

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 15-509

**NEW HAMPSHIRE ELECTRIC COOPERATIVE, INC. AND PUBLIC
SERVICE COMPANY OF NEW HAMPSHIRE d/b/a EVERSOURCE ENERGY**

Joint Petition to Alter Franchise Areas in Barnstead, New Hampshire

Order *Nisi* Approving Franchise Boundary Change

ORDER NO. 25,869

February 23, 2016

On December 18, 2015, the New Hampshire Electric Cooperative, Inc. (NHEC), and Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) filed a Joint Petition with the Commission in which they requested a change to their franchise areas in Barnstead, New Hampshire. According to the Joint Petition, the proposed change is necessary to provide electric service to property owned by Mr. Justin Ferland located off Garland Road (Lot 51) in Barnstead. The petitioners attached a map and aerial photograph depicting the location of Lot 51 and the franchise boundaries. The Joint Petition states that the requested relief is authorized under RSA 374:22 (requiring approval of a franchise before operating as a public utility) and RSA 374:26 (requiring that franchises be granted only for the public good), although NHEC and Eversource both recognize that under RSA 362:2, II, RSA 374:22 does not apply to NHEC. The Joint Petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2015/15-509.html>.

NHEC and Eversource serve separate parts of Barnstead and NHEC would serve Lot 51 under the current franchise maps. According to the Joint Petition, however, Mr. Ferland cannot obtain a right-of-way from his abutting neighbor to allow NHEC to provide service to his property from NHEC's facilities closest to the property. The only other option for NHEC to serve the property would be to extend distribution facilities over Lougee Pond from State-owned property on Coles Ledge Road. NHEC considers this route to be impracticable.

Given the circumstances, NHEC and Eversource agree that Eversource should serve Mr. Ferland's property by building a 3,300 foot extension from Eversource's distribution facilities on Garland Road to Mr. Ferland's property. The last 735 feet of the 3,300 foot extension would be in the current NHEC franchise area. NHEC and Eversource agree to adjust their respective franchise areas in Barnstead and place Lot 51 on Garland Road within Eversource's franchise area. The petition states that Mr. Ferland agrees with the proposed boundary revision. No other change is requested to the franchise area boundaries in Barnstead.

Staff filed a memorandum on December 29, 2015. Staff said that the Commission's Consumer Affairs division had worked with Mr. Ferland as he explored his options for obtaining electric service in Barnstead. According to Staff, Mr. Ferland has received an estimate from Eversource for the cost of extending service to his home and wishes to proceed with the Eversource line extension proposal. Staff recommended that the Commission grant the petition, and do so without holding a hearing because all parties are in agreement on the merits of the proposal.

Pursuant to RSA 374:22 and RSA 374:26 and based on our review, we find that it is in the public interest to approve the change in the franchise areas of NHEC and Eversource to allow

Eversource to serve Mr. Ferland's property from Eversource's existing distribution facilities on Garland Road. We approve the change on a *nisi* basis in order to provide any interested party the opportunity to submit comments or request a hearing. We also direct both NHEC and Eversource to update their franchise maps consistent with this approved change.

Based upon the foregoing, it is hereby

ORDERED *NISI*, that subject to the effective date below, the joint petition of New Hampshire Electric Cooperative, Inc. and Public Service Company of New Hampshire d/b/a Eversource Energy to adjust their franchise territories in Barnstead, New Hampshire is hereby GRANTED; and it is

FURTHER ORDERED, that Eversource shall cause a summary 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 March 4, 2016 and to be documented by affidavit filed with this office on or before March 21, 2016; 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 March 11, 2016 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 March 18, 2016; and it is

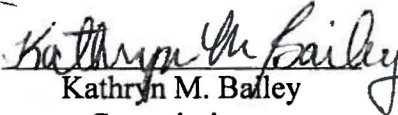
FURTHER ORDERED, that this Order *Nisi* shall be effective March 24, 2016, unless the Petitioner fails to satisfy the publication obligation set forth above or unless otherwise ordered by the Commission; and it is

FURTHER ORDERED, that within 30 days of the effective date of this order *nisi* NHEC and Eversource shall file updated franchise maps noting the approved change, annotated with this Order No. and the effective date herein, unless a supplemental order is issued prior to the effective date.


By order of the Public Utilities Commission of New Hampshire this twenty-third day of February, 2016.


Martin P. Honigberg
Chairman


Robert R. Scott
Commissioner


Kathryn M. Bailey
Commissioner

Attested by:


Debra A. Howland
Executive Director