

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 21-081

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

**Petition for Amended License to Construct and Maintain Electric Lines
Over and Across Land Owned by the State of New Hampshire in Greenville**

Order *Nisi* Granting License

ORDER NO. 26,492

June 30, 2021

This order grants Eversource Energy an amended license to modify, reconstruct, maintain, and operate an existing electric transmission line over and across land owned by the State of New Hampshire in Greenville. This order is being issued on a *nisi* basis to ensure that interested persons receive notice and have an opportunity to comment or request a hearing before the order becomes effective.

I. PROCEDURAL HISTORY

On April 22, 2021, Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource, or the Company) filed a petition, with attachments, pursuant to RSA 371:17 for an amended license to modify, reconstruct, operate, and maintain an overhead 345 kilovolt (kV) transmission line, designated as the Eversource 367 Line (367 Line), over and across land owned by the State of New Hampshire in Greenville. On May 19, 2021, Eversource filed a replacement petition with corrections and changes to its initial petition. No changes were made to the attachments filed with the original petition. In support of its petition, the Company submitted a location plan, and plan and profile drawings with structural details of the land crossing.

Commission Staff (Staff) recommended that the petition be granted. The petition and additional docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are posted on the Commission's website at <https://www.puc.nh.gov/Regulatory/Docketbk/2021/21-081.html>.

II. SUMMARY OF REQUEST

Eversource previously constructed and currently operates and maintains an overhead 345 kV transmission line designated as the Eversource 367 Line, originally constructed in 1970. The line crosses land owned by the State of New Hampshire in Greenville. The Company proposes to replace two existing wood structures located at a previously licensed crossing that encompasses multiple spans along the 367 Line, with newly constructed steel support structures to ensure continued safe and reliable operation. The existing three conductors, one fiber optic ground wire (OPGW), and one static wire will be transferred to the new steel structures. The OPGW and static wire will be vertically attached above the conductors.

A. History

The Eversource 367 Line was originally constructed in 1970. The State land crossing in Greenville was most recently licensed in Docket No. DE 20-066 pursuant to Order No. 26,417 which licensed replacement of original wood structures 252, 253, 256, 257, and 258 within a span extending from Structure 251 to 258. The present petition for an amended license addresses the replacement of two additional structures, 254 and 255, within the same crossing over state-owned land. The petition also seeks to correct an error in the exhibit drawings that supported the Company's petition in Docket No. DE 20-066, which incorrectly depicted the OPGW wire with a 0.456 specification, when, in fact, the existing OPGW wire, which will remain unchanged, has a 0.646 specification, as noted on the cable schedules in Exhibits 2, 3, and 4 in the petition filing.

B. Crossing Location and Construction

Structure 254 is currently located approximately 1,970 feet west of Route 31 in Greenville along the Company's existing right-of-way. The 367 Line then continues west approximately 495 feet to Structure 255, which is located approximately 2,260 feet east of where the 367 Line crosses over Blake Road and approximately 400 feet south of the intersection of Blake Road and Richardson Road in Greenville. The crossing between Structures 254 and 255 creates a span of approximately 495 feet over state-owned land.

Eversource is continuing maintenance work on the 367 Line, which includes the planned replacement of original wood Structures 254 and 255 with weathered steel equivalents that will be located within 10 feet of the current structure locations. Three existing conductors, one OPGW cable, and one static wire, for which specifications are identified on Exhibits 2-4, will be unchanged in the course of relocation to the steel replacement structures.

The proposed line modifications on the 367 Line are designed and will be constructed in compliance with the 2012 National Electrical Safety Code (NESC), pursuant to N.H. Admin. R., Puc 306.01.

C. Regulatory Requirements

Eversource stated in its petition that a New Hampshire Department of Environmental Services (NHDES) Statutory Permit by Notification (SPN) is not required to accomplish the replacement of Structures 254 and 255. However, Eversource will obtain an SPN for its broader maintenance project along on the 367 Line outside the boundaries of the state-owned land in Greenville.

D. Property Rights

Eversource represented that abutters will not be affected by the 367 Line project because the proposed modifications at each crossing will occur within Eversource's existing right-of-way easements.

E. Service to the Public and the Effect on Public Rights

According to Eversource, the existing crossings were constructed and have been operated and maintained to meet the reasonable requirements of service to the public, and the proposed modifications will ensure that the 367 Line will continue to meet that public need. Eversource stated that the modifications will not substantially affect the public's use and enjoyment of the state-owned land in Greenville.

The Company calculated applicable clearance requirements for the land crossing based on NESC requirements, and stated that safe line clearances over the state-owned land will be maintained at all times at no less than what is required by the NESC.

III. SUMMARY OF STAFF REVIEW

Staff reviewed the petition and supporting documentation, applicable statutes, rules, NESC requirements, and land ownership, and assessed the public need, safety, and potential impact of the requested license amendment. Staff determined that the proposed construction meets the requirements of the NESC and applicable state statutes and rules, and that minimum safe line clearances above the State land will be maintained at all times. Based on its review, Staff concluded that the license amendment requested in this docket may be exercised without substantially affecting public rights in the identified state-owned land in Greenville.

Accordingly, Staff recommended approval of the Company's petition.

IV. COMMISSION ANALYSIS

“Whenever it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a pipeline, cable, or conduit, or a line of poles or towers and wires and fixtures thereon, over, under or across any of the public waters of this state, or over, under or across any of the land owned by this state, it shall petition the commission for a license to construct and maintain the same.” RSA 371:17 (Supp. 2020). The Commission is authorized to grant such a license if it “may be exercised without substantially affecting the public rights in said waters or lands.” RSA 371:20.

Based on the petition and Staff’s recommendation, we find that the proposed crossing is necessary to meet the reasonable requirements of reliable service to the public, as required by RSA 371:17. We further find that the requested license amendment may be exercised without substantially affecting public rights in the identified state-owned land in Greenville, as required for approval under RSA 371:20. We therefore approve the petition subject to the conditions contained in the ordering clauses below. We issue our decision on a *nisi* basis to provide interested persons the opportunity to submit comments or request a hearing.

This approval applies only to the lines and structures specified in this docket. Should Eversource seek further modifications, it must make the appropriate filing. Eversource is responsible for obtaining any and all federal, state, or local permits required by authorities having jurisdiction for the construction and installation of the proposed crossing.

We require notice to be provided to the Town of Greenville, the New Hampshire Department of Environmental Services, the New Hampshire Department of Natural and Cultural Resources, Division of Forests and Lands, and the Office of the Attorney General.

Based upon the foregoing, it is hereby

ORDERED *NISI*, that subject to the effective date below, Eversource is authorized, pursuant to RSA 371:17, *et seq.*, to modify, reconstruct, install, maintain and operate electric lines over and across land owned by the State of New Hampshire in Greenville, as described and depicted in its petition filings and as specified in Staff's recommendation; and it is

FURTHER ORDERED, that approval is limited to the lines and supporting structures specified in this docket, and is conditioned on the requirement that Eversource construct, operate, maintain, and, if necessary, alter the lines and supporting structures consistent with the provisions of the National Electrical Safety Code, in accordance with N.H. Admin. R., Puc 306.01, *et seq.*, as may apply, and as amended from time-to-time, and all other applicable safety standards in existence at that time; and it is

FURTHER ORDERED, that Eversource shall submit any future proposed alterations to the crossing license granted herein at least 60 days prior to undertaking any such alteration(s); and it is

FURTHER ORDERED, that Eversource shall provide a copy of this order to: (i) the Town Clerk of Greenville, New Hampshire; (ii) the New Hampshire Department of Environmental Services; (iii) the New Hampshire Department of Natural and Cultural Resources Division of Forests and Lands, and (iv) the Office of the Attorney General pursuant to RSA 371:19, by first class mail, no later than July 6, 2021, to be documented by affidavit filed with the Commission on or before July 12, 2021; and it is

FURTHER ORDERED, that Eversource shall cause a copy of this order *nisi* to be published on its website within one business day of this order, such publication to be documented by affidavit filed with the Commission on or before July 12, 2021; and it is

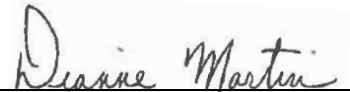
FURTHER ORDERED, that the Executive Director of the Commission shall cause a copy of this order *nisi* to be published on the Commission's website within one business day; and it is

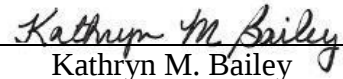
FURTHER ORDERED, that persons interested in responding to this order be notified that they may submit comments or file a written request for a hearing that states the reason and basis for a hearing no later than July 12, 2021, for the Commission's consideration; and it is

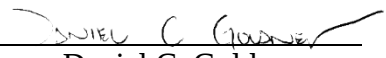
FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than July 14, 2021; and it is

FURTHER ORDERED, that this order shall be effective July 15, 2021, unless Eversource fails to satisfy the notice and publication obligations set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date.

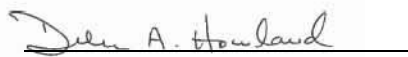
By order of the Public Utilities Commission of New Hampshire this thirtieth day of June, 2021.


Dianne Martin
Chairwoman


Kathryn M. Bailey
Commissioner


Daniel C. Goldner
Commissioner

Attested by:


Debra A. Howland
Executive Director

Service List - Docket Related

Docket#: 21-081

Printed: 6/30/2021

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