


STATE OF NEW HAMPSHIRE**Inter-Department Communication**

DATE: April 3, 2019
AT (OFFICE): NHPUC

FROM:  Kath Mullholand, Director – Regulatory Innovation and Strategy Division

SUBJECT: Docket DT 19-024 Consolidated Communications of Northern New England Company, LLC dba Consolidated Communications-NNE Petition for License to Temporarily Construct and Maintain Telecommunications Cable Across the Bearcamp River in Ossipee
Staff Recommendation

TO: Commissioners
Debra A. Howland, Executive Director

CC: David K. Wiesner, Director, Legal Division

On January 31, 2019, Consolidated Communications of Northern New England Company, LLC d/b/a Consolidated Communications-NNE (Consolidated) filed a petition pursuant to RSA 371:17 for a license to temporarily place and maintain telephone plant aerially crossing public waters of the Bearcamp River in the Town of Ossipee, New Hampshire. The project involves a relocation of the existing telecommunications cable due to a New Hampshire Department of Transportation (DOT) bridge construction project (NHDOT Bridge No. 137/297). The existing crossing is currently unlicensed.

The proposed crossing is located approximately 90 feet from the highway right-of-way, State Highway Route 16. The structures, Eversource pole numbers 150D/60 and 150D/59.5, are to be relocated to a site East of the bridge. Consolidated provided a location map (attached hereto), and a project plan schematic of the structures as Exhibit A (attached hereto) through Exhibit B-2, together with its petition.

The required technical information provided in the petition is based on the 2012 National Electrical Safety Code (NESC) C2-2012. In the petition, Consolidated notes that the proposed crossing has been designed and will be constructed, maintained, and operated in accordance with the NESC. The design criteria used for the conductors transmitting telecommunications will be one 144 fiber strand cable and three copper cables. In its petition, Consolidated provides sufficient detail to show how all required clearances (at least 26.8 feet) from telecommunication cable to the surface of the water will be maintained.

Staff notes that, because the proposed cable relocation is required by DOT in connection with its bridge reconstruction project, Consolidated's petition should be construed as a request for a license under RSA 371:18, which provides as follows:

The requirement for petition to and hearing by the commission as provided in RSA 371:17 shall not be required when the license is requested by the public utility for the exclusive purpose of furnishing facilities to, or relocating facilities at the request of, the state, or any department or agency thereof. All such crossings shall comply with the National Electrical Safety Code.

Under that statutory exception, it is not necessary for the company to file a petition nor for the Commission to hold a hearing. That treatment is consistent with the related crossing license requested by Public Service Company of New Hampshire d/b/a Eversource Energy in Docket No. DE 18-178.

Based on the results of its review and investigation of the petition, its attachments, and all other supporting documents filed in this docket, Staff recommends that the Commission:

1. Find that the crossing license Consolidated requests may be exercised in compliance with the NESC;
2. Grant Consolidated a license to construct, operate, and maintain a telecommunications cable over and across the public waters of the Bearcamp River in Ossipee, New Hampshire, as specified in the petition; and
3. Issue an order approving the crossing and granting the license under RSA 371:18.

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SERVICE LIST - DOCKET RELATED

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