

**THE STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION**

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
d/b/a EVERSOURCE ENERGY**

DOCKET No. DE 21-070

**PETITION OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE D/B/A
EVERSOURCE ENERGY FOR LICENSE TO CONSTRUCT AND MAINTAIN
ELECTRIC LINES OVER AND ACROSS STATE OWNED LAND IN MERRIMACK,
NEW HAMPSHIRE**

Pursuant to RSA 371:17, Public Service Company of New Hampshire d/b/a Eversource Energy (“Eversource” or “the Company”), a public utility engaged in the transmission, distribution and sale of electricity in the State of New Hampshire, hereby petitions the Public Utilities Commission (“Commission”), for a license to construct and maintain electric lines over and across State owned land in Merrimack, New Hampshire. In support of this petition Eversource states as follows:

1. In order to meet the requirements for reasonable service to the public, Eversource has previously constructed and currently operates and maintains an overhead 115 kV electrical transmission line, designated as the Eversource K105 Line, originally constructed in 2002, over and across State owned land in Merrimack, New Hampshire. The State land crossing was not previously licensed by the PUC, perhaps as a result of a misunderstanding by Eversource about limits of the limited access highway under The Dept. of Transportation, Bureau of Turnpike’s jurisdiction, given that the State Land parcel that is the subject of this petition, Map 7E, Lot 18, abuts the boundaries of the limited access corridor encompassing the F.E. Everett Turnpike.

2. Eversource is continuing maintenance work on the K105 line, which includes the planned replacement of Structures 22 and 23, as well as replacement of Structure 21 which was accomplished in December of 2020 without first obtaining a license after field inspection revealed a heavy amount of checking in the laminated wood structure and a scheduled outage enabled replacement without compromising public safety or system reliability on account of the severely

degraded structure condition. Structure 21's location on the end of a span crossing the F.E. Everett Turnpike created a heightened urgency around timely replacement. The original laminated wood Structures 21, 22 and 23 have and shall be replaced with weathering steel that will have the same configuration as the original structures and will be located within 10' of the original structure location. The existing three conductors, whose specifications are identified on the Exhibit 2 Cable Schedule, will be unchanged in the course of relocation to the steel replacement structures. In addition, the existing pole top communication cable will be replaced with an updated OPGW communications cable, whose specifications are identified on the Exhibit 2 Cable Schedule, for consistency across the entire K105 circuit.

3. The one State owned land span that is the subject of this petition is depicted on Exhibit 1 as a high-level perspective of the locations. Additional site location description of that span is as follows.

Exhibits 2 and 3 – The K105 crosses the State owned land in the town of Merrimack between structures 19 to 23. The state owned land is within a section of right-of-way between US Route 3 (F.E. Everett Turnpike) and Back River Road, where the K105 crosses approximately 500 feet from the intersection of Back River Road and Spring Pond Road. The state owned land begins on the west side of US Route 3 (F.E. Everett Turnpike) and extends approximately 910.8' west, prior to where the line crosses another utility line right-of-way where multiple lines occur.

4. Wire specifications and loading condition to establish maximum sag for the crossing span that is the subject of this petition are as indicated on Profile View and Cable Schedule of Exhibit 2.

5. The location of structures and max sag conditions creates the following crossing spans:

State Owned Land: Merrimack Map 7E, Lot 18 (Exhibit 2&3)

- i. Structures: Str. 19 to 23
- ii. Structure Span (ft): 1459.5'
- iii. State Owned Land Span (ft): 910.8'

6. All conductors and static wires have been drawn on Exhibit 2 to show the minimum clearance at maximum sag conditions in reference to the State owned land crossing.

7. Eversource will maintain and operate the clearances of the crossing at a height no less than what is required by the 2012 National Electrical Safety Code (NESC, Table 232-1) which is 20.1' for other areas traveled by vehicles, such as cultivating, grazing, forest and orchard lands, industrial areas, commercial areas, etc.¹ The actual minimum height over State owned land is depicted on the attached Exhibit 2 and exceeds the minimum requirements.

8. A New Hampshire Department of Environmental Services (NHDES) wetland statutory permit by notification (SPN) will be obtained prior to commencement of the replacement of Structures 22 and 23 for temporary wetland impacts associated with the construction. No other environmental permits are required. A SPN (Permit # 2020-00583) was obtained prior to commencement of the replacement of Structure 21 and no other environmental permits were required.

9. The structure replacement work will be accomplished within existing ROW easements thereby mitigating impacts and concerns of property owners affected by the project scope.

10. Eversource submits that the license petitioned for herein may be exercised without substantially affecting the use and enjoyment of the public in the State owned land since safe clearances to ground will be maintained at all times. The wire relocation to the replacement structures over the F.E. Everett Turnpike will be undertaken in coordination with the New Hampshire turnpike authority to ensure the safety of the traveling public.

WHEREFORE, Eversource respectfully requests that the Commission:

1. Find that the license petitioned for herein may be exercised without substantially affecting the public rights in the State owned land which is the subject of this petition;

¹ Although the State owned land that is the subject of this petition has no roads and the appropriate clearance criteria is above stated condition for unknown planned use of public land, given the proximity to the F.E. Everett Turnpike it is worth noting that the clearance requirement of 20.1' is the same for Roads, streets, and other areas subject to truck traffic.

2. Grant Eversource a license to construct and maintain electric lines over and across the State owned land described in this petition;
3. Issue an order *Nisi* and orders for its publication.

Dated at Manchester, New Hampshire this 12th day of August, 2021.

Respectfully submitted,
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
D/B/A EVERSOURCE ENERGY
By Its Attorney



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