

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 19-184

NEW HAMPSHIRE ELECTRIC COOPERATIVE, INC., AND EVERSOURCE ENERGY

**Joint Petition of New Hampshire Electric Cooperative, Inc., and Eversource Energy
to Alter Franchise Areas in Barnstead**

Order *Nisi* Approving Franchise Boundary Change

ORDER NO. 26,324

January 10, 2020

This order modifies a franchise boundary between the New Hampshire Electric Cooperative and Eversource. The modification allows Eversource to provide electric service to Tax Lot 0080-38-009, off New Road in Barnstead, New Hampshire. The order is being issued on a *nisi* basis to ensure that all interested parties receive notice and have the opportunity to comment or request a hearing before the order becomes effective.

I. PROCEDURAL HISTORY

On November 12, 2019, the New Hampshire Electric Cooperative Inc. (NHEC) and Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) filed a joint petition to alter their franchise areas in Barnstead. The petition included maps delineating the proposed service territories. The utilities also provided an additional map, and an annotated Attachment C, which is attached to Commission Staff's Recommendation which shows the proposed franchise re-alignment by lot number.

In a memorandum dated December 23, 2019, Staff recommended approval of the franchise boundary change (Staff Recommendation). 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 at <http://puc.nh.gov/Regulatory/Docketbk/2019/19-184.html>.

II. SUMMARY OF PETITION AND STAFF RECOMMENDATION

NHEC and Eversource both provide services to portions of Barnstead. The utilities filed a joint petition to allow Eversource to provide electric service to Tax Lot 0080-38-009 off New Road, an area currently within NHEC's franchise area. It would be substantially more expensive for NHEC to route new service lines to that location than it would be for Eversource to construct a service line from an abutting property within its service territory. According to the joint petitioners, the owner of the property agrees to the boundary adjustment.

As stated in the joint petition, both utilities seek to align their service territories with their facilities in the field. For various reasons, over the years each utility has served building lots near the Site that were within the service territory of the other utility. Additionally, in this area the existing franchise line bisects existing building lot lines for undeveloped parcels in numerous places. If the franchise lines are not reconfigured now, future adjustments would be required if and when those lots are developed. To address those concerns, the joint petitioners have mutually agreed to various adjustments to the existing franchise boundary lines. *See* Staff Recommendation Updated Attachment C.

Staff confirmed that due to the physical location of the property off New Road extending electric utility service from Eversource facilities would be substantially less costly than extending service from NHEC facilities. Staff also noted that altering the franchise boundary lines in this area to reflect the current state of service within each franchise will not adversely affect any existing customers. Staff concluded that adjusting the franchise boundary line to

reflect respective facilities in the field, and to be consistent with expected future development, is reasonable and appropriate, and therefore would be in the public good. Accordingly, Staff recommended that the Commission find that the proposed franchise alteration is in the public good, and grant the relief requested in the petition.

III. COMMISSION ANALYSIS

RSA 374:22, I, provides that no person or business entity may commence any business as a public utility in the State of New Hampshire or exercise any right or privilege under any franchise without first obtaining the Commission's approval. The Commission may approve a franchise request after due hearing, or without a hearing when all interested parties are in agreement, if it finds the franchise would be for the public good. RSA 374:26.

We have reviewed NHEC and Eversource's joint petition, as well as the recommendation from Staff. The extension of electric utility distribution services from Eversource's nearby facilities to the property off New Road is substantially less costly than the construction that would be required to bring service from NHEC's existing facilities. Granting that relief is therefore reasonable and appropriate, and for the public good.

It is similarly reasonable and appropriate to update records and align the franchise areas with existing service territories in the field, and to facilitate future development by avoiding bisecting existing building lots. *See New Hampshire Electric Cooperative, Inc. and Eversource Energy*, Order 26,259 at 3 (June 13, 2019) ("We note that tariffs and boundary lines need to be accurate for several reasons, including but not limited to public safety. Utilities should promptly seek boundary adjustments when necessary to provide new service cost effectively to customers outside authorized franchise areas").

Other than the property off New Road, no existing customers will be impacted by the proposed modification. The Commission finds reassignment of the property off New Road, and of the Tax Lots as identified on NHEC and Eversource's Updated Attachment C, is for the public good. We approve the joint petition on a *nisi* basis to provide any interested party the opportunity to submit comments or request a hearing. We also direct NHEC and Eversource to file updated franchise maps noting the approved changes.

Based upon the foregoing, it is hereby

ORDERED *NISI*, that subject to the effective date below, the joint petition of NHEC and Eversource 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*, issued concurrently with this order, 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 January 21, 2020, and to be documented by affidavit filed with the Commission on or before February 4, 2020; and it is

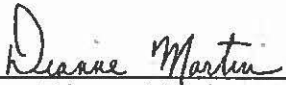
FURTHER ORDERED, that persons interested in responding to this order *nisi* be notified that they may submit comments or file a written request for a hearing which states the reason and basis for a hearing no later than January 28, 2020, for the Commission's consideration; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than February 4, 2020; and it is

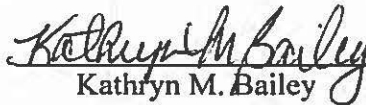
FURTHER ORDERED, that this order shall be effective February 10, 2020, unless Eversource fails to satisfy the publication obligation set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date; and it is

FURTHER ORDERED, that Eversource and NHEC shall file updated franchise maps with the Commission, in accordance with N.H. Admin. R., Puc 1603, noting the approved change, annotated with this order and the effective date herein, within 30 days of the effective date of this order, unless a supplemental order is issued prior to the effective date.

By order of the Public Utilities Commission of New Hampshire this tenth day of January, 2020.



Dianne Martin
Chairwoman

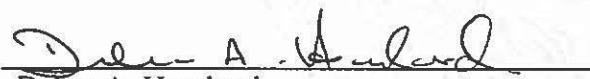


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Commissioner



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Attested by:



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