accordance with Chapter 224:92 Amended 177:1-a Temporary State Stores.

*The commission may lease, rent, and equip, in the name of the state, stores or space in buildings such as airports or shopping malls and in large venues such as racetracks, temporary stores for the sale or promotion of liquor or related products as are necessary to carry out the provisions of this chapter, except that no such store shall be operated within 200 feet of any public or private school, church, chapel, or parish house. The liquor commission shall report quarterly to the fiscal committee of the general court on the status of temporary stores.*

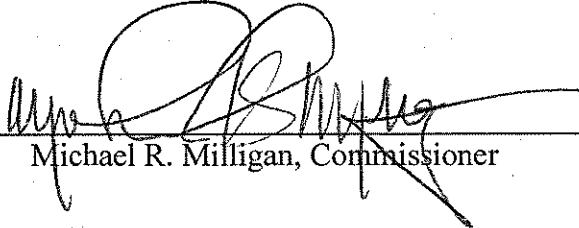
To date the Liquor Commission has not established any temporary stores in shopping malls or racetracks.

Respectfully Submitted  
New Hampshire State Liquor Commission



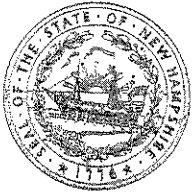
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Joseph W. Mollica, Chairman



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Michael R. Milligan, Commissioner



# State of New Hampshire

DEPARTMENT OF HEALTH AND HUMAN SERVICES

129 PLEASANT STREET, CONCORD, NH 03301-3857

~~XXXXXX~~ FAX: 603-271-4912 TDD ACCESS: 1-800-735-2964

**New Number: 603-271-9200**

NICHOLAS A. TOUMPAS  
COMMISSIONER

January 18, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

**Re: Dashboard – December 2012**

## Information

Pursuant to Chapters 223:6 (HB1) and 224:14 (HB2), Laws of 2011, the Department of Health and Human Services is providing this dashboard report, which, along with the quarterly report to the Fiscal Committee on expenditures for the Medicaid program, provides a status on demand for services in entitlement programs. The purposes of this dashboard are to:

1. Provide summary information on enrollments in several high cost programs managed by the Department,
2. Monitor high level fiscal issues to ensure sufficient funding is available for entitlement programs and for programs intended by the legislature, and to
3. Provide a summary of significant administrative and operations initiatives.

## Explanation

### Mission

Data from the U.S. Census Bureau indicate the official poverty rate for 2011 was 15%, or a record 46 million people. This does not take into account non-cash aid such as food stamps, which if counted, lowers the poverty rate to 13.7%. The Department's mission is "to join communities and families in providing opportunities for citizens to achieve health and independence." The majority of individuals serviced by the Department fall into three groups, and programs to help these individuals require different approaches with differing objectives.

- Permanently Disabled Individuals include the developmentally disabled, frail elderly and those with mental health issues who require long term care services. The objective is to help them maximize their independence, to allow to the extent it is safe for the individual, to live within a community, while recognizing that for many there will always be a need for long-term services and supports.
- Temporarily Low Income Individuals are those who have exhausted their financial resources due a loss of employment, divorce, or temporary health issues. These individuals have the ability to likely recover their independence when jobs are available or their current crises are overcome with the appropriate interim supports.
- Chronically Low Income Individuals are the most complex. Breaking the cycle of poverty for the chronically low income requires a commitment from public and state leaders to invest in programs that will support a coordinated statewide effort including not only the Department of Health and Human Services, but also Education, Corrections, and Employment Security.

For the six months ended December 2012, the Department provided services to an average of 156,791 individuals per month. This represented an increase of 1.9% over the prior year. The largest programs managed by the Department are the food stamp, Medicaid, and FANF programs, which provide supports to low-income individuals. As noted in the following table, growth in caseloads for these programs has slowed from the years of the recession but remain at high, unprecedented levels. The growth in Medicaid is related to integration of the Children's Health Insurance Program (CHIP). Adjusting for this change, Medicaid caseloads remain flat versus the prior year.

**Statistics**

**Average Monthly Enrollment (Persons) Six Months Ended December**

	2009	2010	2011	2012
Total Unduplicated Persons	142,985	151,633	153,947	156,791
<i>Pct Increase from Prior Year</i>	12.44%	6.05%	1.53%	1.85%
Medicaid Persons	115,365	119,064	119,554	129,917
<i>Pct Increase from Prior Year</i>	10.23%	3.21%	0.41%	8.67%
Food Stamp Persons	93,102	110,689	114,560	117,837
<i>Pct Increase from Prior Year</i>	37.77%	18.89%	3.50%	2.86%
FANF Persons	13,775	13,821	11,875	8,656
<i>Pct Increase from Prior Year</i>	22.94%	0.33%	-14.08%	-27.11%
APTD Persons	8,075	8,664	8,909	8,247
<i>Pct Increase from Prior Year</i>	14.52%	7.29%	2.83%	-7.43%
Elderly Nursing Services	7,310	7,225	7,122	7,292
<i>Pct Increase from Prior Year</i>	2.41%	-1.15%	-1.43%	2.39%

Medicaid Program-Medicaid is the largest and most costly program administered by the Department. Total Medicaid costs account for in excess of 70% of total Department costs. Medicaid caseloads have stabilized but, as noted previously, remain at historic highs. A recent forecast developed for the Department is for a 1.0% annual increase in caseloads. Caseloads for the last quarter, however, were flat when compared to the prior year. Pursuant to SB147, the Department is implementing a managed care program to provide these services, which will not change the eligibility, but will impact how Medicaid services are delivered.

FANF Caseloads-Year-to-date enrollment for Financial Assistance for Needy Families (FANF) has decreased by 27% from the previous year. Much of this reduction is related to termination of the two-parent program as part of the budget, as well as changes to the criteria applied to other programs for eligibility.

Cash Assistance For Disabled Clients

Year-to-date enrollment for Aid to the Permanently and Totally Disabled (APTD) have declined 7% from prior year. Most of the decline in caseloads is related to the change in treatment of Social Security Income in determining eligibility for benefits. The cost per case has also declined as a result of a

Department initiative, the Facilitated Social Security Applications project, which has assisted clients to obtain Social Security benefits, reducing the amount of State assistance.

Food Stamps- New Hampshire food stamp caseloads are still increasing although the growth rate has slowed to under 3%.

### **Operations & Administration**

The Department has been restructuring and downsizing the administrative organization. The budget for SFY2012-2013 abolished 373 positions, thus permanently reducing the size of the organization. In June 2008, the Department had 3,107 filled positions; today the Department has 2,633 filled positions, a decrease of 15.3%. This downsizing of the organization comes at a time when the Department is also being tasked to implement mandated elements of the Accountable Care Act and significant transformation initiatives such as Medicaid managed care, redesign of supports for clients for community-based care, re-engineering front end operations, and implementation of enabling technologies. The decline in number of staff is exacerbated by the fact that 9% of the Department's workforce is age 60 with at least 10 years of services and eligible for retirement. This potential drain of experienced staff combined with the organizational downsizing and transformation challenges creates risk to the Department's core competencies.

### **Litigation & Audits**

In addition to managing current operations and working toward implementation of the significant transformation initiatives required in the budget for SFY2013, Department resources have become disproportionately directed at and continue to be consumed to addressing audits and litigation including:

- Litigation involving acute care hospitals
- Litigation involving the Olmstead regulations for the mental health services
- Litigation involving providers of residential care for children
- Managing the disproportionate share program
- Office of Inspector General audits
- Federal review of Title IV-E
- LBA audits such as the recently completed audit of NH Hospital and the new audit of the Sununu Youth Services Center
- State Single Audit

### **Summary**

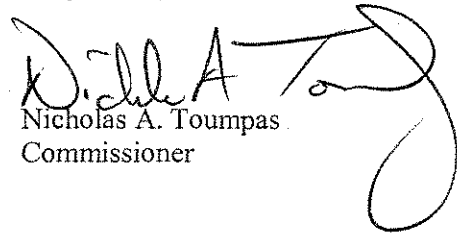
The Department has continually strived to deliver high quality and cost-effective services to individuals requiring support services and to the taxpayers who fund those services and to improve the value of the services delivered. Addressing the root causes for the needs for these services requires a long-term, coordinated effort among state agencies, stakeholders and the legislature. The four primary change initiatives for the Department are:

1. Care management for client enrollment in the Medicaid program,
2. Reengineering service delivery systems,

3. Investing in enabling technologies and
4. Continuous process improvement.

Successful transition to a new business structure, however, is challenged by continuing reduction in resources and resistance from existing delivery systems and stakeholders. Other challenges will be encountered if federal sequestration reduces funding to safety net programs.

Respectfully submitted,

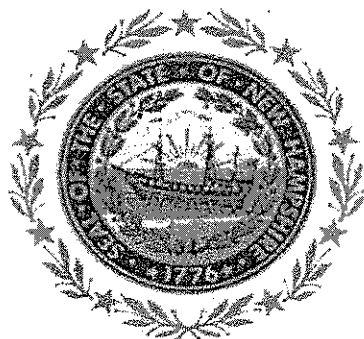


Nicholas A. Toumpas  
Commissioner

Enclosure

- cc: The Honorable Mary Jane Wallner, Chairman, House Finance Committee  
The Honorable Chuck W. Morse, Chairman, Senate Finance Committee  
The Honorable Cindy Rosenwald, Chairman, House Finance Division III  
The Honorable James MacKay, Chairman, House Health, Human Services & Elderly Affairs Committee  
The Honorable Naney Stiles, Senate Health, Education & Human Services Committee  
Her Excellency, Governor Margaret Wood Hassan  
The Honorable Raymond S. Burton  
The Honorable Colin Van Ostern  
The Honorable Chris Sununu  
The Honorable Christopher Pappas  
The Honorable Debora B. Pignatelli  
The Honorable Neal Kurk  
The Honorable Terie Norelli  
The Honorable Peter Bragdon

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**



**OPERATING STATISTICS DASHBOARD**

**DATA THROUGH DECEMBER 2012**

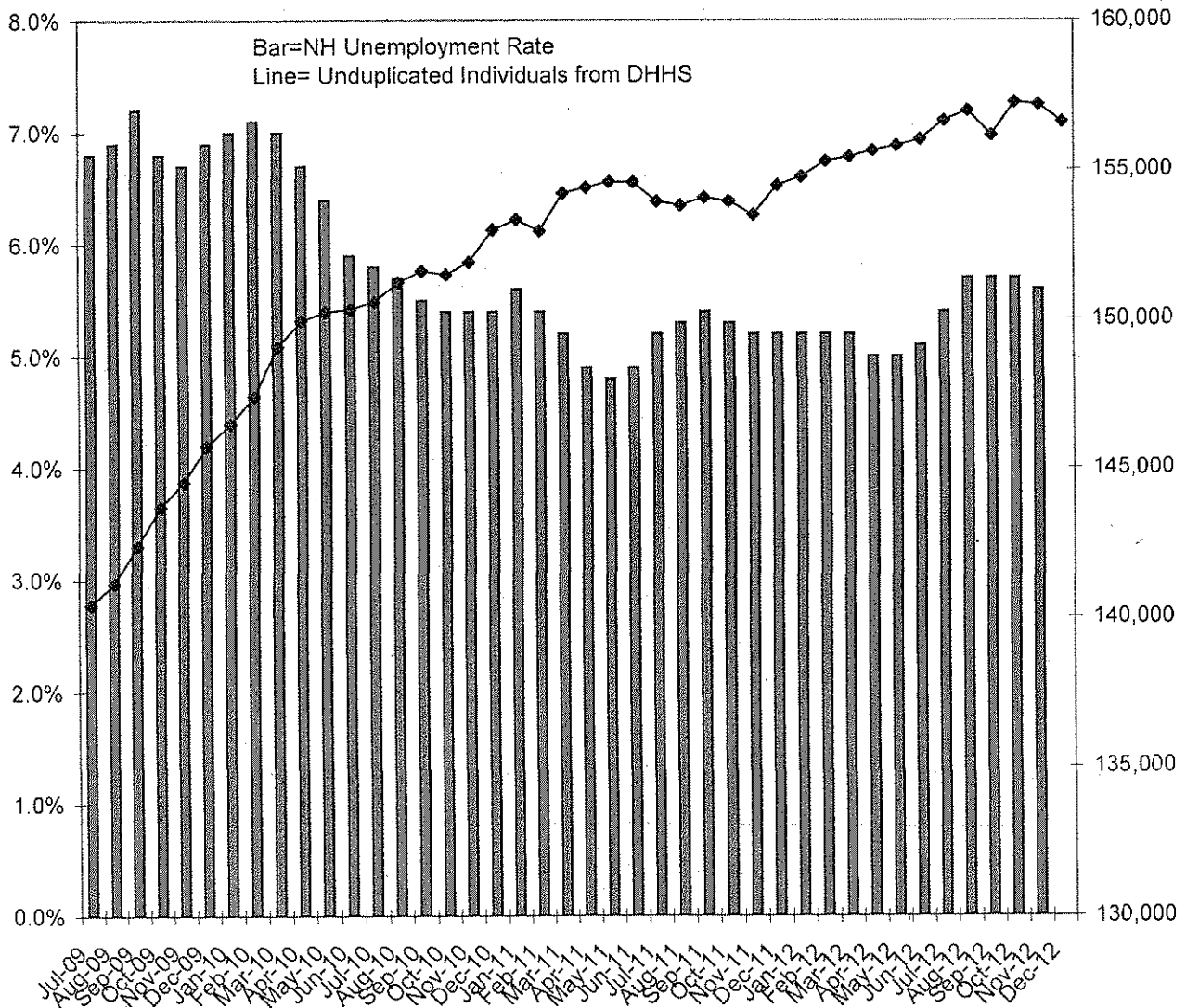
**SFY13**

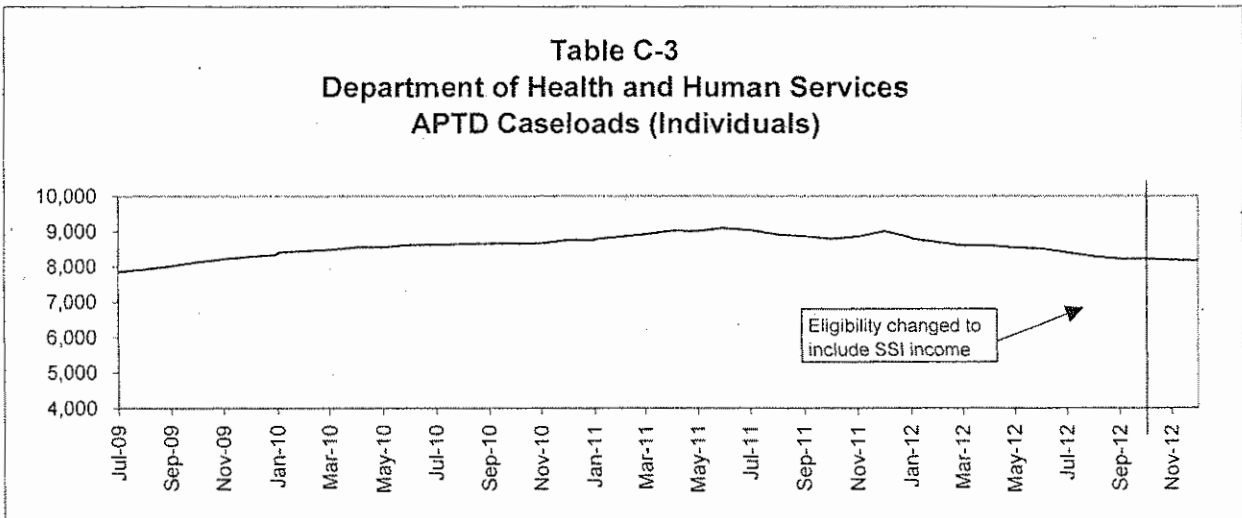
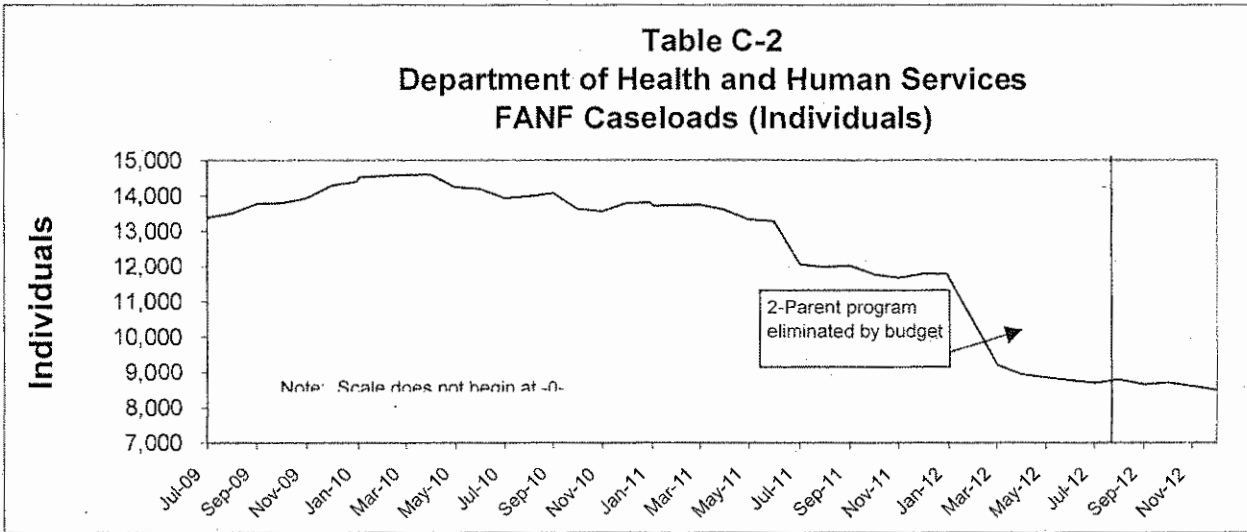
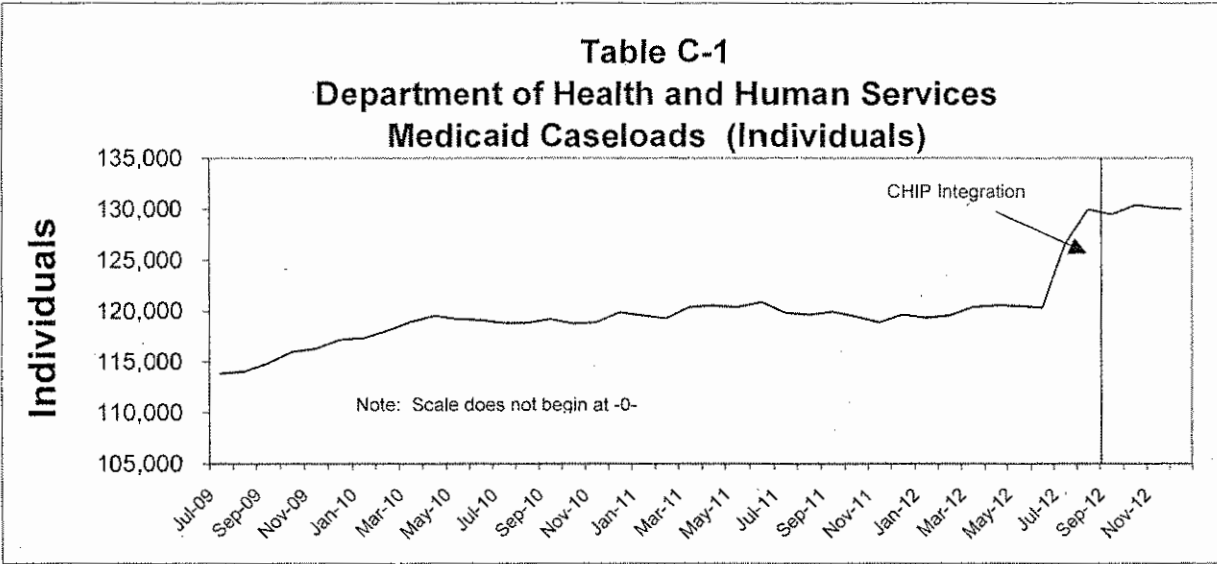
Prepared January 17, 2013

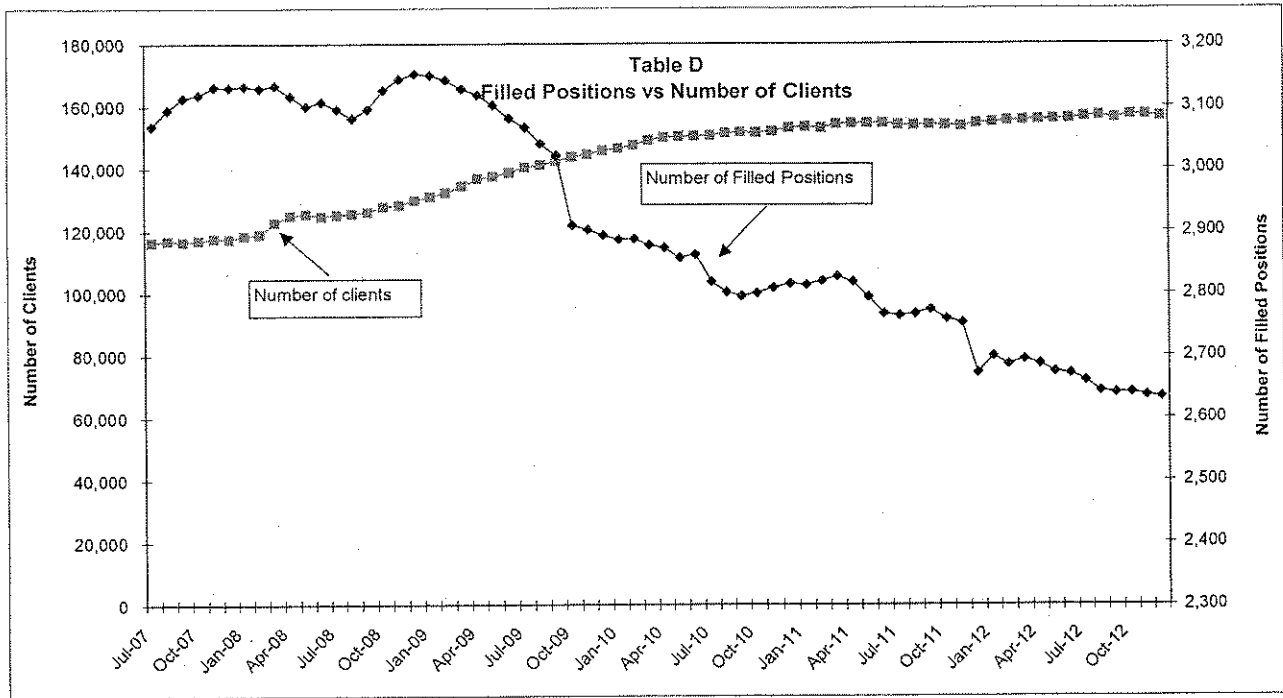
	A	B	C	I	J	K	L
1	<b>Table A</b>						
2	<b>Department of Health and Human Services</b>						
3	<b>Budget Management-SFY 2013</b>						
4	Prepared January 17, 2013						
5			<i>Figures Rounded to \$000</i>	Estimated Nov 12	Estimated Dec 12	January Transfer	
6	<b>Department-Wide</b>						
7	OCCOMM	Reduce number of district offices (HB2:42)		(\$1,402)	(\$1,402)	\$1,402	x
8	OCCOMM	Vacancy Savings-See note 3		\$2,810	\$3,078	(\$2,702)	x
9	DHHS	Consolidation of Human Resources (HB2:84)					
10	DHHS	Consolidation of Business Functions (HB2:85)					
11	Varicus	Source of funds changes to SSBG		\$1,214	\$1,214	(\$1,200)	x
12	OIS	DoIT Budgeting Error		(\$658)	(\$958)	\$598	x
13	OIS	MMIS contracts		(\$2,000)	(\$2,000)	\$2,000	x
14		Other items-Not listed				(\$5,003)	
15	<b>DCBCS</b>						
16	BBH	Caseloads-BBH		\$0	\$0		
21	BDS	Caseloads-BDS					
22							
23	BEAS	Nursing Facilities		\$0	\$0		
24	BEAS	Home Health		\$2,210	\$2,150		
25	BEAS	Home Support		\$130	\$400		
26	BEAS	Mid-level		\$120	\$100		
27	BEAS	Net Nursing Lines (Transfer Prohibited)		(\$2,460)	(\$2,650)		
28							
29	BEAS	State Phase Down Contribution (SPDC)		\$1,150	\$1,310	(\$1,150)	x
30	BEAS	Other Nursing Facilities		\$320	\$320	(\$160)	x
31	BEAS	Caseloads-Medicaid Provider Payments -See note 1		\$1,760	\$3,000	(\$880)	x
32							
33	<b>Human Services</b>						
34	DFA	Caseloads-APTD and ANB		\$1,500	\$2,200	(\$2,200)	x
35	DFA	IDP Caseloads		\$1,200	\$1,500	(\$1,500)	x
36	DCYF	TANF & Title IV-E funding		(\$1,565)	(\$1,565)	\$1,500	x
37							
38	Care Mgt	Delay in implementation of Care Management-See note 2		(\$9,000)	(\$11,250)		
39							
40	<b>OMBP</b>						
41	OMBP	Caseloads-Medicaid Provider Payments -See note 1		\$19,909	\$18,494	\$5,000	
42	OMBP	Caseloads-Medicaid Drugs-See note 1		\$7,052	\$5,972	(\$2,998)	
43	OMBP	PBM Contract		(\$230)	(\$230)	\$230	
44	OMBP	State Phase Down Contribution (SPDC)		\$2,528	\$2,528	(\$2,000)	
45	OMBP	CHIP Performance Bonus		(\$1,300)	(\$1,300)	\$1,300	
46	OMBP	CHIP		(\$546)	(\$483)	\$483	
47	OMBP	Outpatient		(\$5,539)	(\$5,529)	\$7,000	
48	OMBP	BCC Program		(\$389)	(\$342)	\$280	
49	OMBP	Fiscal item (Feb submission est.) to accept/expend CHIPRA funding			\$4,000		
50	<b>Operating Budget Surplus</b>			<b>\$16,814</b>	<b>\$18,557</b>	<b>\$0</b>	
51							
52	<b>Litigation &amp; Audits</b>						
53	DHHS	Medicaid To Schools-Manchester		(\$500)	(\$500)		
54	DHHS	Medicaid To Schools-Transportation		(\$2,000)	(\$2,000)		
55	DHHS	ACF Title IV-E Review		???	???		
56	DHHS	DSH Settlement		(\$17,904)	(\$17,904)		
57	BEAS	Bel-Air Settlement		\$0	\$0		
58	DHHS	Hospital Lawsuit		???	???		
59	DHHS	Department of Justice Litigation		???	???		
60	NHH	DSH Claiming-Pending CMS Adoption of Rules		???	???		
61	DCYF	SFY 2004 - 2006 Residential Services		(\$2,800)	(\$2,800)		
62	DCYF	SFY 2007 - 2010 Residential Services		???	???		
63							
64	<b>Projected Shortfall in Funding of Litigation &amp; Audits</b>			<b>(\$23,204)</b>	<b>(\$23,204)</b>	<b>\$0</b>	
65							
66	<b>Projected Surplus (Deficit) Excluding Lapse</b>			<b>(\$6,390)</b>	<b>(\$4,647)</b>	<b>\$0</b>	
67							
68	<b>Notes:</b>						
	Prior month projections were based upon the assumption that caseloads and utilization growth would be as budgeted.						
69	1	Results for the first quarter results have shown enrollment declines in TANF and APTD and no growth in Medicaid medical service caseloads. Caseload assumptions for SFY13 have been modified assuming these trends hold for the balance of SFY13.					
70							
71	2	Each month of delay of managed care implementation beyond 4/1/13 will increase general fund need by approx. \$1.25 million.					
72							
73	3	The number of vacant positions averaged 222 for SFY12. The number of vacancies has been increased to 257 at the end					



**Table B**  
**Department of Health and Human Services**  
**Caseload vs Unemployment Rate**







	A	B	C	D	E	F	G	H
1	Table E							
2	Department of Health and Human Services							
3	Operating Statistics							
4	Children In Services							
5								
6		DCYF	DCYF	Family Foster	Residential	Child Care	Child Care	SYSC
7		Referrals	Assessments	Care	Placement	Emplmnt	Wait List	Secure
8				Placement		Related		Census
9		Actual	Actual	Actual	Actual	Actual	Actual	Actual
10								
23	Jul-10	987	638	663	424	5,041	2,386	55
24	Aug-10	1,012	659	646	413	4,903	2,508	53
25	Sep-10	1,182	691	627	400	4,769	2,666	50
26	Oct-10	1,110	651	625	414	4,407	2,505	57
27	Nov-10	1,125	593	626	426	4,487	2,361	64
28	Dec-10	1,072	746	630	410	4,345	1,382	60
29	Jan-11	1,131	831	616	403	4,475	326	59
30	Feb-11	1,076	888	618	394	4,743	0	57
31	Mar-11	1,339	909	619	424	5,083	0	61
32	Apr-11	1,165	805	628	427	5,162	0	73
33	May-11	1,240	810	631	425	5,251	0	80
34	Jun-11	1,237	697	629	423	5,333	0	73
35	Jul-11	963	737	574	351	5,053	0	68
36	Aug-11	1,073	776	583	317	5,055	0	65
37	Sep-11	1,261	674	580	289	5,136	0	61
38	Oct-11	1,197	742	590	302	4,969	0	52
39	Nov-11	1,116	640	602	311	5,047	0	44
40	Dec-11	1,123	777	610	321	5,017	0	48
41	Jan-12	1,289	881	590	309	4,925	0	56
42	Feb-12	1,183	725	596	298	4,869	0	64
43	Mar-12	1,300	767	602	331	4,970	0	62
44	Apr-12	1,223	784	603	332	4,967	0	63
45	May-12	1,477	876	612	350	5,231	0	69
46	Jun-12	1,057	873	613	352	5,274	0	69
47	Jul-12	1,100	681	605	323	5,175	0	60
48	Aug-12	1,050	744	611	317	5,219	0	57
49	Sep-12	1,151	681	619	295	5,050	0	56
50	Oct-12	1,344	898	612	306	5,076	0	60
51	Nov-12	1,098	656	609	321	5,061	0	57
52	Dec-12	1,086	656	601	325	4,995	0	59
53	Jan-13							
54	Feb-13							
55	Mar-13							
56	Apr-13							
57	May-13							
58	Jun-13							
59								
60								
61								
62								
63								
64								
65								
66	<b>Source of Data</b>							
67	Column							
68	B	DCYF SFY Management Database Report: Bridges.						
69	C	DCYF Assessment Supervisory Report: Bridges.						
70	D	Bridges placement authorizations during the month, unduplicated.						
71	E	Bridges placement authorizations during the month, unduplicated.						
72	F	Bridges Expenditure Report, NHB-OAR8-128						
73	G	Child Care Wait List Screen: New Heights						
74	H	Bridges Service Day Query - Bed days divided by days in month						

	A	B	C	D	E	F	G	H	I	J
1	Table F									
2	Department of Health and Human Services									
3	Operating Statistics									
4	Social Services									
5										
6		FANF	APTD Persons	Food Stamps Persons	Child Support Cases					
7					Current Cases	Former Cases	Never Cases	Total Cases		
8					Actual	Actual	Actual	Actual		
9		Actual	Actual	Actual	Actual	Actual	Actual	Actual		
22	Jul-10	13,920	8,617	109,131	5,550	17,304	13,123	35,977		
23	Aug-10	13,981	8,643	109,950	5,758	17,120	13,138	36,016		
24	Sep-10	14,065	8,650	110,588	5,508	17,374	13,072	35,954		
25	Oct-10	13,615	8,656	110,694	5,726	17,177	13,051	35,954		
26	Nov-10	13,553	8,667	111,476	5,645	17,262	13,026	35,933		
27	Dec-10	13,789	8,749	112,293	5,577	17,345	12,986	35,908		
28	Jan-11	13,796	8,740	113,127	5,716	17,142	12,965	35,823		
29	Feb-11	13,705	8,779	112,803	5,654	17,189	12,917	35,760		
30	Mar-11	13,730	8,912	114,023	5,411	17,425	12,942	35,778		
31	Apr-11	13,597	9,019	114,482	5,435	17,379	12,986	35,800		
32	May-11	13,330	9,009	114,611	5,586	17,150	12,961	35,697		
33	Jun-11	13,272	9,088	114,441	5,401	17,296	12,902	35,599		
34	Jul-11	12,046	9,031	113,984	5,302	17,277	12,906	35,485		
35	Aug-11	11,980	8,905	114,285	5,416	17,099	12,842	35,357		
36	Sep-11	12,014	8,864	114,344	5,163	17,225	12,748	35,136		
37	Oct-11	11,756	8,763	114,705	5,365	17,081	12,749	35,195		
38	Nov-11	11,668	8,854	114,371	5,325	17,095	12,728	35,148		
39	Dec-11	11,787	9,006	115,671	5,192	17,184	12,760	35,136		
40	Jan-12	11,781	8,834	117,047	5,360	17,052	12,793	35,205		
41	Feb-12	11,628	8,792	117,293	5,327	17,066	12,836	35,229		
42	Mar-12	9,202	8,600	117,250	4,211	18,113	12,897	35,221	*	
43	Apr-12	8,950	8,575	117,443	4,308	17,966	12,876	35,150		
44	May-12	8,853	8,541	117,744	4,308	17,881	12,845	35,034		
45	Jun-12	8,774	8,518	117,708	4,139	17,952	12,898	34,989		
46	Jul-12	8,690	8,405	117,625	4,184	17,771	12,928	34,883		
47	Aug-12	8,793	8,296	117,916	4,031	17,760	12,899	34,690		
48	Sep-12	8,657	8,218	117,569	4,038	17,722	12,853	34,613		
49	Oct-12	8,704	8,216	119,101	4,261	17,526	12,865	34,652		
50	Nov-12	8,599	8,181	118,992	4,066	17,650	12,862	34,578		
51	Dec-12	8,493	8,164	118,817	4,051	17,653	12,893	34,597		
52	Jan-13									
53	Feb-13									
54	Mar-13									
55	Apr-13									
56	May-13									
57	Jun-13									
58										
59	Source of Data									
60	Column									
61	B	Office of Research & Analysis, Ca								
62	C	Budget Document								
63	D	Budget Document								
64	E-H	DCSS Caseload (Month End Actual from NECSES)								
65										
66		* Effective 3/1/12, SSI or SSP is considered when determining FANF eligibility.								
67		Those child support cases no longer eligible, are now "Former" assistance								
68		cases.								
69										

	A	B	C	D	E	F	G	H	I
1	<b>Table G</b>								
2	<b>Department of Health and Human Services</b>								
3	<b>Operating Statistics</b>								
4	<b>Community Mental Health Center Medicaid</b>								
5									
6		<b>Monthly Cost</b>	<b>YTD Weekly Average Cost</b>		<b>Medicaid Client Trending Report</b>				
7		<b>Actual</b>	<b>Actual</b>		Current Date: 1/7/13		Note: All figures are year-to-date		
20	Jul-10	\$7,988,373	\$ 1,597,675		<b>ACTUALS - YTD</b>				
21	Aug-10	\$7,136,649	\$ 1,680,558		<b>FISCAL YEAR</b>	<b>QTR 1</b>	<b>QTR 2</b>	<b>QTR 3</b>	<b>QTR 4</b>
22	Sep-10	\$6,629,711	\$ 1,673,441		2008	11,016	13,553	15,497	17,392
23	Oct-10	\$8,685,885	\$ 1,691,145		2009	12,014	14,693	16,849	19,206
24	Nov-10	\$8,628,997	\$ 1,775,892		2010	13,240	16,187	18,580	20,797
25	Dec-10	\$6,900,690	\$ 1,702,604		2011	13,480	16,390	18,410	20,665
26	Jan-11	\$6,184,140	\$ 1,682,401		2012	13,358	15,775	17,447	19,925
27	Feb-11	\$6,740,043	\$ 1,682,700		2013	12,334			
28	Mar-11	\$7,382,305	\$ 1,699,405		<b>BUDGETED - YTD</b>				
29	Apr-11	\$9,302,312	\$ 1,757,654		<b>FISCAL YEAR</b>	<b>QTR 1</b>	<b>QTR 2</b>	<b>QTR 3</b>	<b>QTR 4</b>
30	May-11	\$7,547,988	\$ 1,731,814		2011	12,541	15,333	17,599	19,699
31	Jun-11	\$7,992,643	\$ 1,752,303		2012	13,806	16,787	18,856	21,165
32	Jul-11	\$7,631,195	\$ 1,526,239		2013	14,214	16,786	18,565	21,202
33	Aug-11	\$6,879,546	\$ 1,612,305						
34	Sep-11	\$8,259,497	\$ 1,626,446						
35	Oct-11	\$6,551,174	\$ 1,628,967						
36	Nov-11	\$6,684,985	\$ 1,636,654		<b>VARIANCE: BUDGETED TO ACTUAL - YTD</b>				
37	Dec-11	\$8,227,790	\$ 1,638,303		<b>FISCAL YEAR</b>	<b>QTR 1</b>	<b>QTR 2</b>	<b>QTR 3</b>	<b>QTR 4</b>
38	Jan-12	\$6,020,154	\$ 1,621,108		2012	-448	-1,012	-1,409	-1,240
39	Feb-12	\$6,992,712	\$ 1,635,630		2013	-1,880			
40	Mar-12	\$8,495,420	\$ 1,643,562						
41	Apr-12	\$7,164,315	\$ 1,656,972						
42	May-12	\$7,280,134	\$ 1,670,561						
43	Jun-12	\$8,576,998	\$ 1,674,791						
44	Jul-12	\$6,080,133	\$ 1,520,033						
45	Aug-12	\$8,396,227	\$ 1,608,484						
46	Sep-12	\$6,638,801	\$ 1,624,243						
47	Oct-12	\$6,557,972	\$ 1,627,831						
48	Nov-12	\$8,163,038	\$ 1,628,917						
49	Dec-12	\$6,888,680	\$ 1,643,264						
50	Jan-13								
51	Feb-13								
52	Mar-13								
53	Apr-13								
54	May-13								
55	Jun-13								
56									

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
	<b>Table H</b>													
2	<b>Department of Health and Human Services</b>													
3	<b>Operating Statistics</b>													
4	<b>Elderly &amp; Adult Long Term Care</b>													
5														
6		<b>Total Nursing Clients</b>		<b>CFI Home Health</b>	<b>CFI Midlevel</b>	<b>Other Nursing</b>	<b>Nursing Home Beds</b>		<b>Pct in NF</b>	<b>APS Clients Assmnts</b>	<b>APS Cases Ongoing</b>	<b>SSBG AIHC Waitlist</b>	<b>Total SSBG AIHC</b>	
7		<b>Actual</b>	<b>Budget</b>			<b>Note 1</b>	<b>3 mo. Avg</b>	<b>Budget</b>						
8														
20	Jul-10	7,284	7,740	2,541	384	36	4,359	4,063	59.8%	250	1,121	5		
21	Aug-10	7,223	7,740	2,494	389	34	4,340	4,063	60.1%	221	1,118	1		
22	Sep-10	7,112	7,740	2,513	365	32	4,234	4,063	59.5%	228	1,104	0	506	
23	Oct-10	7,150	7,740	2,527	387	35	4,236	4,063	59.2%	228	1,080	0		
24	Nov-10	7,237	7,740	2,557	396	28	4,284	4,063	59.2%	221	1,067	3		
25	Dec-10	7,346	7,740	2,530	413	32	4,403	4,063	59.9%	183	1,068	0	614	
26	Jan-11	7,217	7,740	2,468	416	32	4,333	4,063	60.0%	178	1,039	3		
27	Feb-11	7,164	7,740	2,548	385	33	4,231	4,063	59.1%	162	1,040	6		
28	Mar-11	7,127	7,740	2,544	388	32	4,195	4,063	58.9%	203	1,042	3		
29	Apr-11	7,221	7,740	2,511	422	31	4,288	4,063	59.4%	222	1,041	3		
30	May-11	7,079	7,740	2,485	417	34	4,177	4,063	59.0%	207	1,058	8		
31	Jun-11	7,094	7,740	2,436	420	35	4,238	4,063	59.7%	238	1,077	4	740	YTD
32	Jul-11	7,142	7,515	2,499	443	31	4,200	4,400	58.8%	200	1,069	1		
33	Aug-11	7,196	7,515	2,396	456	37	4,344	4,400	60.4%	226	1,083	2		
34	Sep-11	7,174	7,515	2,382	447	32	4,345	4,400	60.6%	236	1,091	2	532	YTD
35	Oct-11	7,053	7,515	2,340	442	33	4,271	4,400	60.6%	253	1,108	2		
36	Nov-11	7,037	7,515	2,350	432	35	4,255	4,400	60.5%	212	1,103	2		
37	Dec-11	7,132	7,515	2,356	446	32	4,330	4,400	60.7%	220	1,095	-	667	YTD
38	Jan-12	7,189	7,515	2,357	439	34	4,393	4,400	61.1%	215	1,077	9		
39	Feb-12	7,312	7,515	2,417	418	33	4,477	4,400	61.2%	215	1,084	9		
40	Mar-12	7,518	7,515	2,530	448	31	4,540	4,400	60.4%	240	1,065	13	740	YTD
41	Apr-12	7,368	7,515	2,450	433	34	4,485	4,400	60.9%	223	1,053	9		
42	May-12	7,343	7,515	2,486	439	33	4,418	4,400	60.2%	223	1,084	5		
43	Jun-12	7,376	7,515	2,554	436	34	4,386	4,400	59.5%	245	1,095	16	786	YTD
44	Jul-12	7,225	7,578	2,401	444	34	4,380	4,422	60.6%	238	1,096	9		
45	Aug-12	7,448	7,578	2,468	471	39	4,509	4,422	60.5%	251	1,087	5		
46	Sep-12	7,281	7,578	2,454	462	37	4,365	4,422	60.0%	209	1,092	6	518	YTD
47	Oct-12	7,293	7,578	2,475	464	35	4,354	4,422	59.7%	243	1,137	1		
48	Nov-12	7,254	7,578	2,478	482	34	4,294	4,422	59.2%	200	1,203	1		
49	Dec-12	7,253	7,578	2,433	484	34	4,336	4,422	59.8%	178	1,186	1	635	YTD
50	Jan-13													
51	Feb-13													
52	Mar-13													
53	Apr-13													
54	May-13													
55	Jun-13													
56														
57														
58		<b>Note 1: These clients are also captured under OMBP Provider Payments</b>												
59		<b>Note : CFI Home Health = CFI Home Support and Home Health Care Waiver Services</b>												
60	<b>Source of Data</b>													
61	<b>Columns</b>													
62														
63	<b>D-F</b>	MDSS monthly client counts												
64	<b>G</b>	3 month Avg of the number of paid bed days in the month/days in prior month												
65		by the number of days in the previous month. MDSS												
66	<b>J</b>	Options Monthly Protective Reports												
67	<b>K</b>	Options Monthly Activity Report												
68	<b>L</b>	SSBG Adult In-Home Care verbal report from Adult Protective Services Administrator												
69	<b>M</b>	Quarterly Options Paid Claims from Business Systems Unit Manager												

	A	B	C	D	E	F	G	H	I	J
1	<b>Operating Statistics</b>									
2	<b>Developmental Services Long Term Care</b>									
3										
4										
5		<b>BDS Programs served FYTD**</b>	<b>BDS Programs - FYTD Unduplicated Count</b>	<b>Early Supports &amp; Services</b>	<b>Special Medical Services</b>	<b>Partners in Health Program</b>	<b>Devl. Serv. Priority #1 DD Waitlist</b>	<b>Devl. Serv. ABD Waitlist</b>		<b>Medicaid to Schools</b>
6					<small>8-09 to 8-12 Actual</small>	<small>8-09 to 8-12 Actual</small>	<small>Actual*</small>	<small>Actual*</small>		
7	Aug-09	11,213	7,459	1,817	2,006	874	37	0		
8	Sep-09	11,534	7,882	1,823	1,868	892	37	0		
9	Oct-09	12,014	8,241	1,811	2,019	877	37	0		
10	Nov-09	12,561	8,703	1,760	2,044	907	37	0		
11	Dec-09	12,906	9,036	1,803	2,048	911	19	0		
12	Jan-10	13,631	9,836	1,826	1,917	939	19	0		
13	Feb-10	14,403	10,575	1,753	1,928	950	19	0		
14	Mar-10	14,493	10,650	1,869	1,849	997	47	0		
15	Apr-10	14,844	11,084	1,864	1,576	1,092	47	0		
16	May-10	15,446	11,830	1,857	1,620	998	47	0		
17	Jun-10	14,693	12,015	1,861	1,660	1,018	20	0		6,612
18	Jul-10	9,505	6,463	1,927	1,652	1,390	40	0		
19	Aug-10	10,574	7,826	2,054	1,690	1,058	13	0		
20	Sep-10	11,107	8,324	2,069	1,730	1,053	9	0		
21	Oct-10	11,667	8,826	2,087	1,767	1,074	21	1		
22	Nov-10	12,438	9,600	2,128	1,768	1,070	19	0		
23	Dec-10	12,732	9,959	2,101	1,667	1,106	19	0		
24	Jan-11	13,152	10,344	1,972	1,659	1,149	19	0		
25	Feb-11	13,567	10,817	2,017	1,613	1,137	19	0		
26	Mar-11	13,900	11,098	2,182	1,651	1,151	20	0		
27	Apr-11	14,201	11,337	2,277	1,695	1,169	30	0		
28	May-11	14,623	11,713	2,339	1,742	1,168	30	0		
29	Jun-11	15,148	12,168	2,344	1,772	1,208	24	4		6,785
30	Jul-11	10,626	7,627	2,248	1,795	1,204	56	6		
31	Aug-11	10,953	7,957	1,799	1,806	1,190	34	8		
32	Sep-11	11,146	8,328	2,329	1,811	1,007	34	10		
33	Oct-11	11,500	8,529	2,668	1,841	1,130	46	9		
34	Nov-11	11,918	9,077	2,917	1,727	1,114	58	9		
35	Dec-11	12,290	9,445	3,057	1,742	1,103	62	0		
36	Jan-12	12,535	9,848	3,274	1,667	1,020	66	0		
37	Feb-12	12,767	10,112	3,468	1,663	992	71	0		
38	Mar-12	13,133	10,455	3,661	1,695	983	78	0		
39	Apr-12	13,510	10,802	3,922	1,702	1,006	81	0		
40	May-12	13,850	11,122	4,154	1,740	988	90	0		
41	Jun-12	14,248	11,513	4,423	1,737	998	94	0		6,419
42	Jul-12	9,742	7,055	1,891	1,689	998	123	0		
43	Aug-12	10,324	7,590	2,083	1,738	996	123	0		
44	Sep-12	11,000	8,156	2,288	1,814	1,030	154	0		
45	Oct-12	11,701	8,774	2,601	1,876	1,051	169	0		
46	Nov-12	12,207	9,209	2,861	1,935	1,063	172	0		
47	Dec-12	12,562	9,502	3,033	1,980	1,080	190	0		
48	Jan-13									
49	Feb-13									
50	Mar-13									
51	Apr-13									
52	May-13									
53	Jun-13									
54										
55										
56										
57	<b>Data Sources:</b>	NHLeads	NHLeads	NHLeads	SMSdb	PIHdb	Registry	Registry		
58										
59	<b>*G &amp; *H</b> Represent the number of individuals waiting at least 90-days for DD or ABD									
60	Waiver funding.									
61	<b>**</b> BDS count excludes MTS Students served									
62	<b>E &amp; F</b>	Represents year-to-date total number served								



	A	B	C	D	E	F	G	H	I	J	K
1	Table I										
2	Department of Health and Human Services										
3	Operating Statistics										
4	Shelter & Institutions										
5											
6		NHH				BHHS					Glenciff
7		APS & APC Census	APS & APC Admissions	THS Census		Individual Bednights	% of		Family Bednights	% of	GH Census
8		Actual	Actual	Actual	Capacity	Actual	Capacity	Capacity	Actual	Capacity	Actual
9											
22	Jul-10	148	178	41	11,408	8,444	74%	806	595	74%	112
23	Aug-10	145	185	41	10,304	7,523	73%	728	599	82%	112
24	Sep-10	146	184	42	11,040	8,032	73%	780	688	88%	112
25	Oct-10	145	191	43	10,757	8,668	81%	780	687	88%	112
26	Nov-10	162	200	43	10,590	9,101	86%	780	622	80%	113
27	Dec-10	156	173	40	10,943	9,539	87%	806	612	76%	113
28	Jan-11	154	184	42	11,997	10,525	88%	806	667	83%	109
29	Feb-11	156	160	43	10,836	10,606	98%	728	627	86%	106
30	Mar-11	159	219	44	11,657	10,528	90%	806	639	79%	109
31	Apr-11	152	204	42	10,590	9,141	86%	780	680	87%	111
32	May-11	153	228	44	10,943	8,785	80%	806	622	77%	113
33	Jun-11	139	199	43	10,590	9,019	85%	780	588	75%	113
34	Jul-11	142	209	43	10,943	9,368	86%	806	627	78%	113
35	Aug-11	134	192	41	10,943	9,590	88%	806	732	91%	115
36	Sep-11	128	196	41	10,590	9,719	92%	768	744	97%	115
37	Oct-11	149	200	37	10,943	10,781	99%	806	826	102%	117
38	Nov-11	150	193	36	10,590	10,779	102%	780	885	113%	116
39	Dec-11	151	202	36	11,521	11,721	102%	806	877	109%	113
40	Jan-12	153	207	0	12,090	12,173	101%	806	883	110%	115
41	Feb-12	153	191	0	11,310	11,137	98%	754	770	102%	118
42	Mar-12	153	184	0	12,090	11,049	91%	806	837	104%	118
43	Apr-12	153	200	0	10,590	9,945	94%	780	817	105%	118
44	May-12	155	208	0	10,943	10,510	96%	806	898	111%	117
45	Jun-12	149	187	0	10,590	9,845	93%	780	869	111%	119
46	Jul-12	145	161	0	10,943	9,568	87%	806	685	85%	118
47	Aug-12	149	193	0	10,943	9,573	87%	806	755	94%	118
48	Sep-12	151	162	0	9,870	9,304	94%	780	674	86%	119
49	Oct-12	150	178	0	10,199	9,826	96%	806	757	94%	119
50	Nov-12	150	161	0	9,870	9,369	95%	780	763	98%	117
51	Dec-12	150	125	0	10,133	9,420	93%	754	808	107%	117
52	Jan-13										
53	Feb-13										
54	Mar-13										
55	Apr-13										
56	May-13										
57	Jun-13										
58											
59											
60											
61	Source of Data										
62	Column										
63	B	Daily in-house midnight census averaged per month									
64	C	Daily census report of admissions totalled per month									
65	D	Daily in-house midnight census averaged per month									
66	E	Total number of individual bednights available in emergency shelters									
67	F	Total number of individual bednights utilized in emergency shelters									
68	G	Percentage of individual bednights utilized during month									
69	H	Total number of family bednights available in emergency shelters									
70	I	Total number of family bednights utilized in emergency shelters									
71	J	Percentage of family bednights utilized during month									
72	K	Daily in-house midnight census averaged per month									

	A	B	C	D	E	F	G	H	I
1	<b>Table J</b>								
2	<b>Department of Health and Human Services</b>								
3	<b>Office of Medicaid Business and Policy</b>								
4	<b>Budget V. Actual Medical Expenditures</b>								
5									
6	<b>Medicaid Provider Payments</b>								
7	<b>(Provider Payments, Outpatient Hospital, Prescription Drugs)</b>								
8		<b>Budgeted</b>	<b>Expended</b>	<b>Excess/Shortfall</b>					
9	Jul-12	\$33,504,813	\$28,381,979	\$5,122,834					
10	Aug-12	\$41,881,016	\$41,797,437	\$83,579					
11	Sep-12	\$33,504,813	\$28,699,192	\$4,805,621					
12	Oct-12	\$33,504,813	\$33,671,491	(\$166,678)					
13	Nov-12	\$41,881,016	\$38,025,298	\$3,855,719					
14	Dec-12	\$33,504,813	\$37,862,968	(\$4,358,155)					
15	Jan-13	\$33,504,813	\$33,313,504	\$191,309					
16	Feb-13	\$33,504,813	\$37,417,717	(\$3,912,904)					
17	Mar-13	\$41,881,016	\$43,681,850	(\$1,800,834)					
18	Apr-13	\$33,504,813	\$37,675,766	(\$4,170,953)					
19	May-13	\$41,881,016	\$39,973,973	\$1,907,038					
20	Jun-13	\$33,504,813	\$39,925,655	(\$6,420,842)					
21	<b>Total</b>	<b>\$435,562,571</b>	<b>\$440,426,836</b>	<b>(\$4,864,265)</b>					
22									
23									
24	<b>CHIP Fee-for-service</b>								
25		<b>Budgeted</b>	<b>Expended</b>	<b>Excess/(Shortfall)</b>					
26	Jul-12	\$1,154,694	\$431,145	\$723,549					
27	Aug-12	\$1,443,368	\$1,398,498	\$44,870					
28	Sep-12	\$1,154,694	\$1,147,111	\$7,583					
29	Oct-12	\$1,154,694	\$1,324,754	(\$170,060)					
30	Nov-12	\$1,154,694	\$1,534,985	(\$380,291)					
31	Dec-12	\$1,443,368	\$1,572,977	(\$129,609)					
32	Jan-13	\$1,154,694	\$1,426,649	(\$271,955)					
33	Feb-13	\$1,154,694	\$1,425,113	(\$270,424)					
34	Mar-13	\$1,443,368	\$1,398,904	\$44,464					
35	Apr-13	\$1,154,694	\$1,408,292	(\$253,597)					
36	May-13	\$1,443,368	\$1,427,384	\$15,984					
37	Jun-13	\$1,154,694	\$1,441,101	(\$286,406)					
38	<b>Total</b>	<b>\$15,011,027</b>	<b>\$15,936,918</b>	<b>(\$925,891)</b>					
39									
40									
41	<b>BCCP</b>								
42	<b>(Provider Payments, Outpatient Hospital, Prescription Drugs)</b>								
43		<b>Budgeted</b>	<b>Expended</b>	<b>Excess/Shortfall</b>					
44	Jul-12	\$251,156	\$278,082	(\$26,926)					
45	Aug-12	\$313,945	\$378,267	(\$64,322)					
46	Sep-12	\$251,156	\$317,636	(\$66,480)					
47	Oct-12	\$251,156	\$342,295	(\$91,139)					
48	Nov-12	\$251,156	\$345,771	(\$94,615)					
49	Dec-12	\$313,945	\$371,182	(\$57,237)					
50	Jan-13	\$251,156	\$329,871	(\$78,715)					
51	Feb-13	\$251,156	\$339,348	(\$88,192)					
52	Mar-13	\$313,945	\$438,913	(\$124,968)					
53	Apr-13	\$251,156	\$339,348	(\$88,192)					
54	May-13	\$313,945	\$409,458	(\$95,513)					
55	Jun-13	\$251,156	\$339,348	(\$88,192)					
56	<b>Total</b>	<b>\$3,265,027</b>	<b>\$4,229,520</b>	<b>(\$964,493)</b>					
57									
58									
59	<b>Notes:</b>								
60	Shaded figures are estimates								
61	Department of Health and Human Services; Reduction in Appropriation. In the event that estimated restricted revenues collected by the								
62	department of health and human services in the aggregate are less than budgeted, during the biennium ending June 30, 2013, the total								
63	appropriations to the department of health and human services shall be reduced by the amount of the shortfall in either actual or projected								
64	revenue. The commissioner of the department of health and human services shall notify the bureau of accounting, in writing, no later than								
65	April 1st of each year as to precisely which line item appropriation and in what specific amount reductions are to be made in order to fully								
66	compensate for the total revenue deficits.								
67	The above Budgeted and Excess/Shortfall amounts do not include Jan Dept Transfer								

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
Table K																			
Department of Health and Human Services																			
Caseloads Versus Prior Year & Prior Month																			
	Unduplicated Persons			Medicaid Persons			Long Term Care-Seniors			FANF Persons			APTD Persons			SNAP Persons			
	Actual	Vs PY	Vs Pmo	Actual	Vs PY	Vs Pmo	Actual	Vs PY	Vs Pmo	Actual	Vs PY	Vs Pmo	Actual	Vs PY	Vs Pmo	Actual	Vs PY	Vs Pmo	
32	Jul-10	150,572	7.2%	0.2%	118,831	4.4%	-0.2%	7,284	-4.3%	1.4%	13,920	4.1%	-1.8%	8,617	9.7%	0.0%	109,131	25.7%	0.4%
33	Aug-10	151,231	7.2%	0.4%	118,841	4.2%	0.0%	7,223	-1.4%	-0.8%	13,981	3.6%	0.4%	8,643	8.9%	0.3%	109,950	23.2%	0.8%
34	Sep-10	151,609	6.5%	0.2%	119,213	3.8%	0.3%	7,112	-0.8%	-1.5%	14,065	2.1%	0.6%	8,650	7.8%	0.1%	110,588	20.4%	0.6%
35	Oct-10	151,486	5.4%	-0.1%	118,770	2.4%	-0.4%	7,150	-4.1%	0.5%	13,615	-1.2%	-3.2%	8,656	6.5%	0.1%	110,694	16.8%	0.1%
36	Nov-10	151,906	5.1%	0.3%	118,882	2.2%	0.1%	7,237	-0.5%	1.2%	13,553	-2.7%	-0.5%	8,667	5.4%	0.1%	111,476	15.2%	0.7%
37	Dec-10	152,991	5.0%	0.7%	119,845	2.3%	0.8%	7,346	4.5%	1.5%	13,789	-3.5%	1.7%	8,749	5.6%	0.9%	112,293	13.2%	0.7%
38	Jan-11	153,338	4.7%	0.2%	119,554	1.9%	-0.2%	7,217	-1.3%	-1.8%	13,796	-4.1%	0.1%	8,740	4.8%	-0.1%	113,127	12.0%	0.7%
39	Feb-11	152,942	3.7%	-0.3%	119,255	1.0%	-0.3%	7,164	-0.7%	-0.7%	13,705	-5.6%	-0.7%	8,779	4.4%	0.4%	112,803	9.8%	-0.3%
40	Mar-11	154,218	3.5%	0.8%	120,395	1.3%	1.0%	7,127	-2.9%	-0.5%	13,730	-5.9%	0.2%	8,912	5.1%	1.5%	114,023	8.5%	1.1%
41	Apr-11	154,397	3.0%	0.1%	120,532	0.9%	0.1%	7,221	-2.0%	1.3%	13,597	-6.8%	-1.0%	9,019	5.4%	1.2%	114,482	7.7%	0.4%
42	May-11	154,589	2.9%	0.1%	120,353	1.0%	-0.1%	7,079	-1.3%	-2.0%	13,330	-6.4%	-2.0%	9,009	5.3%	-0.1%	114,611	6.0%	0.1%
43	Jun-11	154,572	2.8%	0.0%	120,867	1.5%	0.4%	7,094	-1.3%	0.2%	13,272	-6.4%	-0.4%	9,088	5.5%	0.9%	114,441	5.3%	-0.1%
44	Jul-11	153,928	2.2%	-0.4%	119,814	0.8%	-0.9%	7,142	-1.9%	0.7%	12,046	-13.5%	-9.2%	9,031	4.8%	-0.6%	113,984	4.4%	-0.4%
45	Aug-11	153,803	1.7%	-0.1%	119,628	0.7%	-0.2%	7,196	-0.4%	0.8%	11,980	-14.3%	-0.5%	8,905	3.0%	-1.4%	114,285	3.9%	0.3%
46	Sep-11	154,055	1.6%	0.2%	119,916	0.6%	0.2%	7,174	0.9%	-0.3%	12,014	-14.6%	0.3%	8,864	2.5%	-0.5%	114,344	3.4%	0.1%
47	Oct-11	153,942	1.6%	-0.1%	119,437	0.6%	-0.4%	7,053	-1.4%	-1.7%	11,756	-13.7%	-2.1%	8,793	1.6%	-0.8%	114,705	3.6%	0.3%
48	Nov-11	153,484	1.0%	-0.3%	118,901	0.0%	-0.4%	7,037	-2.8%	-0.2%	11,668	-13.9%	-0.7%	8,854	2.2%	0.7%	114,371	2.6%	-0.3%
49	Dec-11	154,470	1.0%	0.6%	119,626	-0.2%	0.6%	7,132	-2.9%	1.4%	11,787	-14.5%	1.0%	9,006	2.9%	1.7%	115,671	3.0%	1.1%
50	Jan-12	154,765	0.9%	0.2%	119,338	-0.2%	-0.2%	7,189	-0.4%	0.8%	11,781	-14.6%	-0.1%	8,834	1.1%	-1.9%	117,047	3.5%	1.2%
51	Feb-12	155,274	1.5%	0.3%	119,553	0.2%	0.2%	7,312	2.1%	1.7%	11,628	-15.2%	-1.3%	8,792	0.1%	-0.5%	117,293	4.0%	0.2%
52	Mar-12	155,424	0.8%	0.1%	120,382	0.0%	0.7%	7,518	5.5%	2.8%	9,202	-33.0%	-20.9%	8,600	-3.5%	-2.2%	117,250	2.8%	0.0%
53	Apr-12	155,639	0.8%	0.1%	120,538	0.0%	0.1%	7,368	2.0%	-2.0%	8,950	-34.2%	-2.7%	8,595	-4.7%	-0.1%	117,443	2.6%	0.2%
54	May-12	155,789	0.8%	0.1%	120,520	0.1%	0.0%	7,343	3.7%	-0.3%	8,853	-33.6%	-1.1%	8,541	-5.2%	-0.6%	117,744	2.7%	0.3%
55	Jun-12	156,002	0.9%	0.1%	120,335	-0.4%	-0.2%	7,376	4.0%	0.4%	8,774	-33.9%	-0.9%	8,518	-6.3%	-0.3%	117,708	2.9%	0.0%
56	Jul-12	156,637	1.8%	0.4%	129,569	Eff. 7/1/12 CHIP included		7,225	1.2%	-2.0%	8,690	-27.9%	-1.0%	8,405	-6.9%	-1.3%	117,625	3.2%	-0.1%
57	Aug-12	156,966	2.1%	0.2%	129,951	8.6%	0.3%	7,448	3.5%	3.1%	8,793	-26.6%	1.2%	8,296	-6.8%	-1.3%	114,916	0.6%	-2.3%
58	Sep-12	156,144	1.4%	-0.5%	129,479	8.0%	-0.4%	7,281	1.5%	-2.2%	8,657	-27.9%	-1.5%	8,218	-7.3%	-0.9%	117,569	2.8%	2.3%
59	Oct-12	157,243	2.1%	0.7%	130,393	9.2%	0.7%	7,293	3.4%	0.2%	8,704	-26.0%	0.5%	8,216	-6.6%	0.0%	119,101	3.8%	1.3%
60	Nov-12	157,170	2.4%	0.0%	130,110	9.4%	-0.2%	7,254	3.1%	-0.5%	8,599	-26.3%	-1.2%	8,181	-7.6%	-0.4%	118,992	4.0%	-0.1%
61	Dec-12	156,588	1.4%	-0.4%	130,001	8.7%	-0.1%	7,253	1.7%	0.0%	8,493	-27.9%	-1.2%	8,164	-9.3%	-0.2%	118,817	2.7%	-0.1%
62	Jan-13																		
63	Feb-13																		
64	Mar-13																		
65	Apr-13																		
66	May-13																		
67	Jun-13																		
68																			

A	B	C	D E F G H I				J K L M N				O	P																																																																																							
			Personnel Actual	Medicaid Actual	APRO Actual	F&NE Actual	Personal Vacancy	Filed	Vacant	PCT			Careless	Start																																																																																					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

**Department of Health and Human Services  
Attachment To Monthly Dashboard  
Current Status of Significant Transformation Initiatives  
As of December 31, 2012**

**Care Management**

The budget requires a managed care model for administering the Medicaid program and its enrollees to provide for managed care services for all Medicaid populations throughout New Hampshire consistent with the provisions of 42 U.S.C. 1396u-2 and includes savings of \$15 million general funds for this initiative. The Department is implementing a three-phased approach consistent with the language of Chapter Law 125 (SB 147).

- Step 1-All Medicaid medical, pharmacy, and mental health services for all populations with a few the exceptions, such as spend down populations.
- Step 2-Specialty services for long term care populations, including nursing home services and specialty services for those dually eligible for Medicaid and Medicare.
- Step 3-Medicaid expansion population under the Affordable Care Act, if NH chooses to exercise the option to expand.

Following a public notice and bidding process, on May 9, 2012 Governor & Council approved three contracts with Medicaid Managed Care Organizations (MCO). The contracts, along with Medicaid State Plan Amendments (SPA) have been submitted to the Centers for Medicare & Medicaid Management (CMS) for approval and the Department has responded to inquiries and participated in a number of technical conference calls to resolve outstanding issues. CMS has approved the SPA and indicates other components are approvable in time.

The Department has been closely monitoring the steps needed to fully implement the new program, including the development of the managed care organizations' provider networks with special focus on acute care hospitals, primary care physicians, community mental health centers and federally-qualified community health centers. The program start date is contingent on the development of the provider networks. We have set forth a timeline that culminates with the program start that will begin once the managed care organizations are able to demonstrate that they have met certain milestones in putting together the provider network to serve the Medicaid population.

**Children's Health Insurance Program (CHIP)**

The budget required a restructuring of the administration of the Children's Health Insurance Program. The Core CHIP Transition Team believed that transitioning the CHIP program into the Medicaid program, as a Medicaid expansion, was the most practical and beneficial option for the State of New Hampshire and for the children on the program. A core CHIP transition planning team comprised of Division of Family Assistance and Office of Medicaid and Business Policy staff created and implemented a work plan including but not limited to system changes, staffing, customer service, budget, rules/State Plan amendment, stakeholder involvement, operations, brand, and marketing/outreach. On July 1, 2012, administration of the CHIP program was integrated into the Department's Medicaid organization.

**Mental Health, Transitional Housing**

The budget transfers \$12 million general funds from institutional care to community based care to develop additional community capacity under the 10-year plan, develop private intensive community residential program on the campus of NHH, discharge THS patients to community providers and APS, and discharge continuing care patients to community providers and keep some on admissions units. Following a public bidding process, a contractor was selected, contracts were approved and the contractor assumed responsibility for the program January 1, 2012 as anticipated in the budget.

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Savings generated from the privatization of the program were reinvested into the 10-Year Olmstead plan to continue moving these initiatives forward. The additional programs and services funded include the following: 1) Establishing an additional Assertive Community Treatment Team (ACT) in the Keene region beginning this spring. 2) Expanding the Housing Bridge Subsidy Program, which provides temporary rental assistance (until a Section 8 voucher is obtained) to individuals with a severe mental illness who are homeless or at risk for homelessness, by 110%, adding an additional 44 slots this spring. 3) Conversion of an intensive treatment team in Manchester to an ACT Team, which will commence this summer and bring the total ACT Teams available in NH to 10. 4) Establishing funding for the community mental health system to support the provision of crisis intervention services to individuals without any form of insurance. 5) Providing funding to the CMHC's to maintain services to consumers during FY 13. 6) creating a new payment methodology for reimbursing CMHC's for emergency services delivered to uninsured clients.

Of note for the Housing Bridge Subsidy Program, for the first 36 participants in the program, 100% remain connected with mental health services, 0% have returned to homelessness, there has been an 82% reduction in NHH bed days for the group. The Housing Bridge Subsidy program is currently serving 106 individuals, and is at full capacity, with 17 individuals (homeless adults with a severe mental illness) on the waiting list. This waiting list is expected to double within the next 3 months. BBH's change budget requests additional funding to expand the Bridge Program by 100 slots. BBH has also submitted 2 grant applications (pending a decision) for federal funds for a small expansion of the program (up to 60 slots if both are approved).

**Mental Health, Wellness Incentive Program**

Individuals with a severe mental illness have been shown to have a lifespan 25-years shorter than individuals without a severe mental illness. NH applied for a highly competitive federal grant by partnering with the Office of Medicaid and Business Policy to design a highly innovative program to take on this issue and improve the health of NH citizens who have a severe mental illness and are at risk for early death. NH was one of a few states awarded this grant, which will provide support for individuals to participate in weight loss and exercise programs customized to meet their unique needs. Incentives are provided through the grant to encourage participation from consumers. In addition, this program (Healthy Choices Healthy Living) will also offer smoking cessation programs and incentives for consumer participation that are also customized to be most effective for this population. The program commenced this year and we anticipate will receive national attention as a best practice model.

The program is already showing very promising results. In the area of smoking cessation for example, prescriptions for smoking cessation medication have increased 400% at the community mental health centers. We also continue to see very positive results from other components of the program targeting weight loss and improved lifestyles.

**Mental Health, Readmissions to New Hampshire Hospital**

The Bureau of Behavioral Health and New Hampshire Hospital have implemented at New Hampshire Hospital, "Project RED" which stands for "Re-Engineered Discharges". It has been shown highly effective at reducing patient readmission rates to the hospital. Project RED has implementation being scheduled at hospitals across the country, and data from research conducted on the program has supported the effectiveness of the program in achieving the following outcomes:

- Decreasing 30-day readmission rates by 25%
- Decreasing utilization of hospital emergency departments
- Improving patient readiness for discharge and follow-up for continuing care

The program is currently accepted as a National Quality Forum (NQF) Safe Practice. The program has been endorsed by the Centers for Medicaid and Medicare Services (CMS) and meets Joint Commission standards for discharge planning. NH is currently the first state to implement this program in a state psychiatric hospital. BBH and NHH will be collecting outcome data that will measure effectiveness to reduce readmission rates and discharge planning.

**Department of Health and Human Services  
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As of December 31, 2012**

**Delineation of age groups in APC**

The expansion of APC that will allow NHH to separate children and adolescents is underway. The entire APC population has been temporarily moved to a newly renovated unit formerly known as E-unit so that NHH can begin renovations of the vacated space. Upon completion, APC will encompass two units with all single rooms. Programming and related services specific to the two age groups is currently being planned and will be implemented upon completion of the entire space. APC is also initiating a pilot program that is patient-centered assigning specific staff to care for patients promoting consistency, engagement, and development of therapeutic relationships.

**Expansion of 12 inpatient beds**

In response to the queue in local emergency beds waiting for admission, NHH is renovating a 12-bed unit formerly known as I-unit. Additionally, 19 positions are currently being reclassified to operate the unit. It is anticipated that the additional 12 beds will be operational within 6 months.

**Child psychiatry services and the use of telemedicine**

A collaborative effort is underway to address the shortage of child psychiatry in the community by using telemedicine technology to assist community providers in the management of medication and other therapies. NHH and The Sununu Youth Center are collaborating on cross-coverage of the two facilities providing consistency and uninterrupted services. NHH will use telemedicine to support the Sununu Youth Center during off hours when a psychiatric consult is warranted. Once the initial services are established, an expansion of services will be implemented to include psychiatric consultations with juvenile justice probation offices and relevant wrap around services.

**Electronic Medical Record**

NHH is in the planning stages of developing an implementation plan for an electronic medical record (EMR) system. The EMR will be an added module to the Netsmart program already in place. The existing software includes modules for census management, financial components, and report writing. The EMR will include real time documentation of the patient record including admission information, treatment plans, progress notes, and discharge summaries. Initial efforts underway are to review current workflow processes to identify what needs to be modified in an electronic system and to identify any current redundant processes.

**Mental Health, Limitation on Services**

RSA 135-C:13 is amended to limit admission to the state mental health services system and access to treatment and other services within the system to the amount of available appropriations. Community Mental Health Centers (CMHC) will conduct clinical assessments of applicants for services and prioritize delivery of services based on the severity of an individual's clinical needs. The Community Behavioral Health Association reviewed the impact of the new Statute with the Mental Health and Substance Abuse subcommittee of the HHS Oversight Committee and reported that no one had been turned away from services.

**Department of Health and Human Services  
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**Addressing the Critical Mental Health Needs of NH's Citizens: A Strategy for Restoration**

The Division of Community Based Care Services, Bureau of Behavioral Health has developed several initiatives to provide a long-term, community based and sustainable solution for the backlog of individuals waiting in hospital emergency departments for inpatient care. These include providing early interventions before an individual requires emergency care, and targeted programs and services to allow individuals with high service needs to live successfully in the community. Funding for these initiatives has been requested in the Agency Change budget for SFY14 & SFY15. Specific initiatives include the following.

1. Establish a second Acute Psychiatric Residential Treatment Program (APRTP), which is a psychiatric inpatient program operated in the community similar to the current program located in Manchester called the Cypress Center.
2. Establish 2 additional crisis beds operated by a local Peer Support Agency. This would build upon the success of the Stepping Stones Crisis Respite Program, which has been both nationally and internationally recognized, BBH is seeking to replicate this model in another region of the state.
3. Establish 48 additional community residence beds for the individuals with severe mental illness who require close monitoring and specialized services in the community. This would provide 24-hour care to help them develop the skills to live independently.
4. Expand the Housing Bridge Subsidy Program by 100 slots. The Housing Bridge Subsidy program was first established in 2009 as a demonstration program to address the needs of adults with a serious mental illness who were also homeless or at risk for homelessness and could not afford their own apartment and were waiting for a section 8 housing voucher, which in NH can take over 7 years. Many of the referrals for the program come from New Hampshire Hospital. The Housing Bridge subsidy program mirrors the section 8 program in that the State provides rental subsidies to landlords until the individual receives a section 8 voucher.
5. Establish 7 additional Assertive Community Treatment Teams (ACT). ACT is an Evidence Based Practice for adults with a serious mental illness and in NH and has also been developed for children with a serious emotional disturbance. ACT has been shown highly effective at reducing hospitalizations, reducing the use of hospital emergency departments, and improving the quality of life for individuals with a serious mental illness who are at high risk in the community. NH currently has 10 ACT Teams in 6 regions. There are 4 regions that do not have ACT Teams.
6. Expand the REAP (Referral, Education and Assistance Program) to serve an additional 350 older adults. REAP is a program that was developed in NH to provide outreach and short term counseling services to older adults who are at high risk for hospitalization because of substance abuse and/or mental illness. REAP provides short term services to individuals who most often will not come in for treatment on their own. REAP counselors are available to provide coverage on a statewide basis, but the demand currently exceeds the current funding. The program is funded through a partnership between the Bureau of Elderly and Adult Services, Bureau of Behavioral Health, Bureau of Drug and Alcohol Services, and the NH Housing Finance Authority.
7. Expand funding for Peer Support Services to serve 10% more consumers. Peer Support Agencies are consumer run organizations which provide supportive services through a model called Intentional Peer Support, social skills development, crisis planning development through an Evidence Based Practice called WRAP (Wellness Recovery Action Planning), outreach services to individuals who are isolated in the community, as well as linkage to services in the community for individuals coming out of NHH.
8. Develop Local Designated Receiving Facility (DRF) Capacity to expand inpatient psychiatric services. BBH is reaching out to local hospitals interested in developing local inpatient psychiatric capacity-alternative model to expanding the State Hospital.



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**NH STAR**

Implementation of a pilot managed care financing mechanism to sustain a financially integrated community-based service delivery system for children with mental health needs who are currently in or at-risk of out-of-home placement in Belknap County. NH STAR pilot has been awarded a second year of funding from the Endowment for Health. Year II will continue to coordinate transition services for youth in residential placement, and their families, and will also coordinate services to youth at imminent risk of residential placement. Thirteen families have been engaged in the project. A recently awarded SAMHSA grant, "Systems Transformation for Youth" will enhance this project with an emphasis on blending funding across child-serving agencies. Plans are underway to explore the provision of wrap around services through the use of 'blended funds' under a managed care environment in Step 2. It is anticipated that funds from the Department of Education, BBH, and DCYF would be blended to fund these services. The SAMHSA Planning Grant is being utilized to develop a strategic plan that will inform the financing and service delivery, workforce and policy aspects of the STAR model. The intent is to bring the 'pilot' to scale and provide services statewide.

The NH STAR pilot has concluded. During the course of the pilot, 13 youth and their families were engaged in the process. Services provided ranged from community support from family organizations to wraparound services. Information from the pilot helped to inform the development of the Children's Behavioral Health Strategic Plan that was supported by the SAMHSA Planning Grant (ST4Y) awarded to New Hampshire. Both of these initiatives (NH STAR and ST4Y) helped to inform the application to SAMHSA for a System of Care Implementation Grant. New Hampshire was selected to receive a multi-year implementation grant (FAST Forward) from SAMHSA. FAST Forward is now in the planning stages of implementation to bring a system of care for children's behavioral health services to scale in New Hampshire.

**Facilitated Social Security Applications**

State cash assistance to individuals with disabilities is 100% general funds. When these clients also receive Social Security disability cash benefits, the State dollar share drops significantly. The Division of Family Assistance ensures that clients applying for disability cash assistance follow up on their requirement to apply for Social Security disability benefits. Before this initiative began, the average APTD grant before this Facilitated Social Security Unit was \$203.88 per month. In September the average grant was \$133.96. At a caseload of 8090, the \$69.92 savings per case shows a total cost avoidance per year of over \$6 million, even after backing out other APTD cost savers adopted in the last budget biennium.

**Front End Operations**

The budget directs DHHS to pursue operating and service consolidation initiatives, in an effort to improve service delivery, obtain operating efficiencies, and promote the well being of the state's citizens. This includes changes in ways to accept and process applications for services and a savings in field staff through attrition. This project is currently underway. To improve our long term care eligibility processes, the DHHS now centralizes and assures that medical and eligibility applications are completed in parallel.

Initiatives to improve access to services statewide include the completion of the NH Easy on-line web application initiative, through which residents throughout the State can apply for benefits on-line from any computer that has web access. This new application process allows clients to create their own user accounts to track and manage all aspects of their applications. During the most recent reporting period, 2632 applications were submitted through NHEasy, which is 29% of the total 9026 applications received. Outreach efforts continue. A major efficiency is that NH Easy allows clients to screen themselves for eligibility before they actually apply for benefits, a significant time saver in that DHHS workers don't have to process applications and conduct interviews with people who screen themselves out. DHHS can now 1) allow clients to submit re-determination applications online; 2) allow clients to report income and other changes online; 3) pre-populate client re-applications when they reapply and are known to the system; and 4) test a working prototype of five "self service" kiosks to be deployed in district office waiting rooms.

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**Consolidation of District Offices**

Another element of the initiative to pursue operating and service consolidation initiatives is the consolidation of district offices. The Salem and Portsmouth offices were consolidated into the new Southern district office. Efforts to combine Conway and Rochester offices into an Eastern district office have been delayed. Funding has been requested in the capital budget for SFY14 to relocate the Laconia district office.

**Consolidation of Contracts**

Savings have been budgeted related to consolidation of the number of contracts. This is intended to reduce the administrative costs associated with the processing and approval of state contracts, minimize expenditures in areas other than direct care and assistance to the persons in need served by the department, mitigate, to the extent possible, the negative effects of reductions in budgets and services, and create an efficient, effective and stable community system of health and human services agencies for the future. An integral part of this initiative is the centralizing of certain contract functions away from program divisions to a centralized contract unit. A plan has been developed for this reorganization, but implementation is delayed since many of the same individuals are involved in the development of the Medicaid Managed Care contract management process.

The Division of Alcohol and Drug Services has consolidated a number of its contracts. The Division of Family Assistance is currently conducting a public bid process to consolidate contracts for a number of the services provided to TANF clients.

**Service Delivery System Transformation – Data Repository**

Under the pressures of higher demand for services but with less funds available to provide them, the Department seeks to transform its service delivery system (the way in which the Department's clients receive services) to be more integrated and efficient while also improving the quality of client care and outcomes. The Service Delivery Transformation Project will develop a clear understanding of the way the current service delivery system operates and then will implement changes in policies, procedures, information systems, partnering, contracting, etc. to achieve a more integrated and efficient operation while improving the quality of client care and outcomes.

The first step to understand and analyze the current system is to collect data about how the system works. To do this the Service Delivery System Transformation – Data Repository Project was defined to create a Master Client-Centric Data Repository that integrates data about services delivered to clients. By consolidating clients information across internal silos as well as externally managed data stores (e.g. mental health facilities) the Department envisions the creation of client focused solution that tracks service delivery in an integrated manner that insures timely, accurate, efficient and effective management of the best possible practices and services to the citizens of New Hampshire.

An RFP process was conducted in 2012 to select a software solution and implementation services to build an initial Data Repository. The selection was made and a contract developed and approved by G&C in October 2012. The project is scheduled to start in January 2013 and last six months.

**Health Information Exchange**

The Department has received an award in the amount of \$5.5M from the American Recovery and Reinvestment Act of 2009 (ARRA), Title XIII – Health Information Technology, Subtitle B – Incentives for the Use of Health Information Technology, Section 3013, State Grants to Promote Health Information Technology. The purpose of the award is to promote the establishment of a New Hampshire state level Health Information Exchange that shall advance mechanisms for information sharing across the health care system. A Strategic and Operational Plan for the Health Information Exchange was developed through the collaboration of stakeholders from across New Hampshire's health care community. Pursuant to Chapter 232 (HB 489), Laws of 2011, the New Hampshire Health Information Organization (NHHIO) was formed to establish and operate a state level Health Information Exchange for New Hampshire.

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The NHHIO Board of Directors is currently in the process of finalizing a technical services contract with Orion Health to provide the Health Information Exchange services. Orion Health is the vendor of choice for several surrounding states which will also help facilitate our inter-state communications, and currently serves as the technical integration platform for New Hampshire Department of Public Health as well as many healthcare organizations throughout New Hampshire.

To date NHHIO has received 30 signed Letters of Intent from large and small hospitals, critical access hospitals, home health and VNAs, community health centers, behavioral health organizations and independent practice organizations, all of whom have realized the capability of the Health Information Exchange to increase the effectiveness of care coordination to help increase the quality of care, and decrease the overall utilization and cost.

Upon completion of the contracting process with Orion Health, NHHIO will begin implementing 3 - 4 sites in January/February 2013. These early adopter sites/pilots include replacing the current AHEDD syndromic surveillance reporting mechanism between Elliot Hospital and the New Hampshire Department of Public Health.

**Child Support System**

The Division of Child Support Services' New England Child Support Enforcement System (NECSSES) information system no longer supports the needs of the program. A plan was developed to use a modular approach to replace existing functionality incrementally over several years. The decision was later refined to implement an initial release using software from other states and then build upon that. This would allow a faster more effective implementation.

The development effort for the initial release began in June 2012 with a target implementation date of April 2014. The functionality is to be built, tested and accepted in four "waves". Work on the first wave completed on time in December 2012. An April 2014 completion date is still anticipated.

**Medicaid Management Information System (MMIS)**

The Medicaid Management Information System (MMIS,) including its Medicaid claims adjudication and payment functions, is a critical system for the Department of Health and Human Services. The MMIS processes over \$900 million in payments to over 5,000 actively billing and enrolled New Hampshire Medicaid providers annually, for services provided to eligible recipients under the New Hampshire Medicaid program. It is the Department of Health and Human Services primary system for administering and managing costs for the New Hampshire Medicaid program.

The new system, MMIS Health Enterprise, is scheduled for general use by the State, providers, and trading partners, on or before April 1, 2013. The delivery of the new MMIS will also include initial essential functionality to interface with the Medicaid Care Management program. A core team of stakeholders are coordinating final testing, preparing their various program and business areas for the transition from the current fiscal agent (Hewlett Packard) to the new fiscal agent (Xerox,). The project team and DHHS senior executives continue to closely monitor progress and take preemptive actions for known risks that are typical of such a large and complex implementation. In the months following the April implementation, a series of federal- and state-mandated enhancements will be developed and delivered as the new fiscal agent begins a multi-year contract to operate the system on behalf of the State.

**New HEIGHTS Modernization**

New HEIGHTS is the Department's integrated eligibility system. It has surpassed its 15 year projected life and needs to be modernized. This consists of make both technical improvements (moving from a 1990's mainframe, client-server technical architecture to a web-based architecture) and functional improvements (such as electronic case files / document imaging and client self service (apply for services on-line, check your benefits, secure e-mail, etc.)). These enhancements support streamlined service delivery that increases the quality of client service

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while reducing the cost of service delivery. These service modernization enhancements will provide significant improvements for both DHHS staff and clients.

Although this is a multi year project that began several years ago will continue several more, changes are being made incrementally and technical improvements and enhanced functionality are being implemented on a monthly basis.

Technical Improvements

Conversion of the screens from client server (PowerBuilder) to web (Java) and the business logic behind them are currently in progress. Several modules have been completed.

Functional Enhancements

All Department District Offices are using electronic file folders – thus eliminating paper case files and the costs and delays associated with them. Implementing the ability for other Department units to access the electronic case files is now underway. The on-line client web application (NH EASY) has been operating for over two years. New functionality is added continuously. Enhancements currently being worked on include the ability for third parties (such as Service Link and other organizations which help clients apply for services) to manage cases for their clients and for clients to have the option to “go green” and not receive paper notices. This will provide efficiency as well as cost savings.



Nicholas A. Toumpas  
Commissioner

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF THE COMMISSIONER

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January 29, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

**Information**

This letter contains a report of expenditures for the Child and Family Services and Child Development (child care) Program for July 2012 through December 2012 (SFY 2013) with similar expenditure information for the comparable period in SFY 2011 and 2012.

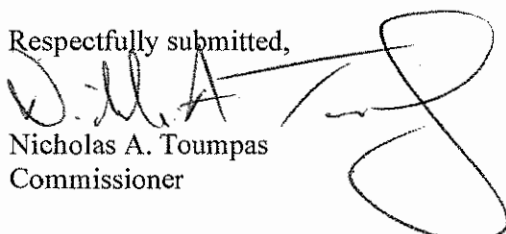
**Explanation**

Previously Chapter 263:109, Laws of 2007 (HB2), Rate Setting, required the Department to report quarterly on the status of appropriations for payments to providers and the rates established by the Department. While this provision no longer required, the Department will continue to report quarterly as the information is helpful to legislative and executive leaders in understanding Child and Family Services and Child Development (child care) program expenditure trends.

This report for SFY 2013, second quarter, includes the current state fiscal year and the most recent two state fiscal years. The report format follows the individual class line budgets in the Division for Children, Youth and Families', Child and Family Services account and the Child Development (child care) Program account.

The Department is available to review this report at your convenience. Please do not hesitate to contact me if you have questions or need additional information about the expenditures.

Respectfully submitted,

  
Nicholas A. Toumpas  
Commissioner

cc: Her Excellency, Governor Margaret Wood Hassan  
The Honorable Peter Bragdon, President of the Senate  
The Honorable Terie Norelli, Speaker of the House

Attachments (2)

SFY 2011-2013 Second Quarter Expenses and Clients Served for Child Care

Accounting Code: 05-95-40-403510-61480000

564 Protective Child Care

Month	SFY11			SFY12			SFY13		
	Expenses	Children Served	Cost per Child	Expenses	Children Served	Cost per Child	Expenses	Children Served	Cost per Child
July	\$ 89,789	208	\$ 432	\$ 62,222	172	\$362	\$ 71,998	164	\$ 439
August	\$ 102,441	199	\$ 515	\$ 91,025	157	\$580	\$ 75,474	158	\$ 478
September	\$ 85,247	214	\$ 398	\$ 64,020	164	\$390	\$ 70,689	169	\$ 418
October	\$ 76,215	191	\$ 399	\$ 58,244	147	\$396	\$ 83,126	161	\$ 516
November	\$ 80,928	200	\$ 405	\$ 62,830	150	\$419	\$ 74,174	168	\$ 442
December	\$ 80,319	207	\$ 388	\$ 71,398	160	\$446	\$ 71,524	172	\$ 416
<b>Totals</b>	<b>\$ 514,939</b>	<b>1,219</b>	<b>\$ 422</b>	<b>\$ 409,739</b>	<b>950</b>	<b>\$431</b>	<b>\$ 446,985</b>	<b>992</b>	<b>\$ 451</b>

564 Preventive Child Care

Month	SFY11			SFY12			SFY13		
	Expenses	Children Served	Cost per Child	Expenses	Children Served	Cost per Child	Expenses	Children Served	Cost per Child
July	\$ 39,093	101	\$ 387	\$ 21,502	72	\$299	\$ 37,699	91	\$ 414
August	\$ 53,462	109	\$ 490	\$ 31,609	74	\$427	\$ 46,270	94	\$ 492
September	\$ 39,245	114	\$ 344	\$ 26,904	80	\$336	\$ 36,125	87	\$ 415
October	\$ 40,739	105	\$ 388	\$ 28,693	73	\$393	\$ 40,373	76	\$ 531
November	\$ 52,026	108	\$ 482	\$ 38,217	86	\$444	\$ 30,703	67	\$ 458
December	\$ 52,026	100	\$ 520	\$ 35,712	83	\$430	\$ 23,089	64	\$ 361
<b>Totals</b>	<b>\$ 276,591</b>	<b>637</b>	<b>\$ 434</b>	<b>\$ 182,637</b>	<b>468</b>	<b>\$390</b>	<b>\$ 214,259</b>	<b>479</b>	<b>\$ 447</b>

536 Employment Related Child Care

Month	SFY11				SFY12				SFY13			
	Expenses	Children Served	Cost per Child	Wait List	Expenses	Children Served	Cost per Child	Wait List	Expenses	Children Served	Cost per Child	Wait List
July	\$ 1,750,600	5,041	\$ 347	2386	\$ 1,904,637	5,053	\$377	0	\$ 2,293,838	5,173	\$ 443	0
August	\$ 2,021,547	4,903	\$ 412	2508	\$ 2,397,696	5,055	\$474	0	\$ 2,314,670	5,219	\$ 444	0
September	\$ 1,685,489	4,769	\$ 353	2645	\$ 1,981,848	5,136	\$386	0	\$ 1,893,149	5,050	\$ 375	0
October	\$ 1,521,053	4,407	\$ 345	2505	\$ 1,878,303	4,969	\$378	0	\$ 2,307,178	5,076	\$ 455	0
November	\$ 1,675,909	4,487	\$ 374	2361	\$ 2,069,877	5,047	\$410	0	\$ 1,918,639	5,061	\$ 379	0
December	\$ 1,570,487	4,345	\$ 361	1382	\$ 1,912,109	5,017	\$381	0	\$ 1,859,109	4,995	\$ 372	0
<b>Totals</b>	<b>\$10,225,084</b>	<b>27,952</b>	<b>\$ 366</b>		<b>\$12,144,471</b>	<b>30,277</b>	<b>\$401</b>		<b>\$12,586,583</b>	<b>30,574</b>	<b>\$ 412</b>	

SFY 2010-2012 Second Quarter Report for the Child and Family Services Account

Accounting Code: 05-95-40-403010-58550000

Class	Class Description	Services	SFY11			SFY12			SFY13		
			Expenditures	# of Clients	Cost Per Client	Expenditures	# of Clients	Cost Per Client	Expenditures	# of Clients	Cost Per Client
101	Med. Pay. to Providers	Clinics/Groups	\$ 65,003	233	\$ 279	\$ 27,653	130	\$ 213	\$ 27,652	135	\$ 205
		Dental	\$ 1,660	2	\$ 830	\$ -	0	N/A	\$ -	0	N/A
		Hospitals	\$ 44,260	11	\$ 4,024	\$ 4,712	4	\$ 1,178	\$ 579	1	\$ 579
		Pharmacy	\$ -	0	N/A	\$ -	0	N/A	\$ 371	1	\$ 371
		Physicians' Services	\$ 99,811	15	\$ 6,654	\$ 57,310	7	\$ 8,187	\$ 88,562	8	\$ 11,070
		Subtotal	\$ 210,734			\$ 89,675			\$ 117,164		
108	Provider Payments-Legal	Attorney	\$ 142,550	354	\$ 403	\$ 146,378	367	\$ 399	\$ 19,449	45	\$ 432
		Guardian ad Litem	\$ 21,236	32	\$ 664	\$ 26,416	34	\$ 777	\$ 7,464	10	\$ 746
		Subtotal	\$ 163,786			\$ 172,794			\$ 26,913		
533	Foster Care Services	Accompanied Transportation	\$ 155,545	235	\$ 662	\$ 56,402	139	\$ 406	\$ 63,265	150	\$ 422
		Adoptive History Report	\$ 23,079	50	\$ 462	\$ 14,104	31	\$ 455	\$ 13,381	36	\$ 372
		Alch/Drug Abuse Ind Outpatient Counsl	\$ 1,984	8	\$ 248	\$ 324	3	\$ 108	\$ 1,948	5	\$ 390
		Child Health Support	\$ 9,051	14	\$ 646	\$ 9,496	10	\$ 950	\$ 18,895	17	\$ 1,111
		Clinics/Groups	\$ 17,495	59	\$ 297	\$ 2,077	23	\$ 90	\$ 874	10	\$ 87
		Crisis Home Bed	\$ 875	3	\$ 292	\$ 239	2	\$ 119	\$ 1,550	10	\$ 155
		Diagnostic Evaluation	\$ 10,041	13	\$ 772	\$ 2,819	4	\$ 705	\$ 1,807	3	\$ 602
		Educational Transportation	\$ -	0	N/A	\$ 81,019	108	\$ 750	\$ 70,056	68	\$ 1,030
		Emergency Bed	\$ 2,829	12	\$ 236	\$ 598	3	\$ 199	\$ 3,754	17	\$ 221
		Family Counseling	\$ 824	2	\$ 412	\$ -	0	N/A	\$ -	0	N/A
		General Foster Home	\$ 963,769	463	\$ 2,082	\$ 975,549	475	\$ 2,054	\$ 1,092,895	492	\$ 2,221
		General Group Home - (Level 1)	\$ 1,217	1	\$ 1,217	\$ -	0	N/A	\$ -	0	N/A
		Group Outpatient Counseling	\$ 987	3	\$ 329	\$ 37	1	\$ 37	\$ 446	1	\$ 446
		Home Based Therapeutic Services	\$ 167,310	70	\$ 2,390	\$ 164,695	63	\$ 2,614	\$ 407,073	132	\$ 3,084
		Hospitals	\$ 2,811	4	\$ 703	\$ 812	1	\$ 812	\$ -	0	N/A
		Individual Outpatient Counseling	\$ 9,614	27	\$ 356	\$ 5,573	22	\$ 253	\$ 11,167	29	\$ 385
		Individualized Placement	\$ -	0	N/A	\$ 1,981	1	\$ 1,981	\$ 49	1	\$ 49
		Intensive Group Home/Ed Fac (Level 3)	\$ 2,415,118	330	\$ 7,319	\$ 2,192,122	302	\$ 7,259	\$ 2,151,602	295	\$ 7,294
		Intensive Home and Community Srvcs	\$ 48,873	10	\$ 4,887	\$ -	0	N/A	\$ -	0	N/A
		Intermediate Group Home - (Level 2)	\$ 873,351	164	\$ 5,325	\$ 593,696	152	\$ 3,906	\$ 584,669	136	\$ 4,299
		ISO - In Home	\$ 529,545	89	\$ 5,950	\$ 348,006	78	\$ 4,462	\$ 694,850	110	\$ 6,317
		ISO Daily Rate	\$ 325,249	86	\$ 3,782	\$ 333,846	78	\$ 4,280	\$ 320,534	77	\$ 4,163
		License Exempt Facility	\$ -	0	N/A	\$ -	0	N/A	\$ 886	4	\$ 221
		License Exempt Family, Friend, Neighbor	\$ -	0	N/A	\$ 1,372	2	\$ 686	\$ 2,548	3	\$ 849
		License Family Home	\$ -	0	N/A	\$ 6,247	7	\$ 892	\$ 17,127	13	\$ 1,317
		Licensed Center	\$ -	0	N/A	\$ 30,405	48	\$ 633	\$ 192,401	104	\$ 1,850

Class	Class Description	Services	SFY11			SFY12			SFY13		
			Expenditures	# of Clients	Cost Per Client	Expenditures	# of Clients	Cost Per Client	Expenditures	# of Clients	Cost Per Client
		Outreach and tracking	\$ 133,807	100	\$ 1,338	\$ 91,187	84	\$ 1,086	\$ 119,318	65	\$ 1,836
		Physician's Services	\$ -	0	N/A	\$ -	0	N/A	\$ 1,993	1	\$ 1,993
		Public Transportation	\$ 1,991	3	\$ 664	\$ 1,125	1	\$ 1,125	\$ 3,206	4	\$ 802
		Relative Home	\$ -	0	N/A	\$ -	0	N/A	\$ 323	1	\$ 323
		Residential Treatment Facility (Level 4)	\$ 78,093	13	\$ 6,007	\$ 83,362	12	\$ 6,947	\$ 40,060	9	\$ 4,451
		Shelter Care Facility	\$ 519,976	211	\$ 2,464	\$ 351,993	136	\$ 2,588	\$ 284,628	124	\$ 2,295
		Specialized Foster Home	\$ 252,802	91	\$ 2,778	\$ 134,129	42	\$ 3,194	\$ 86,041	27	\$ 3,187
		Supplemental Foster Home Payment	\$ 36,439	40	\$ 911	\$ 16,367	21	\$ 779	\$ -	0	N/A
		Therapeutic Day Treatment	\$ 20,240	5	\$ 4,048	\$ 44,513	10	\$ 4,451	\$ 109,548	17	\$ 6,444
		Transportation	\$ -	0	N/A	\$ -	0	N/A	\$ -	0	N/A
		Subtotal	\$ 6,602,916			\$ 5,544,095			\$ 6,296,893		
534	Adoption Services	Adoption Subsidy/Child in Placement	\$ 11,452	9	\$ 1,272	\$ 4,579	15	\$ 305	\$ 8,153	8	\$ 1,019
		Adoptive Home Subsidy	\$ 3,731,825	976	\$ 3,824	\$ 3,493,368	991	\$ 3,525	\$ 3,232,732	894	\$ 3,616
		Non-recurring Adoption Expense	\$ 1,435	4	\$ 359	\$ (71)	1	\$ (71)	\$ -	0	N/A
		Subtotal	\$ 3,744,712			\$ 3,497,876			\$ 3,240,885		
535	Out of Home Placements	General Group Home - (Level 1)	\$ 120,554	25	\$ 4,822	\$ -	0	N/A	\$ -	0	N/A
		Individualized Placement	\$ 116,544	17	\$ 6,856	\$ 85,834	14	\$ 6,131	\$ 153,618	14	\$ 10,973
		Intensive Group Home/Ed Fac (Level 3)	\$ 6,734,101	430	\$ 15,661	\$ 5,499,072	386	\$ 14,246	\$ 5,418,607	365	\$ 14,845
		Intermediate Group Home - (Level 2)	\$ 1,264,175	179	\$ 7,062	\$ 1,277,566	172	\$ 7,428	\$ 1,064,479	152	\$ 7,003
		ISO Daily Rate	\$ 2,015,575	154	\$ 13,088	\$ 1,526,232	133	\$ 11,475	\$ 1,571,384	118	\$ 13,317
		Out of Home 1 on 1 Aide	\$ 57,699	5	\$ 11,540	\$ 38,759	9	\$ 4,307	\$ 121,717	9	\$ 13,524
		Relative Home	\$ 6,093	2	\$ 3,047	\$ 1,451	1	\$ 1,451	\$ 4,675	2	\$ 2,337
		Residential Treatment Facility (Level 4)	\$ 91,121	15	\$ 6,075	\$ 97,267	13	\$ 7,482	\$ 64,859	11	\$ 5,896
		Shelter Care Facility	\$ 852,384	251	\$ 3,396	\$ 492,771	169	\$ 2,916	\$ 375,302	143	\$ 2,624
		Subtotal	\$ 11,258,245			\$ 9,018,953			\$ 8,774,640		
550	Assess. & Counseling	Alch/Drug Abuse Grp Outpatient Counsl	\$ -	0	N/A	\$ -	0	N/A	\$ 124	1	\$ 124
		Alch/Drug Abuse Ind Outpatient Counsl	\$ 12,744	32	\$ 398	\$ 5,614	14	\$ 401	\$ 8,885	20	\$ 444
		Diagnostic Evaluation	\$ 24,013	27	\$ 889	\$ 22,409	31	\$ 723	\$ 43,753	59	\$ 742
		Family Counseling	\$ -	0	N/A	\$ 500	1	\$ 500	\$ 436	2	\$ 218
		Group Outpatient Counseling	\$ 3,744	13	\$ 288	\$ 2,480	9	\$ 276	\$ 2,437	12	\$ 203
		Individual Outpatient Counseling	\$ 15,552	62	\$ 251	\$ 11,968	46	\$ 260	\$ 24,289	62	\$ 392
		Subtotal	\$ 56,053			\$ 42,972			\$ 79,923		



Class	Class Description	Services	SFY11			SFY12			SFY13		
			Expenditures	# of Clients	Cost Per Client	Expenditures	# of Clients	Cost Per Client	Expenditures	# of Clients	Cost Per Client
563	Community Based Ser.	Accompanied Transportation	\$ 90,247	155	\$ 582	\$ 58,724	97	\$ 605	\$ 53,382	103	\$ 518
		Adoption Subsidy/Child in Placement	\$ 41,150	18	\$ 2,286	\$ 49,476	22	\$ 2,249	\$ 35,607	16	\$ 2,225
		Adoptive History Report	\$ 14,436	35	\$ 412	\$ 11,826	25	\$ 473	\$ 6,942	16	\$ 434
		Adoptive Home Subsidy	\$ 1,095,814	357	\$ 3,070	\$ 868,227	289	\$ 3,004	\$ 816,749	232	\$ 3,520
		Child Health Support	\$ 595,007	252	\$ 2,361	\$ 687,558	259	\$ 2,655	\$ 662,921	256	\$ 2,590
		Child In-Home Care	\$ -	0	N/A	\$ 455	1	\$ 455	\$ -	0	N/A
		Family Support Services	\$ 47,543	183	\$ 260	\$ 15,984	62	\$ 258	\$ 32,790	13	\$ 2,522
		Home Based Therapeutic Services	\$ 777,453	269	\$ 2,890	\$ 696,802	266	\$ 2,620	\$ 562,156	168	\$ 3,346
		Intensive Home and Community Svcs	\$ 177,290	37	\$ 4,792	\$ -	0	N/A	\$ -	0	N/A
		Interpreter Services	\$ 5,600	27	\$ 207	\$ 3,040	10	\$ 304	\$ 6,360	11	\$ 578
		ISO - In Home	\$ 2,504,262	307	\$ 8,157	\$ 2,089,388	302	\$ 6,919	\$ 895,300	129	\$ 6,940
		Non-recurring Adoption Expense	\$ 2,995	3	\$ 998	\$ -	0	N/A	\$ -	0	N/A
		Out of Home 1 on 1 Aide	\$ 13,924	1	\$ 13,924	\$ -	0	N/A	\$ 660	1	\$ 660
		Outreach and tracking	\$ 131,687	118	\$ 1,116	\$ 99,867	80	\$ 1,248	\$ 25,814	21	\$ 1,229
		Public Transportation	\$ 2,590	5	\$ 518	\$ 1,958	2	\$ 979	\$ 1,133	3	\$ 378
		Secure Transportation	\$ 32,644	108	\$ 302	\$ 24,752	111	\$ 223	\$ 18,524	81	\$ 229
		Therapeutic Day Treatment	\$ 2,215	2	\$ 1,107	\$ 198,975	34	\$ 5,852	\$ 13,984	6	\$ 2,331
		TPR Study Report	\$ -	0	N/A	\$ 679	2	\$ 339	\$ -	0	N/A
		Subtotal	\$ 5,534,856			\$ 4,807,711			\$ 3,132,322		
		Totals	\$ 27,571,302			\$ 23,174,076			\$ 21,668,740		



Nicholas A. Toumpas  
Commissioner

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF THE COMMISSIONER

FIS 13 070

129 PLEASANT STREET, CONCORD, NH 03301-3857  
603-271-9200 1-800-852-3345 Ext. 9200  
Fax: 603-271-4912 TDD Access: 1-800-735-2964

February 7, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

Re: Medicaid Expenditures-Quarter Ended December 31, 2012

**Information**

This letter contains a report of expenditures for the Medicaid program for the State fiscal quarter ending December 31, 2012 with comparative expenditure information for SFY 2011 and SFY 2012.

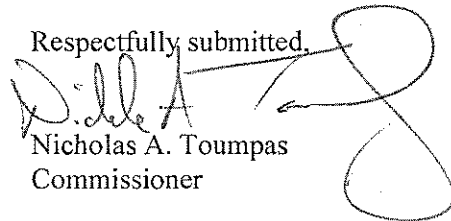
**Explanation**

Previously Chapter 263:109, Laws of 2007, Rate Setting, required the Department to report quarterly on the status of appropriations for payments to providers and the rates established by the Department. While this provision is no longer required, the Department continues to report the information to inform legislative and executive leaders of the Medicaid program expenditure trends. Similar quarterly reports have been provided since SFY 2004.

The report format follows the individual class line budgets in each division. While there is a significant amount of information in the report, the report is formatted by topical areas, such as inpatient hospital, outpatient hospital, prescription drugs, dental services, and long-term care services.

The Department is available to review this report at your convenience. Please do not hesitate to contact me if you have questions or need additional information about the expenditures.

Respectfully submitted,

  
Nicholas A. Toumpas  
Commissioner

cc:  
Her Excellency, Governor Margaret Wood Hassan  
The Honorable Peter Bragdon, Senate President  
The Honorable Terie Norelli, Speaker of the House

Attachment (1)

**Glossary of Terms**

<b>Lawson Transactions</b>		
<b>Acronym</b>	<b>Terminology</b>	<b>Definition</b>
Buy-In	Medicare Part A & B (Buy-In Program)	Premiums paid for certain individuals who are known as Qualified Medical Beneficiaries. Specified Low-Income Medicare Beneficiaries and Qualified Disabled Working Individuals.
BCCP	Breast and Cervical Cancer Program	The Breast & Cervical Cancer Program allows for the full range of Medicaid benefits to women who have been screened for breast and cervical cancer under the Centers for Disease Control and Prevention and Cervical Cancer Early Detection Program. Eligible criteria - must not be covered under creditable coverage, must not be eligible for Medicaid under any mandatory categorically eligible group and must be under age 65.
HIPP	Health Insurance Premium Program	Health Insurance premiums are paid for individuals who have access to other health insurance when it is cost effective to do so.
MEAD	Medicaid for Employed Adults with Disabilities	NH Medical eligibility category for individuals who are 18-64 who work and are permitted to earn up to 450% FPL and still maintain Medicaid insurance by paying an insurance premium.
NFQA	Nursing Facility Quality Assessment Supplemental Payment	Medicaid quality incentive program to promote quality care for Medicaid Nursing home residents.
	Current Year Recoveries	Medicaid refunds that have been paid in the current fiscal year are credited to the account in which they were paid from originally.
DME	Durable Medical Equipment - Monthly Transfer of Expense	These are medical supplies that have a National Drug Code that can be billed through First Health electronically instead of through the Medicaid Management Information Systems on paper.

**MMIS Financial Adjustments**

<b>Terminology</b>	<b>Definition</b>
Insurance Premium Carrier System Payout	Health insurance premiums are paid for individuals who have access to other health insurance when it is cost effective to do so.
Nursing Facility Supplemental	Provider supplemental payouts processed as part of the Medicaid quality incentive program to promote quality care for Medicaid Nursing home residents.
Provider Recoupment Non-Claim Specific	This is a recoupment which may have been initiated by the provide or the state that is not tied to a specific claim.
Provider Refund Non-Claim Specific	This is a check submitted by the provider that is not tied to a specific claim.
Provider Return	This is an entire check/remittance advice returned by the provider that is posted similar to a refund.
Provider System Payout Non-Claim Specific	This is a payment made to the provider which is not tied to a specific claim. An example would be a Cost Settlement payout.
Third Party Liability Carrier Refund Non-Claim Specific	Receipt and collection of insurance form federal and private insurance carriers.

Number of Fridays

For comparison of accounts where most large payments are made on Friday of each week.

July			August			September			Year to Date		
2010	2011	2012	2010	2011	2012	2010	2011	2012	2010	2011	2012
5	5	4	4	4	5	4	5	4	13	14	13

October			November			December			Year to Date		
2010	2011	2012	2010	2011	2012	2010	2011	2012	2010	2011	2012
5	4	4	4	4	5	4	5	4	26	27	26

January			February			March			Year to Date		
2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013
5	4	4	4	4	4	4	5	5	39	40	39

April			May			June			Year to Date		
2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013
5	4	4	4	4	5	4	5	4	52	53	52

NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 OMBP PROVIDER PAYMENTS  
 FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013

05-01-02-01-03 6147-101

05-01-02-01-03 6147-101

05-01-02-01-03 6147-101

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011					Claims Paid First Two Quarters SFY 2012					Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service
ADULT MEDICAL DAY CARE	\$ 367,416.18	110	\$ 3,340.15	12,533	\$ 29.32	\$ 350,870.16	113	\$ 3,105.05	11,987	\$ 29.27	\$ 324,265.84	103	\$ 3,148.21	10,922	\$ 29.69
ADVANCE REG NURSE PRACT	156,376.72	1,137	137.53	4,019	38.91	165,456.13	1,116	148.26	4,109	40.27	157,045.33	1,105	142.12	3,942	39.84
AMBULANCE SERVICE	1,228,622.49	5,700	215.55	19,621	62.62	1,173,196.47	5,251	223.42	18,110	64.78	1,186,648.24	5,105	232.45	17,506	67.79
AUDIOLOGY SERVICES	15,216.68	503	30.25	3,457	4.40	15,612.39	515	30.32	3,678	4.24	60,326.94	514	117.37	3,607	20.06
CERTIFIED MIDWIFE (NON-NURSE)	38,459.35	73	526.84	432	89.03	76,936.00	94	818.47	708	108.67	56,342.65	76	741.35	530	106.31
CHIROPRACTIC	254.25	7	36.32	26	9.78	96.64	1	96.64	4	24.16	0	0	0	0	0
CLINIC SERVICES	1,596,819.97	2,511	635.93	37,741	42.31	479,865.39	1,714	279.97	30,421	15.77	264,893.85	1,159	228.55	15,949	16.61
DENTAL SERVICE	11,414,797.14	43,168	264.43	214,705	53.17	11,407,571.75	44,934	253.87	222,070	51.37	10,149,275.36	43,203	234.92	208,719	48.63
DISABILITY DETERMIN SERVICE	(44.00)	3	(14.67)	-6	7.33	(107.64)	10	(10.76)	-20	53.83	(313.04)	3	(104.35)	-3	104.35
FAMILY PLANNING SERVICES	182,882.99	1,321	138.44	6,245	29.28	319,340.43	1,322	241.56	6,681	47.80	486,366.27	1,315	369.86	6,934	70.14
FURNISHED MED SUP OR DME	7,279,253.18	10,153	716.96	86,672	83.99	7,758,566.83	10,817	717.26	92,511	83.87	7,768,551.71	10,696	726.30	90,941	85.42
HOME HEALTH SERVICES	4,112,730.13	1,528	2,691.58	162,889	25.25	5,480,512.14	1,737	3,155.16	188,572	29.06	5,308,204.55	1,708	3,107.85	193,300	27.46
HOME&COMM BASED CARE-CI & ELD	1,400.32	20	70.02	128	10.94	0	0	0	0	0	0	0	0	0	0
IP HOSPITAL SWING BEDS, ICF	909.21	3	303.07	80	11.37	0	0	0	0	0	0	0	0	0	0
IP HOSPITAL SWING BEDS, SNF	72,940.24	46	1,585.66	2,149	33.94	66,055.09	41	1,611.10	3,051	21.65	65,903.89	22	2,995.63	1,611	40.91
INPATIENT HOSPITAL, GENERAL	28,689,529.20	9,163	3,131.02	1,510,014	19.00	28,021,671.65	8,874	3,157.73	1,494,029	18.76	24,783,470.38	8,639	2,868.79	1,569,121	15.79
INPATIENT HOSPITAL, MENTAL	0	0	0	0	0	5,574.00	1	5,574.00	114	48.89	76,810.02	17	4,518.24	569	134.99
INTERMED CARE FAC NURSE HOME	3,054.63	1	3,054.63	19	160.77	4,394.10	1	4,394.10	30	145.47	(564.35)	2	(282.18)	-35	16.12
LABORATORY (PATHOLOGY)	511,866.36	6,377	80.27	52,739	9.71	500,431.23	5,841	85.68	47,735	10.48	508,507.28	6,288	80.55	50,104	10.11
MEDICAL SERVICES CLINIC	1,537,713.78	1,633	941.65	136,708	11.25	1,689,433.16	1,668	1,012.85	158,509	10.79	1,834,580.90	1,749	1,048.93	169,678	10.81
MENTAL HEALTH CENTER	44,374.60	88	504.26	2,966	14.96	26,585.00	53	501.23	1,771	15.00	645.00	2	322.50	43	15.00
OCCUPATIONAL THERAPY	266,572.11	408	653.36	4,803	55.50	294,670.85	444	663.67	5,129	57.45	324,580.15	411	789.73	5,117	63.43
OPTOMETRIC SERVICES EYEGLASSES	976,314.84	11,946	81.73	36,077	27.06	1,068,403.62	12,584	84.90	60,399	17.89	1,032,017.30	12,048	85.66	62,153	16.60
PERSONAL CARE	1,142,923.98	64	17,858.19	1,837	622.17	1,139,369.40	58	19,755.43	1,563	733.66	1,091,228.82	65	16,788.14	1,589	686.74
PHYSICAL THERAPY	727,443.15	1,492	487.56	25,156	28.92	689,043.58	1,462	471.30	24,528	28.09	597,881.68	1,328	450.21	21,809	27.41
PHYSICIANS SERVICES	28,210,088.14	95,858	294.91	815,869	34.58	28,843,806.04	96,098	300.15	785,901	36.70	27,528,487.74	95,115	289.42	758,294	36.30
PODIATRIST SERVICES	97,598.56	1,323	73.77	3,478	28.06	94,459.00	1,275	74.07	3,624	26.06	99,975.89	1,285	77.80	3,973	25.16
PRIVATE DUTY NURSING	4,367,838.18	162	26,961.96	110,888	39.39	4,052,148.25	133	30,467.28	101,902	39.77	3,794,164.47	113	33,576.68	95,593	39.69
PSYCHOLOGY	2,413,641.73	5,470	441.25	41,804	57.74	2,512,355.97	5,522	454.97	42,942	58.51	2,751,894.19	5,814	473.32	47,838	57.53
RURAL HEALTH CLINIC	6,875,182.38	18,143	378.94	62,044	110.81	6,849,748.01	18,542	369.42	59,796	114.55	7,158,541.14	19,387	369.24	61,739	115.95
SKILL NURSING FAC NURSING HOME	2,092,277.25	654	3,199.20	84,469	24.77	2,041,232.60	568	3,593.72	58,422	34.94	2,289,190.42	587	3,899.81	50,014	45.77
SNF NURSING HOME ATYPICAL CARE	892,327.74	8	111,540.97	1,430	484.15	0	0	0	0	0	0	0	0	0	0
SPEECH THERAPY	188,147.37	343	548.53	10,471	17.97	262,742.01	429	612.45	14,421	18.22	316,711.82	465	681.10	17,344	18.26
WHEELCHAIR VAN	457,624.93	652	701.88	26,034	17.58	413,686.85	564	733.49	23,863	17.34	428,557.23	593	722.69	27,082	15.82
X-RAY SERVICES	348,732.67	2,486	140.28	4,949	70.47	327,780.82	2,425	135.17	4,380	74.84	330,635.98	2,391	138.28	4,216	78.42
Subtotal Category of Service	\$ 106,111,286.45	222,354				\$ 106,130,500.72	224,217				\$ 100,772,827.65	221,308			

NUMBER OF INDIVIDUALS SERVED

116,542

117,453

116,599

Notes:

- Claims paid data can provide misleading information on trends if billing behavior/timing changes
- Claims paid data can provide misleading information on trends unless seasonalities are accounted for.
- Data for Provider Payments includes Fund Code A, including new MEAD clients.
- Refunds include various claim-specific and non claim-specific recoupments or refunds.
- Lawson PP represents claims paid outside the Medicaid claims system
- FNDR 57 Report provides additional details on adjustments.
- Nursing Facility Supplemental - Medicaid Quality Incentive Program based on paid nursing facility bed days.
- The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.
- Outpatient claims are paid from class 101 and transferred to class 565 the following month.
- Total expenditures and budget amounts reflect class 101 less Healthy Kids Gold, which is reported on a separate tab.
- Beginning in September 2005 there will be a TE to move Durable Medical Equipment from class 100 to 101.
- OMBP Drugs and Provider Payments are paid from 6147-101 then transferred to 6143-100 and 6147-565 respectively, usually in the following month.
- The difference between the payment and the associated transfer appears in the adjustment line.
- Beginning SFY 2011, Disability Determination Service that was included on the BCCP tab is shown as a below line adjustment on the Provider Payments tab.
- In QE 12-2011 category of service SNF Nursing Home Atypical Care for Fund Code A (OMBP Provider Payments) is moved to Fund Code J (BEAS Provider Payments). The change is made retroactive for all of SFY 2012.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 OMBP DRUG PAYMENTS  
 FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

05-01-02-01-10 6143-100

05-01-02-01-10 6143-100

05-01-02-01-10 6143-100

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011					Claims Paid First Two Quarters SFY 2012					Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Prescription Count	Average Cost per Prescription	Total Expenditures	Total Recipients	Average Cost per Recipient	Prescription Count	Average Cost per Prescription	Total Expenditures	Total Recipients	Average Cost per Recipient	Prescription Count	Average Cost per Prescription
DISPENSE PRESCRIBED DRUGS	\$ 43,804,949.86	73,178	\$ 598.61	632,989	\$ 69.20	\$ 45,364,079.91	73,162	\$ 620.05	624,227	\$ 72.67	\$ 44,193,261.47	72,471	\$ 609.81	616,510	\$ 71.68
NUMBER OF INDIVIDUALS SERVED		73,178					73,162					72,471			

Notes:  
 Data for Provider Payments includes Fund Code A expenditures.  
 Claims paid data can provide misleading information on trends if billing behavior/timing changes  
 Claims paid data can provide misleading information on trends unless seasonalities are accounted for.  
 Adjustment amt is the difference between MDSS and Lawson.  
 Payments to First Health, which processes drug claims, are made bi-weekly.  
 The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.  
 Total expenditures and budget amounts reflect class 100 less Healthy Kids Gold, which is reported on a separate tab.  
 Beginning in September 2005 there will be a TE to move Durable Medical Equipment from class 100 to 101.  
 OMBP Drugs and Provider Payments are paid from 6147-101 then transferred to 6143-100 and 6147-665 respectively, usually in the following month.  
 The difference between the payment and the associated transfer appears in the adjustment line.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 OMBP OUTPATIENT PAYMENTS  
 FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

05-01-02-01-03 6147-565

05-01-02-01-03 6147-565

05-01-02-01-03 6147-565

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011					Claims Paid First Two Quarters SFY 2012					Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service
OUTPATIENT HOSPITAL, GENERAL	\$ 32,616,540.34	63,400	\$ 514.46	963,976	\$ 33.84	\$ 31,334,468.35	78,449	\$ 399.42	955,405	\$ 32.80	\$ 41,633,173.34	62,208	\$ 669.26	908,432	\$ 45.83
OUTPATIENT HOSPITAL, MENTAL	1,057.31	33	32.04	143	7.39	1,119.03	20	55.95	150	7.46	21.31	1	21.31	1	21.31
Subtotal Category of Service	\$ 32,617,597.65	63,433				\$ 31,335,587.38	78,469				\$ 41,633,194.65	62,209			
NUMBER OF INDIVIDUALS SERVED		63,405					78,450					62,209			

Notes:  
 Claims paid data can provide misleading information on trends if billing behavior/timing changes  
 Claims paid data can provide misleading information on trends unless seasonalities are accounted for.  
 Data for Provider Payments includes Fund Code A, including new MEAD clients.  
 Refunds include various claim-specific and non claim-specific recoupments or refunds.  
 Lawson PP represents claims paid outside the Medicaid claims system  
 FNDR 57 Report provides additional details on adjustments.  
 Nursing Facility Supplemental - Medicaid Quality Incentive Program based on paid nursing facility bed days.  
 The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.  
 Outpatient claims are paid from class 101 and transferred to class 565 the following month.  
 OMBP Drugs and Provider Payments are paid from 6147-101 then transferred to 6143-100 and 6147-565 respectively, usually in the following month.  
 The difference between the payment and the associated transfer appears in the adjustment line.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 OMBP BCCP PROVIDER PAYMENTS  
 FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

05-01-02-01-11 6178-100, 6178-101 and 6178-565

05-01-02-01-11 6178-100, 6178-101 and 6178-565

05-01-02-01-11 6178-100, 6178-101 and 6178-565

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011					Claims Paid First Two Quarters SFY 2012					Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service
ADVANCE REG NURSE PRACT	\$ 846.08	6	\$ 107.68	16	\$ 40.38	\$ 454.82	4	\$ 113.66	10	\$ 45.46	\$ 640.16	4	\$ 160.04	10	\$ -
AMBULANCE SERVICE	1,167.40	4	291.85	14	83.39	1,610.83	8	201.35	17	94.75	1,962.80	9	218.09	23	196.28
CLINIC SERVICES	5,595.09	10	559.51	66	84.77	21.85	4	5.46	9	2.43	270.91	4	67.73	8	33.86
DENTAL SERVICE	2,330.50	8	291.31	40	58.26	1,914.50	10	191.45	42	45.58	1,763.50	7	251.93	31	56.89
DISPENSE PRESCRIBED DRUGS	219,801.78	203	1,082.77	2,829	77.70	148,954.26	197	756.11	2,688	55.41	285,432.98	214	1,333.80	2,908	98.15
FAMILY PLANNING SERVICES	283.70	3	94.57	15	18.91	148.04	2	74.02	7	21.15	983.45	4	220.86	16	55.22
FURNISHED MED SUP OR DME	37,505.23	36	1,041.81	287	130.68	7,779.92	30	259.33	108	72.04	11,596.76	31	374.09	145	79.98
HOME HEALTH SERVICES	668.04	4	167.01	44	15.18	11,888.28	12	990.69	199	59.74	3,587.55	10	358.76	65	55.19
INPATIENT HOSPITAL, GENERAL	101,160.45	28	3,612.87	7,087	14.27	105,111.49	23	4,570.06	8,537	12.31	85,653.52	24	3,568.90	5,452	15.71
LABORATORY (PATHOLOGY)	2,153.58	47	45.82	211	10.21	2,480.13	40	62.00	213	11.64	3,176.45	62	51.23	228	13.93
MEDICAL SERVICES CLINIC	2,864.04	4	716.01	259	11.06	1,508.76	2	754.38	145	10.41	1,287.28	3	422.43	124	10.22
MENTAL HEALTH CENTER	8,982.13	13	690.93	153	58.71	7,435.90	10	743.59	78	95.33	3,289.73	7	469.96	47	69.99
OCCUPATIONAL THERAPY	194.05	1	194.05	7	27.72	45.56	1	45.56	1	45.56	434.27	1	434.27	16	27.14
OPTOMETRIC SERVICES EYEGLASSES	2,184.11	23	94.96	79	27.65	3,057.06	25	122.28	130	23.52	2,988.05	26	114.93	162	18.44
OUTPATIENT HOSPITAL, GENERAL	834,646.95	234	3,566.87	10,236	81.54	717,635.00	354	2,027.22	9,227	77.78	1,150,994.64	257	4,478.58	9,310	123.63
PHYSICAL THERAPY	5,733.48	10	573.35	186	30.83	2,185.11	5	437.02	66	33.11	8,766.12	10	876.61	317	27.65
PHYSICIANS SERVICES	394,042.89	258	1,527.30	4,552	86.58	426,387.34	279	1,528.27	3,910	109.05	376,632.90	314	1,199.47	4,185	90.00
PODIATRIST SERVICES	374.44	4	93.61	11	34.04	387.11	4	96.78	11	35.19	204.70	3	68.23	4	51.18
PSYCHOLOGY	933.16	3	311.05	14	66.65	3,029.46	4	757.37	46	65.86	11,449.28	18	636.07	175	65.42
RURAL HEALTH CLINIC	25,186.24	57	441.86	163	154.52	29,188.07	64	456.06	190	153.62	35,336.05	89	397.03	247	143.06
WHEELCHAIR VAN	0	0	0	0	0	0	0	0	0	0	213.59	1	213.59	13	16.43
X-RAY SERVICES	6,660.26	27	246.68	65	102.47	8,285.74	30	276.19	74	111.97	19,361.31	44	440.03	212	91.33
Subtotal Category of Service	\$ 1,653,113.60	983				\$ 1,479,509.03	1,108				\$ 2,005,906.00	1,142			

NUMBER OF INDIVIDUALS SERVED 289 401 362

Notes:  
 Claims paid data can provide misleading information on trends if billing behavior/timing changes  
 Claims paid data can provide misleading information on trends unless seasonalities are accounted for.  
 Data for BCCP Payments includes Fund Code A, Aid Category 86.  
 FNDR 57 Report provides additional details on adjustments.  
 The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.



**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
EXPANDED CHILDREN'S MEDICAID - 0-19 185-300 FPL  
FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

05-01-02-01 6147-101, 6143-100 and 6147-565

05-01-02-01 6147-101, 6143-100 and 6147-565

05-01-02-01-05 6138-560

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011					Claims Paid First Two Quarters SFY 2012					Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service
ADVANCE REG NURSE PRACT	\$ -	0	\$ -	0	\$ -	\$ -	0	\$ -	0	\$ -	\$ 23,871.03	47	\$ 507.89	246	\$ 97.04
AMBULANCE SERVICE	2,994.04	8	374.26	14	213.86	2,642.57	8	330.32	15	176.17	17,437.09	66	264.20	178	97.96
AUDIOLOGY SERVICES	-	0	-	0	-	-	0	-	0	-	573.32	12	47.78	37	15.50
CERTIFIED MIDWIFE (NON-NURSE)	193.08	1	193.08	6	32.18	741.72	2	370.86	15	49.45	1,058.76	4	264.69	19	55.72
CHILD HEALTH SUPPORT SERVICE	-	0	-	0	-	-	0	-	0	-	2,963.34	1	2,963.34	241	12.30
CLINIC SERVICES	1,978.60	12	164.88	62	31.91	30.00	1	30.00	2	15.00	85,707.46	173	495.42	11,551	7.42
DAY HABILITATION CENTER	(514.70)	1	(514.70)	-2	257.35	-	0	-	0	-	-	0	-	0	-
DENTAL SERVICE	623.00	8	77.88	15	41.53	1,130.00	14	80.71	29	38.97	1,173,171.85	5,366	218.63	24,589	47.71
DISPENSE PRESCRIBED DRUGS	12,924.14	142	91.02	318	40.64	19,071.78	153	124.65	423	45.09	2,033,488.28	5,690	357.38	21,050	96.60
FAMILY PLANNING SERVICES	-	0	-	0	-	-	0	-	0	-	4,250.44	55	77.28	163	26.08
FURNISHED MED SUP OR DME	19,005.24	32	593.91	115	165.26	36,171.20	39	927.47	162	223.28	137,773.63	227	606.93	803	171.57
HOME HEALTH SERVICES	840.00	4	210.00	56	15.00	2,434.32	11	221.30	27	90.16	36,848.27	29	1,270.63	675	54.59
HOME&COMM BASED CARE - DI	770.80	1	770.80	19	40.57	-	0	-	0	-	1,853.25	3	617.75	213	8.70
INPATIENT HOSPITAL, GENERAL	59,699.87	56	1,066.07	2,355	25.35	137,017.36	71	1,929.82	3,721	36.82	295,348.68	107	2,760.27	11,825	24.98
INTENSIVE HOME AND COMM SERV	-	0	-	0	-	-	0	-	0	-	17,396.13	5	3,479.23	101	172.24
LABORATORY (PATHOLOGY)	181.69	9	20.19	31	5.86	137.73	8	17.22	26	5.30	8,101.47	245	33.07	955	8.48
MEDICAL SERVICES CLINIC	-	0	-	0	-	-	0	-	0	-	4,369.31	45	97.10	179	24.41
MENTAL HEALTH CENTER	-	0	-	0	-	-	0	-	0	-	593,379.95	459	1,292.77	9,288	63.89
OCCUPATIONAL THERAPY	-	0	-	0	-	257.40	2	128.70	6	42.90	15,418.45	28	550.66	219	70.40
OPTOMETRIC SERVICES EYEGLASSES	-	0	-	0	-	-	0	-	0	-	67,800.67	767	88.40	3,891	17.42
OUTPATIENT HOSPITAL, GENERAL	29,657.45	102	290.76	550	53.92	38,156.13	164	232.66	717	53.22	1,098,817.69	3,068	358.15	20,220	54.34
PHYSICAL THERAPY	1,539.16	1	1,539.16	45	34.20	-	0	-	0	-	36,915.20	64	576.80	1,102	33.50
PHYSICIANS SERVICES	81,785.72	356	229.74	3,342	24.47	105,243.62	377	279.16	3,641	28.91	1,201,210.84	7,764	154.72	37,092	32.38
PODIATRIST SERVICES	-	0	-	0	-	-	0	-	0	-	3,266.76	29	112.65	105	31.11
PRIV NON-MED INST FOR CHILDREN	-	0	-	0	-	-	0	-	0	-	9,401.00	7	1,343.00	65	144.63
PRIVATE DUTY NURSING	9,917.13	1	9,917.13	261	38.00	-	0	-	0	-	-	0	-	0	-
PSYCHOLOGY	-	0	-	0	-	-	0	-	0	-	184,202.92	446	413.01	2,862	64.36
RURAL HEALTH CLINIC	21,642.30	56	386.47	240	90.18	28,450.47	69	412.33	294	96.77	287,599.91	1,157	248.57	2,599	110.66
SPEECH THERAPY	-	0	-	0	-	-	0	-	0	-	20,009.55	33	606.35	1,090	18.36
X-RAY SERVICES	-	0	-	0	-	13.50	1	13.50	1	13.50	6,209.13	45	137.98	53	117.15
Subtotal Category of Service	\$ 243,237.52	790	-	-	-	\$ 371,497.80	920	-	-	-	\$ -7,368,444.38	25,942	-	-	-
NUMBER OF INDIVIDUALS SERVED		416					472					10,913			

Notes:  
 Claims paid data can provide misleading information on trends if billing behavior/timing changes  
 Claims paid data can provide misleading information on trends unless seasonalities are accounted for.  
 Data for Provider Payments Includes Fund Code X.  
 Refunds include various claim-specific and non claim-specific recoupments or refunds.  
 Lawson PP represents claims paid outside the Medicaid claims system  
 FNDR 57 Report provides additional details on adjustments.  
 The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.  
 Prior to SFY 2013 dispensed drugs was paid from 6143-100, outpatient was paid from 6147-565, all other from 6147-101.  
 Prior to SFY 2013 Healthy Kids Gold payments were made in combination with OMBP Provider Payments and OMBP drugs, and have been manually separated for this report.  
 Original Budget and Adjusted Authorized are the total amount expended for the Healthy Kids Gold category for prior fiscal years and the projected amount for the current fiscal year.  
 The projected amount will change on a monthly basis as the projections are revised.  
 The Healthy Kids Gold and Silver program ended June 30, 2012, and was replaced by CHIP Expansion.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
HEALTHY KIDS SILVER - PROGRAM ENDED JUNE 30, 2012  
FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

05-01-02-01-05 6138-560

05-01-02-01-05 6138-560

05-01-02-01-05 6138-560

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011			Claims Paid First Two Quarters SFY 2012			Claims Paid First Two Quarters SFY 2013		
	Total Expenditures	Total Recipients	Average Cost per Recipient	Total Expenditures	Total Recipients	Average Cost per Recipient	Total Expenditures	Total Recipients	Average Cost per Recipient
Monthly Premiums	\$ 8,775,815.53	50,739	\$ 172.96	\$ 10,658,602.96	52,878	\$ 201.57	\$ -	0	\$ -
Subtotal Category of Service	\$ 8,775,815.53	50,739		\$ 10,658,602.96	52,878		\$ -	0	

Notes:

Claims paid data can provide misleading information on trends if billing behavior/timing changes  
 Claims paid data can provide misleading information on trends unless seasonalities are accounted for.  
 The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.  
 Data from Grant Status Reports.  
 Healthy Kids Silver monthly premiums are sometimes processed the following month.  
 For the purposes of comparison, premium payments are shown in the month for which they apply,  
 but Total Expenditures per Lawson shows actual transactions made during the month.  
 The Healthy Kids program ended June 30, 2012, and was replaced by CHIP Expansion.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 OMBP CATASTROPHIC PAYMENTS  
 FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

Total Expenditures by Category of Service	05-01-02-01-03 6147-559			05-01-02-01-03 6147-559			05-01-02-01-03 6147-559		
	Claims Paid First Two Quarters SFY 2011		Average Cost per Recipient	Claims Paid First Two Quarters SFY 2012		Average Cost per Recipient	Claims Paid First Two Quarters SFY 2013		Average Cost per Recipient
	Total Expenditures	Total Recipients		Total Expenditures	Total Recipients		Total Expenditures	Total Recipients	
Catastrophic Payouts	\$ -	0	\$ -	\$ -	0	\$ -	0	\$ -	
Subtotal	-			-			-		

Notes:

Claims paid data can provide misleading information on trends if billing behavior/timing changes  
 Claims paid data can provide misleading information on trends unless seasonalities are accounted for.  
 Adjustment amt is the difference between MDSS and Lawson.  
 Catastrophic payments are scheduled to be made in June and December only.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DCYF RESIDENTIAL PAYMENTS  
FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

05-01-06-07-01 5855-535

05-01-06-07-01 5855-535

05-01-06-07-01 5855-535

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011					Claims Paid First Two Quarters SFY 2012					Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service
INTENSIVE HOME AND COMM SERV	\$ -	0	\$ -	0	\$ -	\$ -	0	\$ -	0	\$ -	\$ -	0	\$ -	0	\$ -
PLACEMENT SERVICES	1,721,048.66	152	11,322.69	10,313	166.88	1,380,987.37	139	9,935.16	9,671	142.80	1,467,373.48	128	11,463.86	10,882	134.84
PRIV NON-MED INST FOR CHILDREN	7,625,234.76	742	10,276.60	52,578	145.03	6,412,729.38	625	10,260.37	45,053	142.34	6,022,115.85	560	10,753.78	43,827	137.41
Subtotal	9,346,283.42	894				7,793,716.75	764				7,489,489.33	688			
NUMBER OF INDIVIDUALS SERVED		855					721					649			

Notes:

Claims paid data can provide misleading information on trends if billing behavior/timing changes

Claims paid data can provide misleading information on trends unless seasonalities are accounted for.

Adjustment amt is the difference between MDSS and Lawson.

The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.

Data includes fund code U Residential.

Category of service Crisis Intervention has been combined with Placement Services.

The Total Expenditures, Total Recipients and Service Count are system generated numbers. In the case of net refunds the Average Cost per Service may appear as a positive, but the calculation is correct.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DCYF SOCIAL SERVICES PAYMENTS  
FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

05-01-06-07-01 5855-563

05-01-06-07-01 5855-563

05-01-06-07-01 5855-563

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011					Claims Paid First Two Quarters SFY 2012					Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service
CHILD HEALTH SUPPORT SERVICE	\$ 588,750.60	249	\$2,364.46	38,490	\$ 15.30	\$ 678,335.47	255	\$ 2,660.14	44,080	\$ 15.39	\$ 653,757.49	251	\$ 2,604.61	41,550	\$ 15.73
HOME BASED THERAPY	719,634.34	249	2,890.10	9,256	77.75	661,445.58	248	2,667.12	8,434	78.43	535,175.08	158	3,387.18	6,785	78.88
ADOLESCENT COMMUNITY THERAPEUTIC SVC	97,194.42	108	899.95	2,143	45.35	78,998.01	78	1,012.80	1,665	47.45	15,699.32	16	981.21	358	43.85
INDIVIDUALLY DESIGNED THERAPEUTIC SVCS	172,703.18	36	4,797.31	1,998	86.44	198,329.50	33	5,949.38	2,239	87.69	13,983.69	7	1,997.67	164	85.27
ISO IN-HOME	2,319,934.95	286	8,111.66	13,666	169.76	1,992,398.08	291	6,846.73	12,881	154.68	851,684.03	122	6,981.02	5,406	157.54
<b>Subtotal</b>	<b>3,898,217.49</b>	<b>928</b>				<b>3,607,506.64</b>	<b>905</b>				<b>2,070,299.61</b>	<b>554</b>			
<b>NUMBER OF INDIVIDUALS SERVED</b>		<b>818</b>					<b>796</b>					<b>507</b>			

Notes:

Claims paid data can provide misleading information on trends if billing behavior/timing changes

Claims paid data can provide misleading information on trends unless seasonalities are accounted for.

Adjustment amt is the difference between MDSS and Lawson.

The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.

Data includes fund code W Social Services.

Intensive Home and Comm Serv has been split into Individually Designed Therapeutic Svcs (procedure codes T1020 and X9787), Therapeutic Day Treatment ISO In-Home (procedure codes H0040 and X9790)

and Adolescent Community Therapeutic Services (procedure code H2022).

The decrease in SFY 2013 is due to the new definition of CHINS.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
BBH COMMUNITY MENTAL HEALTH CENTER PAYMENTS  
FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

Total Expenditures by Category of Service	05-01-09-04-01 Claims Paid First Two Quarters SFY 2011			05-01-09-04-01 Claims Paid First Two Quarters SFY 2012			05-01-09-04-01 Claims Paid First Two Quarters SFY 2013		
	Total Expenditures	Total Recipients	Average Cost per Recipient	Total Expenditures	Total Recipients	Average Cost per Recipient	Total Expenditures	Total Recipients	Average Cost per Recipient
REHAB SERVICES	\$ 22,195,269.78	6,801	\$3,263.53	\$ 21,065,102.94	6,280	\$3,354.32	\$ 21,596,039.52	6,903	\$3,128.50
CASE MANAGEMENT SERVICES	15,679,704.41	10,127	1,548.31	15,038,910.24	9,862	1,524.94	14,764,726.96	10,347	1,426.96
EMERGENCY & CRISIS SERVICES	700,678.66	1,740	402.69	681,258.91	1,417	480.78	642,968.09	1,665	386.17
EVALUATION & MGMT SERVICES	1,789,296.66	8,136	219.92	1,668,427.92	6,651	250.85	1,617,987.64	7,476	216.42
THERAPY SERVICES	5,869,468.91	10,105	580.85	5,827,445.43	8,806	661.76	5,655,199.77	9,593	589.51
<b>Total Expenditures</b>	<b>\$ 46,234,418.42</b>	<b>36,909</b>		<b>\$ 44,281,145.44</b>	<b>33,016</b>		<b>\$ 44,276,921.98</b>	<b>35,984</b>	
<b>NUMBER OF INDIVIDUALS SERVED</b>		<b>16,390</b>			<b>15,099</b>			<b>15,761</b>	

Notes:  
 Claims paid data can provide misleading information on trends if billing behavior/timing changes  
 Claims paid data can provide misleading information on trends unless seasonalities are accounted for.  
 Data for CMH expenditures consists of Fund Code H  
 The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.  
 Year to date recipients are unduplicated numbers.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
BEAS PROVIDER PAYMENTS  
FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

05-01-08-04-01 6173-101

05-01-08-04-01 6173-101

05-01-08-04-01 6173-101

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011					Claims Paid First Two Quarters SFY 2012					Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service
ADULT MEDICAL DAY CARE	\$ 264,838.21	114	\$ 1,796.83	10,155	\$ 20.17	\$ 209,028.28	118	\$ 1,771.43	10,858	\$ 19.25	\$ 161,774.96	98	\$ 1,650.76	9,145	\$ 17.69
ADVANCE REG NURSE PRACT	2,521.16	125	20.17	421	5.99	2,004.31	97	20.66	282	6.86	4,375.97	121	36.17	353	12.40
AMBULANCE SERVICE	179,687.73	1,747	102.86	9,186	19.58	91,841.12	1,479	62.10	6,813	13.48	132,712.92	1,456	91.15	7,076	18.76
AUDIOLOGY SERVICES	477.60	15	31.84	34	14.05	1,458.00	40	36.45	94	15.51	5,084.00	94	54.09	249	20.42
CLINIC SERVICES	165,510.40	214	773.41	3,727	44.41	16,520.60	169	97.76	1,167	14.16	14,085.17	174	80.95	1,306	10.78
DENTAL SERVICE	24,262.00	97	250.12	353	68.73	35,005.00	99	353.59	505	69.32	25,895.50	94	275.48	392	66.06
FAMILY PLANNING SERVICES	73.43	2	36.72	3	24.48	63.79	2	31.90	5	12.76	114.73	4	28.68	7	16.39
FURNISHED MED SUP OR DME	996,318.24	1,995	499.41	24,205	41.16	1,057,336.74	1,967	537.54	23,805	44.42	1,080,913.21	2,088	517.68	24,796	43.59
HOME HEALTH SERVICES	114,036.93	167	682.86	8,717	13.08	324,886.37	320	1,015.27	8,005	40.59	324,724.36	255	1,273.43	10,057	32.29
HOME&COMM BASED CARE-CI & ELD	1,521.54	26	58.52	139	10.95	-	2	-	0	-	-	3	-	0	-
IP HOSPITAL SWING BEDS, ICF	19,073.11	10	1,907.31	596	32.00	22,695.51	13	1,745.81	547	41.49	25,630.99	5	5,126.20	584	43.89
IP HOSPITAL SWING BEDS, SNF	138,801.79	53	2,618.90	3,611	38.44	58,463.43	50	1,169.27	3,256	17.96	125,711.35	36	3,491.98	3,085	40.75
ICF SERVICES FOR MR	79,250.66	2	39,625.33	202	392.33	76,504.35	2	38,252.18	195	392.33	77,289.01	2	38,644.51	197	392.33
INPAT PSYCH FAC SRVS-UNDER 22	74,370.00	1	74,370.00	28	2,656.07	-	0	-	0	-	-	0	-	0	-
INPATIENT HOSPITAL, GENERAL	1,769,177.28	1,028	1,720.99	286,765	6.17	1,629,849.73	948	1,719.25	265,162	6.15	1,510,975.16	906	1,667.74	259,862	5.81
LABORATORY (PATHOLOGY)	10,552.31	116	90.97	1,558	6.77	8,889.65	100	88.90	1,258	7.07	6,930.42	108	64.17	1,066	6.50
MEDICAL SERVICES CLINIC	2,053.38	2	1,026.69	180	11.41	1,498.85	3	499.62	151	9.93	4,404.82	4	1,101.21	371	11.87
OCCUPATIONAL THERAPY	147.63	6	24.61	44	3.36	398.60	8	49.83	84	4.75	1,259.37	5	251.87	82	15.36
OPTOMETRIC SERVICES EYEGLASSES	30,054.15	602	49.92	1,698	17.70	42,634.49	915	46.60	2,731	15.61	47,919.46	1,003	47.78	3,426	13.99
OUTPATIENT HOSPITAL, MENTAL	-	4	-	9	-	-	1	-	9	-	-	0	-	0	-
PERSONAL CARE	2,799,560.12	150	18,663.73	3,676	761.58	2,670,174.98	140	19,072.68	3,628	735.99	2,422,801.38	118	20,532.22	3,225	751.26
PHYSICAL THERAPY	7,464.25	33	226.19	642	11.63	6,530.57	39	167.45	684	9.55	2,757.08	32	86.16	505	5.46
PHYSICIANS SERVICES	849,958.10	5,316	159.89	74,879	11.35	695,384.37	4,959	140.23	68,147	10.20	606,889.93	5,001	121.35	65,625	9.25
PODIATRIST SERVICES	8,874.08	924	9.60	1,778	4.99	11,401.12	811	14.06	1,734	6.58	17,306.94	1,124	15.40	2,494	6.94
PRIVATE DUTY NURSING	394,427.73	7	56,346.82	9,477	41.62	286,726.29	6	47,787.72	5,752	49.85	315,321.70	5	63,064.34	6,676	47.23
PSYCHOLOGY	13,916.51	89	156.37	632	22.02	12,579.06	105	119.80	626	20.09	12,782.12	108	118.35	620	20.62
RURAL HEALTH CLINIC	108,899.60	839	129.80	3,356	32.45	108,228.17	769	140.74	3,610	29.98	121,022.04	779	155.36	3,903	31.01
SKILL NURSING FAC NURSING HOME	2,689,467.53	1,977	1,360.38	109,749	24.51	2,572,266.80	2,098	1,226.06	100,854	25.50	2,789,270.43	2,641	1,366.62	111,201	25.08
SNF NURSING HOME ATYPICAL CARE	3,354,727.49	52	64,513.99	6,963	481.79	3,474,765.36	51	68,132.65	7,155	485.64	3,606,277.81	59	61,123.35	7,446	484.32
SPEECH THERAPY	-	0	-	0	-	275.70	1	275.70	15	18.38	-	0	-	0	-
WHEELCHAIR VAN	1,235,675.43	1,877	658.32	74,127	16.67	1,040,558.74	1,606	647.92	59,476	17.50	1,069,448.80	1,783	599.80	70,819	15.10
X-RAY SERVICES	5,713.18	910	6.28	3,718	1.54	8,993.81	849	10.59	3,515	2.56	14,764.36	875	16.87	3,402	4.34
Subtotal Category of Service	15,281,411.57	18,500				14,466,963.79	17,767				14,528,443.99	18,381			
NUMBER OF INDIVIDUALS SERVED		6,777					6,491					6,612			

Notes:

Claims paid data can provide misleading information on trends if billing behavior/timing changes

Claims paid data can provide misleading information on trends unless seasonalities are accounted for.

Funder 57 Report provides additional details on adjustments.

Data for BEAS Provider Payments represents Fund Code J costs.

Nursing Facility Supplemental - Medicaid Quality Incentive Program based on paid nursing facility bed days.

The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.

BEAS Drugs are paid from class 101 then transferred to class 100, usually in the following month.

The difference between the payment and the associated transfer appears in the adjustment line.

In QE 03-2010 there was an administrative decision to move physical therapy, private duty nursing and wheelchair transportation for adult day care expenses from CFI to Provider Payments,

resulting in an increase in Home Health Services, Home and Community Based Care, and Private Duty Nursing lines on the BEAS Provider Payments tab, and a corresponding decrease on the CFI Home Support tab.

In QE 12-2011 category of service SNF Nursing Home Atypical Care for Fund Code A (OMB Provider Payments) is moved to Fund Code J (BEAS Provider Payments). The change is made retroactive for all of SFY 2012.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
BEAS DRUG PAYMENTS  
FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

05-01-08-04-01 6173-100

05-01-08-04-01 6173-100

05-01-08-04-01 6173-100

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011					Claims Paid First Two Quarters SFY 2012					Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Prescription Count	Average Cost per Prescription	Total Expenditures	Total Recipients	Average Cost per Recipient	Prescription Count	Average Cost per Prescription	Total Expenditures	Total Recipients	Average Cost per Recipient	Prescription Count	Average Cost per Prescription
DISPENSE PRESCRIBED DRUGS	\$ 1,555,940.70	5,205	\$ 298.93	68,031	\$ 22.87	\$ 1,317,980.40	4,895	\$ 269.25	63,232	\$ 20.84	\$ 1,250,367.13	5,092	\$ 245.56	63,541	\$ 19.68
NUMBER OF INDIVIDUALS SERVED		5,205					4,895					5,092			

**Notes:**

Claims paid data can provide misleading information on trends if billing behavior/timing changes.  
 Claims paid data can provide misleading information on trends unless seasonalities are accounted for.  
 Funder 57 Report provides additional details on adjustments.  
 Data for BEAS Provider Payments represents Fund Code J costs.  
 Nursing Facility Supplemental - Medicaid Quality Incentive Program based on paid nursing facility bed days.  
 The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.  
 Payments to First Health, which processes drug claims, are made bi-weekly.  
 BEAS Drugs are paid from class 101 then transferred to class 100, usually in the following month.  
 The difference between the payment and the associated transfer appears in the adjustment line.



**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
BEAS OUTPATIENT PAYMENTS  
FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

Total Expenditures by Category of Service	05-01-08-04-01 6173-565 Claims Paid First Two Quarters SFY 2011					05-01-08-04-01 6173-565 Claims Paid First Two Quarters SFY 2012					05-01-08-04-01 6173-565 Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service
OUTPATIENT HOSPITAL, GENERAL	\$ 1,593,682.88	3,445	\$ 462.61	78,684	\$ 20.25	\$ 1,738,375.95	3,420	\$ 508.30	69,821	\$ 24.90	\$ 2,138,236.22	3,386	\$ 631.49	77,930	\$ 27.44
NUMBER OF INDIVIDUALS SERVED		3,445					3,420					3,386			

Notes:

Claims paid data can provide misleading information on trends if billing behavior/timing changes  
 Claims paid data can provide misleading information on trends unless seasonalities are accounted for.  
 Funder 57 Report provides additional details on adjustments.  
 Data for BEAS Provider Payments represents Fund Code J costs.  
 Nursing Facility Supplemental - Medicaid Quality Incentive Program based on paid nursing facility bed days.  
 The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
BEAS NURSING HOMES  
FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

05-01-08-04-01 6173-504

05-01-08-04-01 6173-504

05-01-08-04-01 5942-504

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011					Claims Paid First Two Quarters SFY 2012					Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service
I/P HOSPITAL SWING BEDS, ICF	\$ 22,878.97	12	\$1,906.58	229	\$ 99.91	\$ 22,987.28	13	\$1,768.25	254	\$ 90.50	\$ 26,151.78	8	\$3,268.97	326	\$ 80.22
ICF NURSING HOME ATYPICAL CARE	1,521,875.97	59	25,794.51	7,892	192.84	2,214,833.87	65	34,074.37	11,665	189.87	2,079,063.01	72	28,875.88	10,306	201.73
INTERMED CARE FAC NURSE HOME	82,256,739.75	4,990	16,484.32	778,529	105.66	90,218,334.99	4,925	18,318.44	777,916	115.97	87,732,772.08	5,096	17,216.01	781,871	112.21
SKILL NURSING FAC NURSING HOME	200,070.09	59	3,391.02	6,361	31.45	231,910.51	66	3,513.80	7,247	32.00	285,341.37	76	3,754.49	6,816	41.86
Subtotal Category of Service	84,001,564.78	5,120				92,688,066.65	5,069				90,123,328.24	5,252			
NUMBER OF INDIVIDUALS SERVED		5,058					5,009					5,199			

Notes:

- Claims paid data can provide misleading information on trends if billing behavior/timing changes
- Claims paid data can provide misleading information on trends unless seasonalities are accounted for.
- Data for Nursing Home payments includes only Fund Code B
- Funder 57 Report provides additional details on adjustments.
- Nursing Facility Supplemental - Medicaid Quality Incentive Program based on paid nursing facility bed days.
- The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
BEAS CHOICES FOR INDEPENDENCE HOME HEALTH CARE WAIVER SERVICES  
FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

05-01-08-04-01 6173-529

05-01-08-04-01 5942-529

05-01-08-04-01 5942-529

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011					Claims Paid First Two Quarters SFY 2012					Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service
A 2 Homemaker Svcs	\$ 1,299,393.43	661	\$ 1,965.80	209,806	\$ 6.19	\$ 1,024,741.90	583	\$ 1,757.70	177,624	\$ 5.77	\$ 903,185.73	530	\$ 1,704.12	153,063	\$ 5.90
A 3 1 Home Health Aid	2,010,094.18	518	3,880.49	237,643	8.46	1,689,004.83	411	4,109.50	208,378	8.11	1,254,379.36	328	3,824.33	150,177	8.35
A 3 2 Home Health Aid	1,003,329.73	681	1,473.32	48,699	20.60	945,379.06	634	1,491.13	32,049	29.50	871,341.76	561	1,553.19	29,541	29.50
A 8 1 a Nursing Svcs	51,211.73	216	237.09	481	106.47	(601.35)	6	(100.23)	-41	14.67	-	0	-	0	-
A 8 1 b Nursing Svcs	2,115,858.72	1,736	1,218.81	26,460	79.96	1,881,543.72	1,658	1,134.83	20,874	90.14	1,779,937.11	1,653	1,076.79	19,764	90.06
Physical Therapy	641.48	53	12.10	318	2.02	(450.60)	14	(32.19)	117	(3.85)	-	12	-	46	-
Subtotal Category of Service	\$ 6,480,529.27	3,865				\$ 5,539,617.56	3,306				\$ 4,808,843.96	3,084			

NUMBER OF INDIVIDUALS SERVED

2,007

1,878

1,825

Notes:

Claims paid data can provide misleading information on trends if billing behavior/timing changes

Claims paid data can provide misleading information on trends unless seasonalities are accounted for.

Refunds include various claim-specific and non claim-specific recoupments or refunds.

Lawson PP represents claims paid outside the Medicaid claims system

FNDR 57 Report provides additional details on adjustments.

The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.

Data includes fund code N.

BEAS Mid Level is paid from 6173-529 then transferred to 6173-505, usually in the following month.

The difference between the payment and the associated transfer appears in the adjustment line.

Effective QE 06-2011 category A 8 7 Consolidated Dev Svcs is moved from Home Health to Home Support. Prior periods have been adjusted for comparison purposes.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
BEAS CHOICES FOR INDEPENDENCE HOME SUPPORT WAIVER SERVICES  
FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

05-01-08-04-01 6173-506

05-01-08-04-01 5942-506

05-01-08-04-01 5942-506

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011					Claims Paid First Two Quarters SFY 2012					Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service
A 4 Personal Care	11,018,020.37	1,803	6,110.94	521,991	21.11	10,564,564.17	1,857	5,689.05	577,589	18.29	10,813,202.37	1,883	5,742.54	659,249	16.40
A 5 1 Adult Day Health	615,240.14	226	2,722.30	12,490	49.26	518,394.18	173	2,996.50	10,528	49.24	501,657.12	165	3,040.35	10,188	49.24
A 5 2 Non Medical Transportation	-	0	-	0	-	-	1	-	0	-	2,456.00	5	491.20	255	9.63
A 7 Respite Care	104,499.04	56	1,866.05	299	349.50	65,724.92	39	1,685.25	280	234.73	67,561.63	38	1,777.94	252	268.10
A 8 2 PERS	338,422.62	1,838	184.13	10,050	33.67	312,829.12	1,734	180.41	9,233	33.88	305,447.04	1,703	179.36	9,036	33.80
A 8 3 Environmental Modification	453,307.61	70	6,475.82	71	6,384.61	269,890.15	40	6,747.25	40	6,747.25	318,978.02	57	5,596.11	58	5,499.62
A 8 7 Consolidated Dev Svcs	143,879.30	208	691.73	490	293.63	183,771.39	220	835.32	498	369.02	232,065.45	226	1,026.84	776	299.05
A 8 8 Home Delivered Meals	635,320.61	733	866.74	59,365	10.70	562,028.16	669	840.10	54,811	10.25	498,644.16	657	758.97	45,272	11.01
A892 and A893 Supportive Housing	789,106.96	97	8,135.12	9,630	81.94	658,793.72	98	6,722.38	7,892	83.48	749,895.31	95	7,893.63	6,755	111.01
A894 Adult Family Care	47,545.69	7	6,792.24	696	68.31	112,892.07	15	7,526.14	1,789	63.10	170,982.30	22	7,771.92	2,486	66.78
A9 In Home Day Care	190,192.09	55	3,458.04	26,542	7.17	134,518.48	28	4,804.23	18,983	7.09	140,887.04	23	6,125.52	15,750	8.95
Case Management	3,216,520.29	3,185	1,009.90	377,522	8.52	2,501,450.85	3,025	826.93	293,547	8.52	3,116,540.64	3,187	977.89	365,500	8.53
Subtotal Category of Service	\$ 17,552,054.72	8,278				\$ 15,884,857.21	7,899				\$ 16,918,317.08	8,061			
NUMBER OF INDIVIDUALS SERVED		3,249					3,206					3,237			

Notes:

Claims paid data can provide misleading information on trends if billing behavior/timing changes

Claims paid data can provide misleading information on trends unless seasonalities are accounted for.

Refunds include various claim-specific and non claim-specific recoupments or refunds.

Lawson PP represents claims paid outside the Medicaid claims system

FNDR 57 Report provides additional details on adjustments.

The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.

Data includes fund code N.

BEAS Mid Level is paid from 6173-529 then transferred to 6173-505, usually in the following month.

The difference between the payment and the associated transfer appears in the adjustment line.

Effective QE 06-2011 category A 8 7 Consolidated Dev Svcs is moved from Home Health to Home Support. Prior periods have been adjusted for comparison purposes.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
BEAS MID LEVEL PAYMENTS  
FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

05-01-08-04-01 6173-505

05-01-08-04-01 6173-505

05-01-08-04-01 5942-505

Total Expenditures by Category of Service	Claims Paid First Two Quarters SFY 2011					Claims Paid First Two Quarters SFY 2012					Claims Paid First Two Quarters SFY 2013				
	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service	Total Expenditures	Total Recipients	Average Cost per Recipient	Service Count	Average Cost per Service
A 8 9 1 Residential Care	\$ 3,532,246.32	511	\$ 6,912.42	11,250	\$ 313.98	\$ 3,946,051.00	541	\$ 7,293.99	12,485	\$ 316.06	\$ 4,129,182.13	580	\$ 7,119.28	14,497	\$ 284.83
NUMBER OF INDIVIDUALS SERVED		511					541					580			

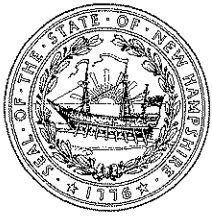
Notes:

Claims paid data can provide misleading information on trends if billing behavior/timing changes  
 Claims paid data can provide misleading information on trends unless seasonalities are accounted for.  
 Refunds include various claim-specific and non claim-specific recoupments or refunds.  
 Lawson PP represents claims paid outside the Medicaid claims system  
 FNDR 57 Report provides additional details on adjustments.  
 The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.  
 BEAS Mid Level is paid from 6173-529 then transferred to 6173-505, usually in the following month.  
 The difference between the payment and the associated transfer appears in the adjustment line.

**NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
BDS PROVIDER PAYMENTS  
FOR THE FIRST SIX MONTHS OF STATE FISCAL YEARS 2011, 2012 AND 2013**

Total Expenditures by Category of Service	05-01-10-01-00			05-01-10-01-00			05-01-10-01-00		
	Claims Paid First Two Quarters SFY 2011			Claims Paid First Two Quarters SFY 2012			Claims Paid First Two Quarters SFY 2013		
	Total Expenditures	Total Recipients	Average Cost per Recipient	Total Expenditures	Total Recipients	Average Cost per Recipient	Total Expenditures	Total Recipients	Average Cost per Recipient
Case Management	\$ 6,779,854.21	5,572	\$ 1,216.77	\$ 6,110,282.12	5,430	\$ 1,125.28	\$ 5,622,338.24	4,780	\$ 1,176.22
Personal Care (Residential) Services	55,615,652.37	2,160	25,747.99	56,990,665.83	2,185	26,082.68	55,312,436.49	2,156	25,655.12
Day Services	23,673,637.00	2,107	11,235.71	24,562,694.93	2,167	11,334.88	23,115,552.54	2,130	10,852.37
Family Support Services	1,287,166.11	868	1,482.91	1,102,653.60	858	1,285.14	1,113,025.18	860	1,294.22
Other Specialized Services	1,019,194.88	522	1,952.48	1,191,687.41	671	1,775.99	1,192,384.37	719	1,658.39
Consumer Directed Services	13,194,523.62	826	15,974.00	13,386,539.19	921	14,534.79	14,609,305.40	974	14,999.29
Early Intervention	3,265,729.39	1,457	2,241.41	3,223,532.69	1,391	2,317.42	2,924,391.64	1,331	2,197.14
<b>Total Expenditures</b>	<b>\$104,835,757.58</b>	<b>13,512</b>		<b>\$106,568,055.77</b>	<b>13,623</b>		<b>\$103,889,433.86</b>	<b>12,950</b>	
<b>NUMBER QF INDIVIDUALS SERVED</b>		<b>6,721</b>			<b>6,821</b>			<b>6,457</b>	

Notes:  
 Claims paid data can provide misleading information on trends if billing behavior/timing changes  
 Claims paid data can provide misleading information on trends unless seasonalities are accounted for.  
 The Total Recipients count contains duplicative numbers and should not be confused with total number of patients served.



STATE OF NEW HAMPSHIRE **FIS 13 071**  
**DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT**  
OFFICE of the COMMISSIONER

172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

603-271-2411  
FAX: 603-271-2629

January 9, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

**INFORMATIONAL ITEM**

In accordance with RSA 227:14, the Department of Resources and Economic Development respectfully submits the attached report regarding season passes issued for Cannon Mountain during fiscal year 2013.

**EXPLANATION**

RSA 227:14 authorizes Cannon Mountain to sell season passes for skiing to New Hampshire residents at a discount of 25% if they are sold prior to December 15<sup>th</sup> each year. It also provides definitions for those eligible for "junior" and "child" season passes. Lastly, it requires a quarterly report on season passes issued.

If you have any questions regarding the attached report, please contact me.

Respectfully submitted,

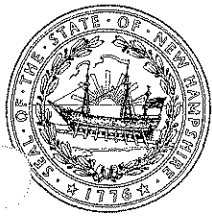
Philip A. Bryce  
Acting Commissioner

PAB/lml  
attachment

Cannon Mountain  
Season Pass Sales  
Fiscal Year 2013

DESCRIPTION	QTY SOLD 1ST QTR	QTY SOLD 2ND QTR	QTY SOLD 3RD QTR	QTY SOLD 4TH QTR	QTY SOLD YTD	UNIT PRICE	YTD GROSS INCOME	PROMOTION DISCOUNTS	YTD NET INCOME
4NH Pass	5	265			270	\$309.00	\$83,430.00	\$0.00	\$83,430.00
Adult Pass	4	293			297	\$760.00	\$225,720.00	\$0.00	\$225,720.00
Bold & Beautiful Pass	3	171			174	\$359.00	\$62,466.00	\$0.00	\$62,466.00
Junior Pass	2	189			191	\$390.00	\$74,490.00	\$0.00	\$74,490.00
Teen Pass	1	182			183	\$460.00	\$84,180.00	\$0.00	\$84,180.00
Military Adult Pass	1	17			18	\$364.50	\$6,561.00	\$0.00	\$6,561.00
Military Senior Pass	0	5			5	\$214.50	\$1,072.50	\$0.00	\$1,072.50
Military NH Adult Pass	4	56			60	\$273.00	\$16,380.00	\$0.00	\$16,380.00
Military NH Senior Pass	0	15			15	\$164.50	\$2,467.50	\$0.00	\$2,467.50
NH Adult Pass	12	447			459	\$570.00	\$261,630.00	\$0.00	\$261,630.00
NH Junior Pass	3	160			163	\$291.00	\$47,433.00	\$0.00	\$47,433.00
NH Teen Pass	2	152			154	\$345.00	\$53,130.00	\$0.00	\$53,130.00
NH Senior Midweek Pass	1	67			68	\$35.00	\$2,380.00	\$0.00	\$2,380.00
NH Senior Pass	1	5			6	\$345.00	\$2,070.00	\$0.00	\$2,070.00
Senior Pass	0	11			11	\$460.00	\$5,060.00	\$0.00	\$5,060.00
State Employee NH Adult Pass	0	15			15	\$285.00	\$4,275.00	\$0.00	\$4,275.00
State Employee Adult Pass	0	3			3	\$380.00	\$1,140.00	\$0.00	\$1,140.00
Under 6 Pass	0	75			75	\$35.00	\$2,625.00	\$0.00	\$2,625.00
<b>Total Passes Sold / Income</b>	<b>39</b>	<b>2,128</b>	<b>0</b>	<b>0</b>	<b>2,167</b>		<b>\$936,510.00</b>	<b>\$0.00</b>	<b>\$936,510.00</b>





STATE OF NEW HAMPSHIRE **FIS 13 072**  
**DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT**  
 OFFICE of the COMMISSIONER

172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

603-271-2411  
 FAX: 603-271-2629

January 9, 2013

The Honorable Mary Jane Wallner, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, New Hampshire 03301

**INFORMATIONAL ITEM**

In accordance with RSA 215-A:3, II-b and RSA 215-C:2, VIII-b, the Department of Resources and Economic Development respectfully reports the following transfers of funds for the Bureau of Trails for the quarter ending December 31, 2012.

<b>From:</b>	03-35-35-351510-35580000-022	Rents – Leases OTS	\$130,000
<b>To:</b>	03-35-35-351510-35580000-020	Current Expenses	\$97,000
	03-35-35-351510-35580000-047	Own Forces Maintenance B&G	25,000
	03-35-35-351510-35580000-048	Contractual Maintenance B&G	8,000

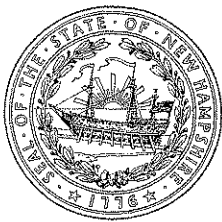
**EXPLANATION**

RSA 215-A:3, II-b and RSA 215-C:2, VIII-b, authorizes the Department to transfer funds among the appropriations for the Bureau of Trails and to report such transfers on a quarterly basis to the Fiscal Committee of the General Court, the Governor and Executive Council, the Speaker of the House and Senate President, and the chairpersons of the Resources, Recreation and Development and the Energy and Natural Resources committees.

The transfers reported above were necessary in order to adjust classes to adequately cover projected expenditures for Fiscal Year 2013 as well as to cover groomer costs for winter trail operations.

Respectfully submitted,

  
 Philip A. Bryce  
 Acting Commissioner



STATE OF NEW HAMPSHIRE  
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT  
DIVISION OF ECONOMIC DEVELOPMENT  
172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

FIS 13 073

January 17, 2013

603-271-2341  
FAX: 603-271-6784  
www.nheconomy.com

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

**INFORMATIONAL ITEM**


In accordance with Chapter 277:4, Laws of 2006, the Department of Resources and Economic Development and the New Hampshire Insurance Department respectfully submit this twice a year report to retain domestic insurers and recruit foreign insurers to redomesticate in New Hampshire.

**EXPLANATION**

Since the filing of our last report on August 2, 2012, in accordance with Chapter 277:4, Laws of 2006, the Department of Resources and Economic Development and the New Hampshire Insurance Department have continued to work jointly on marketing the State's lowering of the insurance premium tax to 1.25%.

- Number of new, out of state companies as of 2006:
  1. John Hancock: 100,000 square feet and 300 new employees (not a redomestication, but a substantial expansion to New Hampshire).
  2. Acadia Insurance: 10,000 square feet and 9 employees
  3. Washington International Insurance Company, 0 employees
  4. Verlan Fire Insurance Company, 0 employees
  5. Colorado Casualty Insurance Company, 0 employees\*
  6. Safeco National Insurance Company, 0 employees\*
  7. Liberty Personal Insurance Company, 0 employees\*
  8. Allied World Reinsurance Company, 0 employees
  9. Golden Eagle Insurance, 0 employees\*
  10. Liberty Life, currently in NH with approximately 250 employees
  11. Campmed Casualty & Indemnity Company, Inc. of Maryland, 0 employees
  12. First National Insurance Company of America, 0 employees\*
  13. General Insurance Company of America, 0 employees\*
  14. Safeco Insurance Company of America, 0 employees\*



TDD ACCESS: RELAY NH 1-800-735-2964  recycled paper

DIVISION OF ECONOMIC DEVELOPMENT 603-271-2341

15. Safeco Surplus Lines Insurance Company of America, 0 employees\*
16. The Midwestern Indemnity Company, 0 employees\*
17. Mid-American Fire & Casualty Company, 0 employees\*
18. American Fire and Casualty Company, 0 employees\*
19. Ohio Security Insurance Company, 0 employees\*
20. The Ohio Casualty Insurance Company, 0 employees\*

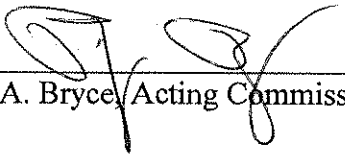
\* Liberty Mutual owned companies.

Note that the marketing funds for this project were taken out of the budget as of July 1, 2011, therefore on-going work has been general sales performed by recruitment, but no further proactive marketing has been done on this project.

Respectfully submitted,

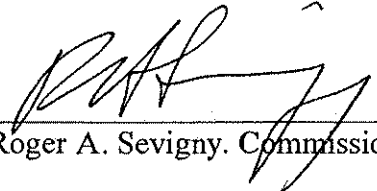
N.H. Department of Resources  
and Economic Development

N.H. Insurance Department



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Philip A. Bryce, Acting Commissioner



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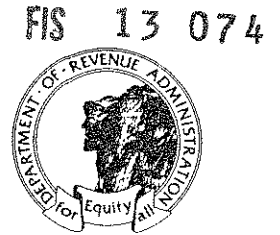
Roger A. Sevigny, Commissioner



Kevin A. Clougherty  
Commissioner

State of New Hampshire  
Department of Revenue Administration

109 Pleasant Street  
PO Box 457, Concord, NH 03302-0457  
Telephone 603-230-5005  
www.nh.gov/revenue



Margaret L. Fulton  
Assistant Commissioner

February 11, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

Re: Refund Report

Dear Representative Wallner:

Pursuant to RSA 21-J:45, enclosed is the Department of Revenue Administration's refund report for January 2013.

Please contact me with any questions or concerns.

Sincerely,

Kevin A. Clougherty  
Commissioner of Revenue

Enclosure

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

Individuals who need auxiliary aids for effective communication in programs and services of the Department of Revenue Administration are invited to make their needs and preferences known to the Department.

Department of Revenue Administration  
 Refund Report for January 2013  
 As Required by RSA 21-J:45

	Count	January Refunds Issued	Count	January Current Claims Refunds Pending	Count	January taxpayer requested refund
CORPORATE BPT	185	\$ 574,164				
PROPRIETORSHIP BPT	104	\$ 100,688				
PARTNER FID BPT	67	\$ 109,023				
TOTAL BPT	356	\$ 783,875			1,116	\$ 5,611,975
BPT/BET Refunds Under Audit Review			24	\$ 848,916		
BPT/BET Refunds			589	\$ 904,213		
BUSINESS ENTERPRISE	140	\$ 177,046			37	\$ 190,006
TOTAL BPT & BET	496	\$ 960,921				
INTEREST & DIVIDENDS	366	\$ 320,093	641	\$ 954,591	859	\$ 4,000,524
		Section 1		Section 2		Section 3

**Section 1 Refunds Issued This Month**

This section is generated from the Lawson Financial System. It is the refunds processed by the Department of Revenue in the calendar month in question. (When looking at cash flow the actual refund for January will be sent out in a subsequent month.)

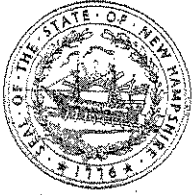
**Section 2 Current Claims Pending This Month**

This is all refunds pending that have not been processed. A pending refund can be the result of any of the following: a taxpayer request, system generated, or audit findings.

- a.) Taxpayer Requested Refunds: These are only refunds initiated by taxpayers received and data entered in the month reported on. These refunds can be from original or amended returns. Does not necessarily mean they will be granted.
- b.) System Generated Refunds: The DRA computer system identifies out of balance accounts and all of those out of balance accounts that favor taxpayers will appear as 'system refunds'. Most of these system generated refunds are resolved without actual refunds being paid. Example: an estimate credited to the wrong year would generate a system tax notice in one year and a system refund in another correctly transferring the estimate. The estimate resolves both the refund and the tax notice.
- c.) Refunds as a Result of Audit: Some audits result in refunds because evaluation of taxpayer records subsequent to an audit in January will result in the identification of a legitimate refund.

**Section 3 Taxpayer Requested Refunds This Month**

These are only refunds initiated by taxpayers received and data entered in the month reported on. These refunds can be from original or amended returns. Requested refunds for January include, in addition to requests received in January, requests received from August 21st through December that were not entered into the system this month. As such, these requests were not included in prior months reporting and have all been included in January.



# State of New Hampshire

FIS 13 079

DEPARTMENT OF HEALTH AND HUMAN SERVICES

129 PLEASANT STREET, CONCORD, NH 03301-3857

~~603-271-9200~~ FAX: 603-271-4912 TDD ACCESS: 1-800-735-2964

**New Number: 603-271-9200**

NICHOLAS A. TOUMPAS  
COMMISSIONER

February 20, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

RE: Medicaid Managed Care Update

## Information

Pursuant to Chapter Law 224:314, Laws of 2011, the Department of Health and Human Services is providing the Fiscal Committee of the General Court with a status update on the care management program.

## Explanation

### Managed Care

Chapter Law 125, Laws of 2011, requires the Commissioner to employ a managed care model for administrating the Medicaid program and its enrollees to provide for managed care services for all Medicaid populations throughout New Hampshire consistent with the provisions of 42 U.S.C 1396u-2. The Department developed a three-step approach. Step 1 includes all Medicaid and Children's Health Insurance Program (CHIP) State Plan medical, pharmacy, and mental health services for all populations with the exception of Spend down populations. Step 2 will include specialty services for the long term care populations, including nursing home services and, considers the state's option to manage financing for specialty services for those dually eligible for Medicaid and Medicare. Should the State choose to exercise its option to expand the Medicaid population under the Affordable Care Act, Step 3 will include the Medicaid expansion population. A Request For Proposals for these services was issued on October 17, 2011; vendor selection was made in January 2012; the Fiscal Committee approved the Step 1 rates; and on May 9, 2012, the Governor and Council approved the contracts with the three vendors considered to have the best capability to meet the State's need for value, quality, efficiency, innovation and savings. These vendors are Granite State Health Plan (Centene Corporation), Well Sense Health Plan (Boston Medical Center) and Meridian Health Plan of New Hampshire.

This approval concluded the procurement process for the Medicaid managed care program. With contract authority to move forward with implementation, the Department has taken the following steps: 1) submitted to and received approval on August 24, 2012, from the Centers for Medicare & Medicaid Services for a State Plan Amendment; 2) submitted the contracts and rates to the Centers for Medicare & Medicaid Services with approval still pending; 3) issued a Request for Proposals for a vendor to assist in the initial member enrollment; selected MAXIMUS Health Services, Inc. and received contract approval from the Governor and Council on July 11, 2012; 4) held a series of meetings with the managed care organizations to track their progress as they move toward implementation of the program; and 5) held a series of informational meetings throughout the State for individuals who use Medicaid services and their families/caregivers. A report on the informational meetings is available at <http://www.dhhs.nh.gov/ocom/care-management.htm>.

The Department continues to work with the Centers for Medicare & Medicaid Services to obtain its approval of the managed care organizations' contracts and rates. The Centers for Medicare & Medicaid Services issued a letter on September 28, 2012, indicating that upon its preliminary review, the contracts are approvable and identifying two outstanding issues with the rates that we are working to resolve. We have addressed the two rate-related items and look forward to final approval.

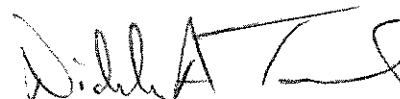
The Department has been closely monitoring the steps needed to fully implement the new program, including the development of the managed care organizations' provider networks with special focus on acute care hospitals, primary care physicians, community mental health centers and federally-qualified community health centers. The program start date is contingent on the development of the provider networks. We have set forth a timeline that culminates with the program start that will begin once the managed care organizations are able to demonstrate that they have met certain milestones in putting together the provider network to serve the Medicaid population.

The Department has daily contact with the managed care organizations on a number of topics beyond network development, including policies and procedures, systems interfaces, care coordination and other program-related matters.

Summary

The Department continues to conduct all of the activities necessary for the development and implementation of the NH Medicaid Care Management program. Much remains to be done, and with continued effort and support at the State and federal levels; we look forward to effectively delivering Medicaid services to the State's most vulnerable populations.

Respectfully submitted,



Nicholas A. Toumpas  
Commissioner