

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 08-083

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

**Petition for License to Construct and Maintain Electric Lines Over and Across the Public
Waters of the Ashuelot River in Swanzey**

Order *Nisi* Granting License

ORDER NO. 24,874

July 23, 2008

On June 6, 2008, Public Service Company of New Hampshire (PSNH) filed a petition pursuant to RSA 371:17 for a license to construct and maintain electric lines across the Ashuelot River in Swanzey. PSNH plans to replace the existing river crossing to meet growth in demand and to increase reliability in the Swanzey area. According to PSNH, if the river crossing for the existing 12.47 kilovolt (kV) distribution line, designated as the 4W2 circuit, is not replaced, reliable electric service could not be maintained in the Swanzey area if another contingency were to occur. On July 15, 2008, Staff filed a memorandum with the Commission recommending that the Commission grant the license.

PSNH stated that the new river crossing will be constructed in the current position of the existing line, just west of the Thompson Covered Bridge (Main and California Streets) using the existing structure on the northern side of the river and relocating the southern structure 17 feet further from the river. According to the petition, the new river crossing will be built within the public street right-of-way. PSNH indicates that the Town of Swanzey has issued pole licenses for both the existing structure (#944582, memo #255-88) and the new structure (#31-0739). PSNH also reported that it has no known Commission license for the existing crossing. Finally,

PSNH confirmed that no permits from the departments of environmental services or transportation are required.

The weather and loading conditions investigated include the National Electrical Safety Code (NESC), American National Standards Institute (ANSI) C2-2007 Heavy Load Conditions (0 degrees Fahrenheit (F), 4 pounds per square foot wind loading, and ½ inch radial ice), minus 20 degrees F ambient temperature, and 105 degrees F ambient temperature for both the phase and neutral conductors. PSNH used these design conditions to determine the minimum clearance of the conductors to the water and land surfaces of the crossing.

PSNH determined that the 100-year flood level at this location is 463 feet using the Federal Emergency Management Agency (FEMA) Cheshire County Flood Insurance Study dated May 23, 2006 and the National Geodetic Vertical Datum of 1929. PSNH used the 100-year flood elevation in its design instead of the normal flood level or 10-year flood levels required by the NESC for the purpose of conservatism. PSNH stated that the designed construction will exceed the NESC/ANSI standards for water crossings using the 100-year flood water elevations.

According to PSNH, the use and enjoyment by the public of these waters will not be diminished in any material respect as a result of the proposed replacement of the current electric line crossing. PSNH further attested that the construction of the crossing will be constructed, maintained and operated in accordance with the requirements of the NESC, ANSI C2-2007.

Based on the information presented by PSNH and Staff, we find this crossing necessary for PSNH to meet the reasonable requirements of reliable service to the public within PSNH's authorized franchise area as required by RSA 371:17 and that the requested license may be

exercised without substantially affecting the public rights in the affected public waters as required for approval under RSA 371:20. We approve the petition as for the public good on a *nisi* basis in order to provide any interested party the opportunity to submit comments or to request a hearing.

Based upon the foregoing, it is hereby

ORDERED *NISI*, that subject to the effective date below, Public Service Company of New Hampshire petition for a license to construct, maintain and operate electric lines over the Ashuelot River in Swanzey, New Hampshire as described in its petition and depicted in its exhibits submitted June 6, 2008 and on file with this Commission is hereby GRANTED; and it is

FURTHER ORDERED, that all construction and future reconstruction to this approved crossing shall conform to the requirements of the National Electrical Safety Code and all other applicable safety standards in existence at that time; and it is

FURTHER ORDERED, that PSNH maintains and operates this crossing in conformance with the National Electrical Safety Code; and it is

FURTHER ORDERED, that PSNH shall provide a copy of this order to the Town Clerk of Swanzey; New Hampshire Attorney General; and the owners of the land bordering on said public waters at the location of the crossing, pursuant to RSA 371:19, and, pursuant to RSA 422-B:13, the New Hampshire Department of Transportation and the Office of Secretary, U.S. Department of Commerce by first class mail, no later than July 28, 2008, to be documented by affidavit filed with this office on or before August 14, 2008; and it is

FURTHER ORDERED, that PSNH shall cause a copy of this Order *Nisi* to be published once in a statewide newspaper of general circulation or of circulation in those portions

of the state where operations are conducted, such publication to be no later than July 28, 2008 and to be documented by affidavit filed with this office on or before August 14, 2008; and it is

FURTHER ORDERED, that all persons interested in responding to this Order *Nisi* be notified that they may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than August 6, 2008 for the Commission’s consideration; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than August 11, 2008; and it is

FURTHER ORDERED, that this Order *Nisi* shall be effective August 14, 2008, unless PSNH fails to satisfy the publication obligation set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New Hampshire this twenty-third day of July, 2008.

Thomas B. Getz
Chairman

Graham J. Morrison
Commissioner

Clifton C. Below
Commissioner

Attested by:

Debra A. Howland
Executive Director & Secretary