

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE V. BERNICE D. KELLEY

Petition for a right of way for the construction and maintenance of transmission lines across lands in New Hampton, and assessment of damages occasioned thereby.

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Appearances: for the Public Service Company of New Hampshire, Irving H. Soden; for Bernice D. Kelley, George J. Falardeau.

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REPORT

By this petition, filed January 19, 1953, the Public Service Company of New Hampshire, a duly organized New Hampshire corporation, operating as an electric public utility under the jurisdiction of this Commission seeks, pursuant to the provisions of R. L. c. 294, a certificate of necessity for a right of way for the construction and maintenance of an electric transmission line over a privately-owned tract of land in the Town of New Hampton, and the assessment of damages and compensation therefor to the owners. Following due notice, hearing was held on the petition in Franklin on February 25, 1953. A view of the premises was taken on February 20, 1953.

The Company represents that the right of way is sought for the construction and maintenance of a 110 KV transmission line from its Webster Substation in Franklin to a Sub-station in North Woodstock for the purpose of interconnecting its generating facilities in the southern part of the State with its northern service areas. In its course, the proposed transmission line will traverse approximately 1,350 feet of land owned by Bernice D. Kelley in New Hampton. A right of way 125 feet in width is sought, located adjacent to an existing right of way presently owned and occupied by the Company. A total right of way on the Kelley property will occupy approximately four acres.

The Company submitted that it was offering \$267 for the requested right of way, based on a taking of 5-1/3 acres at \$20 per acre, 8,000 feet of lumber at \$15 per thousand feet, and 20 cords of wood at \$2 per cord.

Counsel for the landowner admitted the necessity for the proposed right of way and agreed to accept the Company's offer for the resulting damage.

This Commission finds that the right of way sought herein by the Public Service Company of New Hampshire is necessary to meet the reasonable requirements of service to the public.

This Commission further finds that \$267 is just and reasonable compensation to Bernice D. Kelley for the damage to her property, attendant upon the construction of the proposed transmission line. Our order will issue accordingly.

Harold K. Davari
Edward R. Thornton
Leo Laraba
Commissioners

Filed March 3, 1953.