

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DT 12-012  
NEW HAMPSHIRE OPTICAL SYSTEMS, INC.**

**Request to Construct and Maintain Fiber Optic Cable  
Over and Across Public Waters**

**NOTICE OF ORDER NO. 25,418**

**September 27, 2012**

**SUMMARY OF ORDER**

On January 11, 2012, New Hampshire Optical Systems, Inc. (NHOS)<sup>1</sup> filed a petition pursuant to RSA 371:17 requesting a license to construct and maintain fiber optic cables over and across public waters of the rivers and brooks listed below, located in four New Hampshire towns. According to the petition, each proposed crossing will be placed between existing utility poles in existing public rights-of-way.

The locations of the crossings are as follows:

- Haverhill: The Oliverian Brook crossing parallels the southerly side of Route 25 in the vicinity of Back Bay Road, between electric Poles 3/99 and 3/100.
- Bath: The Wild Ammonoosuc River crossing parallels the northerly side of the Rum Hill Road bridge in the vicinity of its intersection with Route 112, between electric Poles 374/50 and 374/51.
- Lisbon: The Ammonoosuc River crossing parallels the northerly side of the Route 10 bridge in the vicinity of Lyman Road, between electric Poles 210/60 and 210/61.
- Orford: The Jacob Brook crossing parallels an easement from the extension of Tannery Road at Dublin Street to Archertown Road, between electric Poles 41/32 and 41/33.

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<sup>1</sup> On August 13, 2010, the Commission authorized NHOS to provide competitive local exchange services in New Hampshire. See *CLEC Authorization CL-08-002-10 (Docket No. DT 10-215)*.

The petition, subsequent docket filings, and a copy of the entire Order are posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2012/12-012.html>.

Staff reviewed the petition and conducted discussions with NHOS, then subsequently filed a memorandum finding the proposed construction and sagging design to be in conformance with the applicable sections of the NESC. Staff recommended approval of NHOS's petition, subject to certain conditions related to ensuring the safe operation and maintenance of the proposed crossings.

Based on the information presented in NHOS's petition and Staff's memorandum, the Commission finds the proposed crossings necessary for NHOS to meet the reasonable requirements of reliable service to the public within NHOS's authorized service territory, and that the requested license may be exercised without substantially affecting the public rights in the affected public waters. The petition is therefore approved on a *nisi* basis, subject to the conditions recommended by Staff and contained in the full Order at the link referenced above.

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 October 15, 2012 for the Commission's consideration; and any party interested in responding to such comments or request for hearing shall do so no later than October 22, 2012. This Order *Nisi* shall be effective October 29, 2012, unless the Petitioner fails to satisfy the publication obligation set forth in the full order or the Commission provides otherwise in a supplemental order issued prior to the effective date.