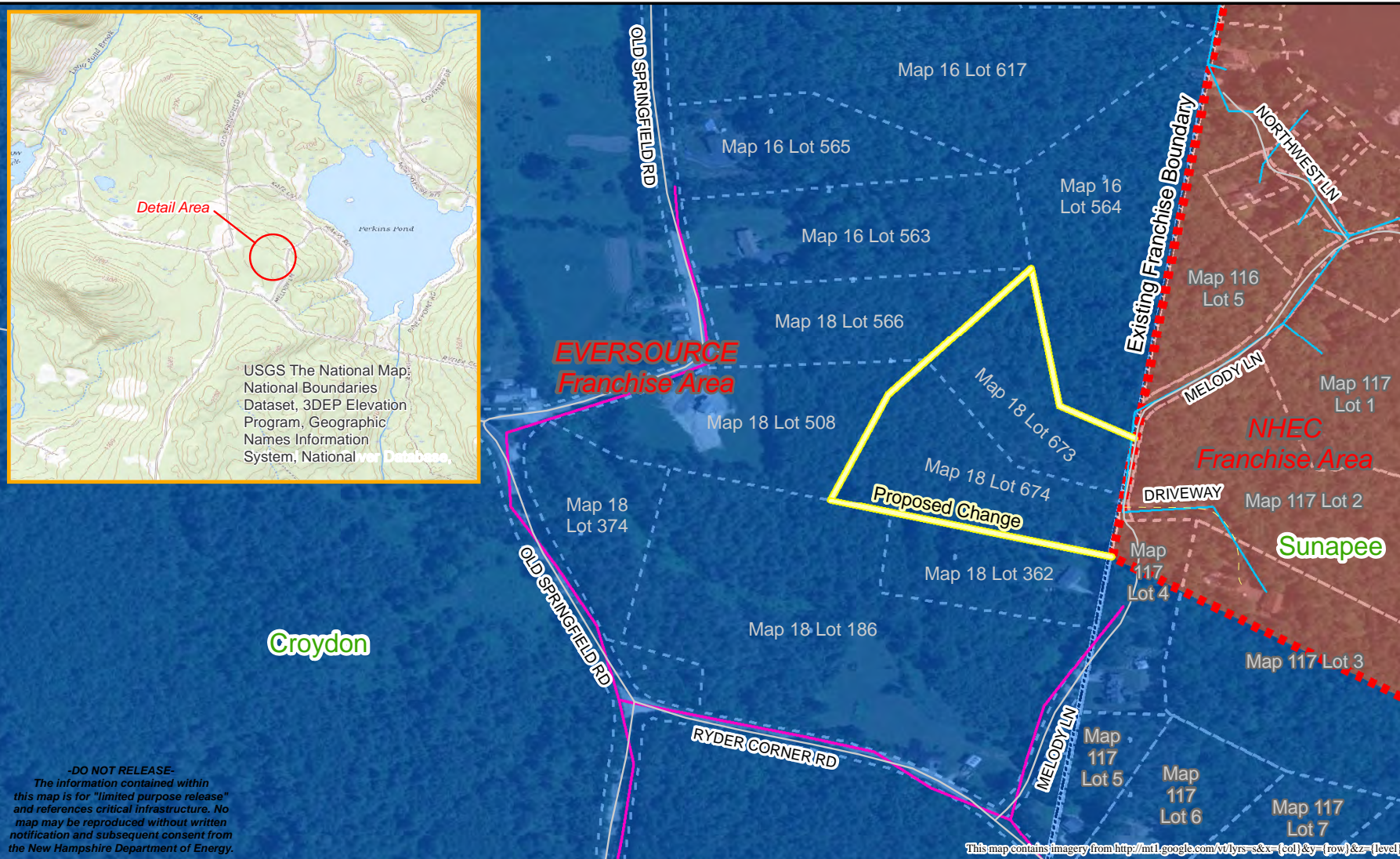


DE 22-077 Proposed Franchise Change - NHEC / EVERSOURCE



1	1/20/2023	corrected franchise boundary as per data response No. DOE 1-006	J List
	REV	Date	By

Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-001

Date of Response: January 18, 2023
Page 1 of 2

Request from: Department of Energy

Request:

Reference: Joint Petition. Please provide a copy of any cost estimate(s) that Eversource developed to potentially provide service to The Two Properties along Melody Lane. Estimates should be shown separately for Lot 18-673 and Lot 18-674. Please include all details of engineering calculations, maps and diagrams showing locations of existing and any new required pole sets, labor and materials estimates, vegetation management related expenses, and all live Excel spreadsheets used to develop the cost estimate(s). The information provided should show full project costs and any costs which each customer will be responsible for. To the extent that the dual application allows costs to be shared, please so indicate. If there are shared costs, please explain how Eversource would determine the equitable portioning of the total estimated costs of construction between the two lots.

Response:

No cost estimates were developed for either utility or customer costs, because the following joint assessment by PSNH and NHEC demonstrated conclusively that the solution of the Two Properties being served by NHEC rather than PSNH was clearly going to be far less expensive an option for both the utilities and the customers. At the outset, Mr. Rodrigue contacted NHEC first because NHEC distribution facilities were located directly in front of his newly placed driveway. (See attached picture). Mr. Rodrigue then contacted PSNH to notify the company of his desire to switch to NHEC service. Upon review by the NHEC Designer it was determined the lot was within PSNH franchise area and would require PUC approval for the requesting Customer to be serviced from NHEC. Through joint agreement, it made fiscal and common sense for PSNH/NHEC to alter the franchise boundary between the two companies, rather than undertake the work that would be required to continue to have PSNH provide service to the Two Properties. This determination could be made using the proximity of distribution lines and does not require a cost estimate. Specifically, NHEC distribution facilities are located proximate to the Two Properties' driveways' and could therefore provide service immediately with minimal changes to the distribution system of one midspan pole and 10 feet of underground wire, where PSNH is 437 feet from the Two Properties' driveways and would require at a minimum multiple pole installations and considerable tree cutting/removals. The cost differential from these circumstances was apparent and so it was unnecessary to proceed with producing a cost estimate.

Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-001

Date of Response: January 18, 2023
Page 2 of 2



Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-002

Date of Response: January 18, 2023
Page 1 of 1

Request from: Department of Energy

Request:

Please provide the street address numbers along Melody Lane for The Two Properties if available.

Response:

Eversource contacted the Town of Croydon and was told that until structures are built, no E911 addresses will be issued.

Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-003

Date of Response: January 18, 2023
Page 1 of 2

Request from: Department of Energy

Request:

Reference: Joint Petition para. 1. The Joint Petition states that Eversource servicing the properties at issue is “more complicated and resource intensive” than the provision of NHEC services to the same properties, which is described as “more economical” and “[more] readily. . . accomplished.” Please provide a detailed explanation and supporting documentation as to why, in Eversource’s view, NHEC is the preferred provider for each individual lot.

Response:

NHEC is the preferred provider due to proximity of existing lines to the Two Properties. Please see the picture on the following page. For reference, PSNH would need to extend its distribution facilities a total of 437 feet and add no less than three poles as well as complete moderate to heavy tree cutting for the new lines to pass uninhibited. In contrast, NHEC will need to place minimal equipment of one midspan pole and ten feet of underground line to either of the Two Properties, one of which has already made such a request. While the customer for the second property has made no such request at this time, the same circumstances would apply to that property.

Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-003

Date of Response: January 18, 2023
Page 2 of 2



Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-004

Date of Response: January 18, 2023
Page 1 of 2

Request from: Department of Energy

Request:

Please provide a map showing pole placement along the relevant portion of Melody Lane in Croydon/Sunapee. Please clearly identify which poles are owned by Eversource. If known to Eversource, please indicate ownership of other poles in that location.

Response:

Please see the photo on the following page which maps PSNH and NHEC pole placements and also depicts the property boundaries of the Two Properties.

Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-004

Date of Response: January 18, 2023
Page 2 of 2



Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-005

Date of Response: January 18, 2023
Page 1 of 2

Request from: Department of Energy

Request:

Please provide a copy of all estimates and documentation (if any) *provided to each customer* regarding Eversource's provision of electric service to The Two Properties. Please also provide documentation that shows that each customer supports the request to obtain service from NHEC (if in Eversource's possession).

Response:

No estimates were necessary in the decision for the Customers to be absorbed by NHEC due to proximity to existing lines, please refer to the responses for DOE 1-1 and 1-3. However PSNH has made the following estimated calculations of certain costs should PSNH construct a line to service the Two Properties using current line extension rates and procedures, as well as footage estimates. This in no way represents all costs that would need to be incurred for PSNH to serve the Two Properties - please refer to response DOE 1-3.

First Property:

Lot# 18-673 – Mr. Rodrigue

437' Overhead Primary + 10' Underground Trench = Total Distance of 447'.

Less 300' Credit = 147' of Billable Line Extension at Current Overhead Rate if \$30.48.

Total Due by Rodrigue = \$4,480.56.

Second Property:

Lot# 18-674 – Sugar River Holdings, LLC

Sugar River Holdings having not started the process of requesting service would likely be requesting after the initial line extension along the public way to service Lot# 18-673 was completed. Depending on the timing of their request and a formula created by PSNH, based on the original cost to Lot# 18-673 and time of the facilities being installed would be then split between the Two Properties. At this time, Mr. Rodrigue would be issued a refund for the amount due by Lot# 18-674.

The costs for the Two Properties to be served by NHEC on the other hand, would be nominal. Based on this demonstrable customer cost savings PSNH and NHEC inferred that the Two Properties would support moving from PSNH franchise territory to NHEC franchise territory. However, PSNH also received both verbal written requests from Mr. Rodrigue to be transferred

Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-005

Date of Response: January 18, 2023
Page 2 of 2

to NHEC as quickly as possible (see Attachment DOE 1-5). While Sugar River Holdings, LLC could not be reached to verify its support to move to NHEC franchise territory, they would monetarily benefit from moving to NHEC franchise territory, and so it would be likely that Sugar River Holdings would also support such a move. Should Sugar River Holdings, LLC remain in PSNH franchise territory, all PSNH and customer costs would have to be incurred; this would be a less efficient and economical option than moving both customers.

Giumarra, Christopher C

From: Giumarra, Christopher C
Sent: Tuesday, January 17, 2023 10:16 AM
To: Giumarra, Christopher C
Subject: FW: Eversource Franchise Transfer Request

From: Keith Rodrigue <keith@rodrigueonline.com>
Sent: Saturday, January 14, 2023 9:30 AM
To: Giumarra, Christopher C <christopher.giumarra@eversource.com>
Subject: Re: Eversource Franchise Transfer Request

EVERSOURCE IT NOTICE – EXTERNAL EMAIL SENDER ** Don't be quick to click! ******

Do not click on links or attachments if sender is unknown or if the email is unexpected from someone you know, and never provide a user ID or password. Report suspicious emails by selecting 'Report Phish' or forwarding to SPAMFEEDBACK@EVERSOURCE.COM for analysis by our cyber security team.

Chris,

I would like to be transferred to NH-Electric Coop.

Do they need a signed letter?

Thanks

Keith

Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-006

Date of Response: January 18, 2023
Page 1 of 2

Request from: Department of Energy

Request:

Reference: Attachment 1 to these DOE Data Requests. DOE's Enforcement Division, which maintains maps of utility franchise boundaries, has mapped the proposed franchise alteration for The Two Properties in the attached map (DOE Attachment 1) consistent with existing lot boundaries. Please confirm that Eversource accepts this map as accurately representing the alteration requested.

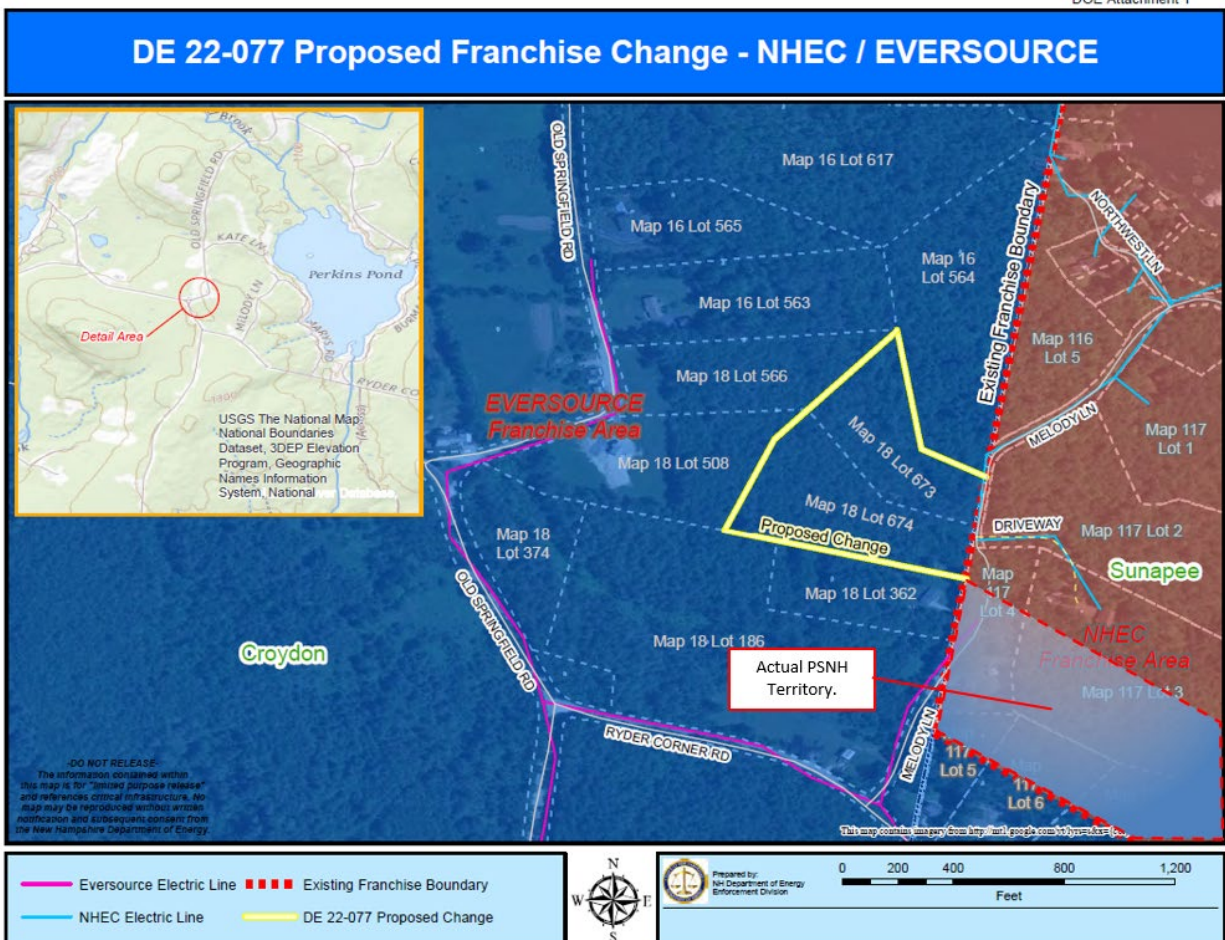
Response:

PSNH confirms through assessor records that the property boundaries in Attachment 1 are correct, and the distribution facility is depicted accurately as well. However, the franchise boundary is not accurate—the PSNH utility poles extending along Melody Lane on Lot 117-4 are actually in PSNH service territory. Please reference the depiction on the following page for PSNH's correction to Attachment 1 depicting the current franchise boundary.

Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-006

Date of Response: January 18, 2023
Page 2 of 2



Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-007

Date of Response: January 18, 2023
Page 1 of 2

Request from: Department of Energy

Request:

Reference: Attachment 1 to these DOE Data Requests. DOE's Attachment 1 shows Lot 117-4 in the NHEC franchise boundary yet depicts Eversource utility poles extending along Melody Lane into that property. Please confirm that what DOE Attachment 1 has depicted for Lot 117-4's current boundaries and electric distribution facility is accurate.

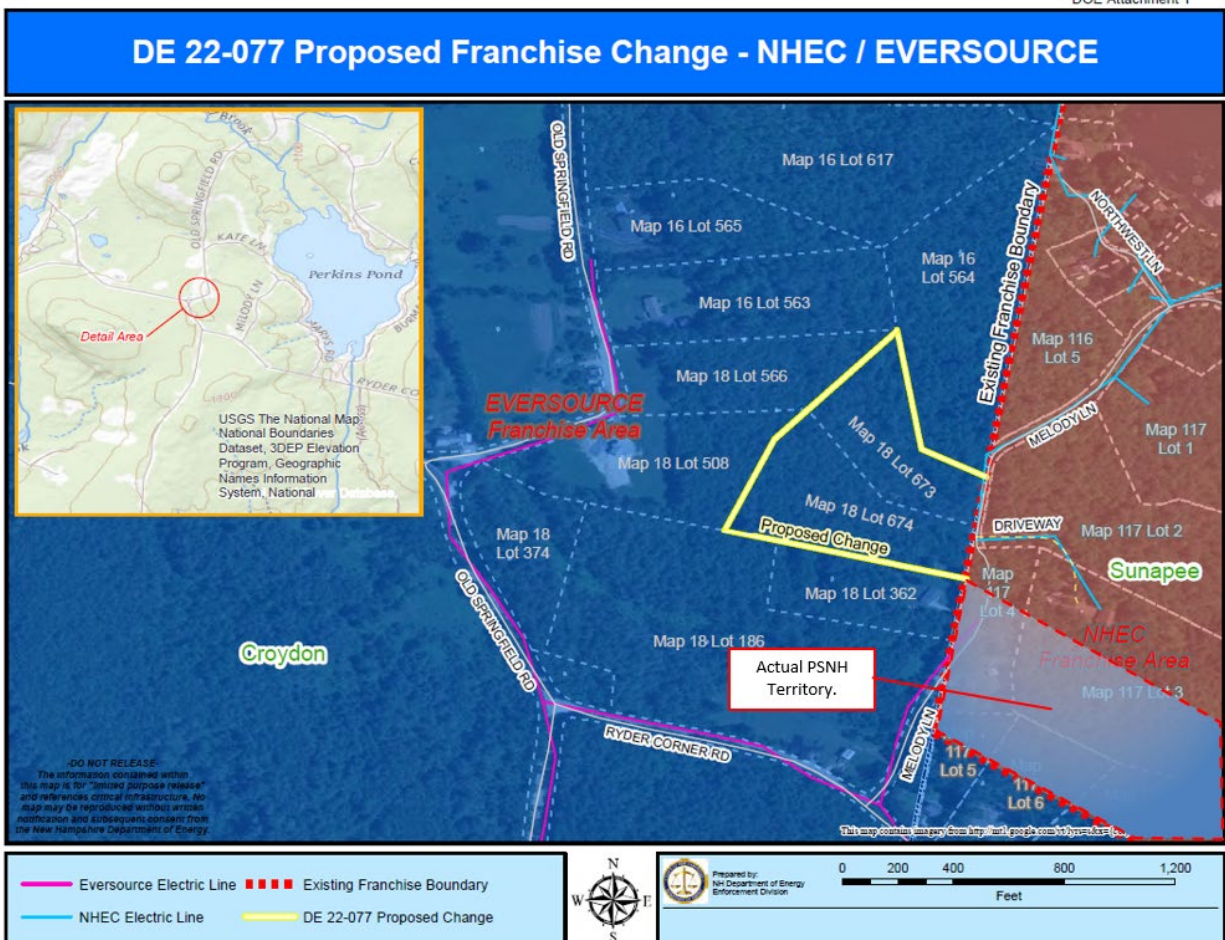
Response:

As discussed in the response to DOE 1-6, the franchise boundary in Attachment 1 was inaccurate, and so the Eversource utility poles extending along Melody Lane into Lot 117-4 are in PSNH franchise territory. For reference, please see the amended Attachment 1 on the following page, also provided in response to DOE 1-6.

Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-007

Date of Response: January 18, 2023
Page 2 of 2



Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-008

Date of Response: January 18, 2023
Page 1 of 1

Request from: Department of Energy

Request:

Reference the Joint Petition, para.1. The Joint Petition states “There is an existing and proximate NHEC distribution line within Melody Lane right of way abutting the Site, as depicted in Attachment A...”. See Petition at 1. Neither the Joint Petition’s Attachment A nor Attachment B clearly depict the described “Melody Lane right of way.” Please update Attachment A and Attachment B to show the referenced right of way.

Response:

The quote from the petition referenced in this data request is referring to the “existing and proximate NHEC line” abutting the Two Properties at issue which provides a far more economical and simpler means of supplying service to those two lots compared to PSNH installing a line extension from where its existing facilities terminate. It was not referring to the right of way, as there was no intention to depict the Melody Lane right of way boundaries on Attachment A or B. Such a depiction does not impact the analysis required to make a determination as to whether to modify the franchise boundary. However regarding the right of way, existing NHEC poles and line locations have been authorized through a municipal license which may only be granted for facilities within public road rights of way pursuant to RSA 231:161. From this it can be concluded that the NHEC distribution line referenced in this question is located within the Melody Lane right of way, but the right of way boundaries were not meant to be shown in either attachment. Ascertaining the exact boundaries of the right of way for inclusion in the attachments would require a considerable effort and would not contribute to the analysis of the issues in this docket, so Eversource respectfully requests that the DOE withdraw the request to update Attachments A and B with this information. Eversource agrees with the DOE’s depiction of the centerline location of Melody Lane on DOE Attachment 1.

New Hampshire Electric Cooperative, Inc.

Docket No. DE 22-077

Date Request Received: January 06, 2023

Date of Response: January 19, 2023

Data Request No. DOE 1-001

Page 1 of 2

Request from: Department of Energy

Request:

Reference: Joint Petition. Please provide a copy of any cost estimate(s) that NHEC developed to potentially provide service to The Two Properties along Melody Lane. Estimates should be shown separately for Lot 18-673 and Lot 18-674. Please include all details of engineering calculations, maps and diagrams showing locations of existing and any new required pole sets, labor and materials estimates, vegetation management related expenses, and all live Excel spreadsheets used to develop the cost estimate(s). The information provided should show full project costs and any costs which each customer will be responsible for. To the extent that the dual application allows costs to be shared, please so indicate. If there are shared costs, please explain how NHEC would determine the equitable portioning of the total estimated costs of construction between the two lots.

Response:

NHEC was contacted by the property owner of lot 18-673 (Rodrigue). NHEC advised the property owner that their property is in Eversource service territory and to contact Eversource for service. Mr. Rodrigue then contacted Eversource and communicated his interest in wanting to be served by NHEC since NHEC's facilities were adjacent to his property. NHEC did not conduct any cost estimate work initially to ascertain which option would be the most economical because the location of the Two Properties made it clear that switching to NHEC service would be the lowest-cost option. As part of commencing new service, however, NHEC's line designer then designed construction for a potential new service to feed Lot 18-673. Based on NHEC's cost structure Mr. Rodrigue would not be invoiced for the new service. I have attached the design as well as the cost estimate. There will be no shared costs between NHEC and Eversource. NHEC hasn't been contacted by the property owner of Lot 18-674. NHEC and Eversource agree it would be mutually beneficial to both the property owners and companies for NHEC to serve both lots given their proximity to NHEC lines/poles versus Eversource's facilities.

NHEC has conferred with and reviewed Eversource's response to DOE 1-001 and concurs with both Eversource's response and the depiction in the attached photo.

New Hampshire Electric Cooperative, Inc.
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-001

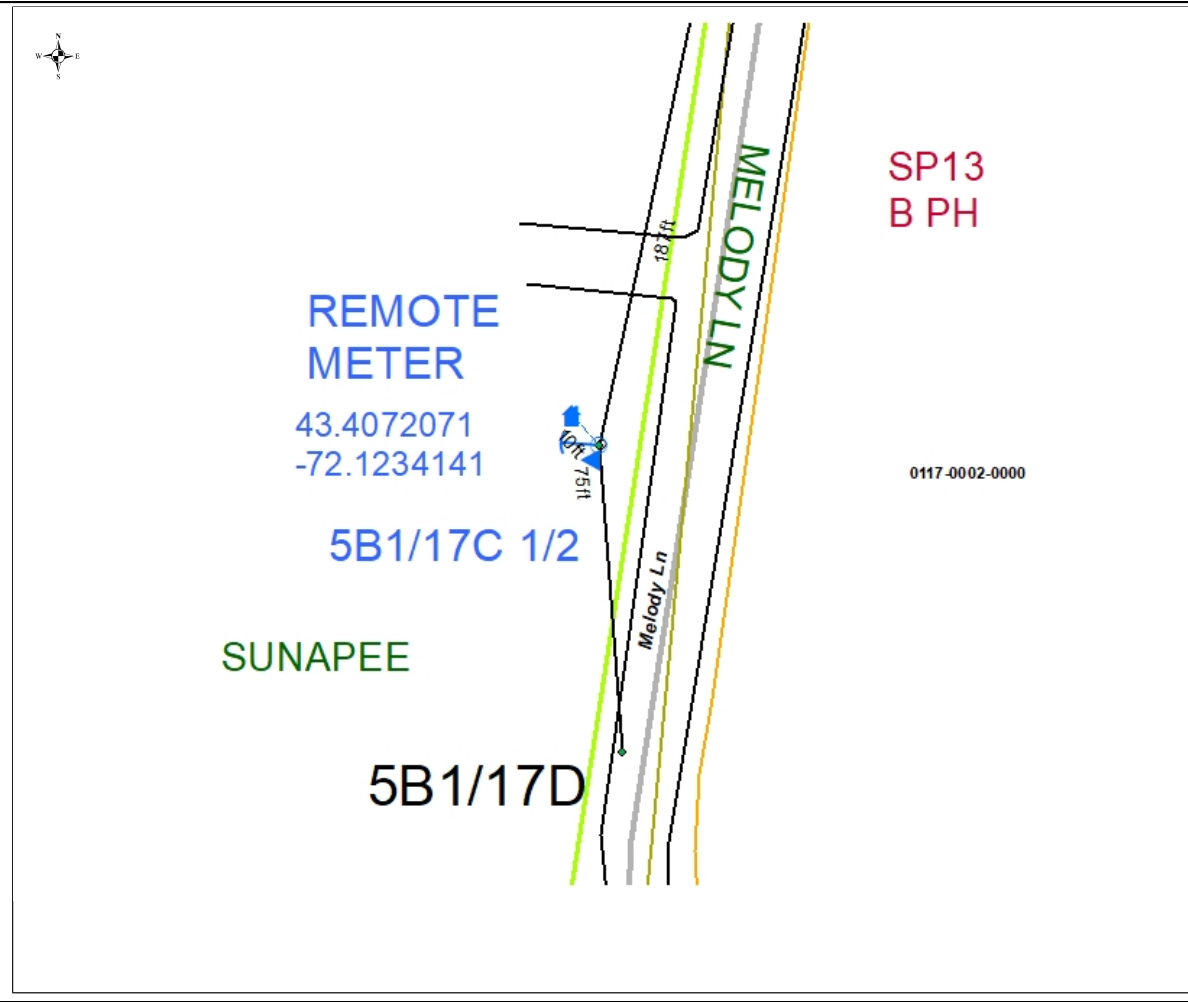
Date of Response: January 19, 2023
Page 2 of 2



New Hampshire Electric Cooperative, Inc.

NHEC Attachment 1

*****DRAFT***** New Hampshire Electric Co-op, Inc. *****DRAFT*****				Page 1 of 1 - Rev. 01192016		
Plymouth, NH				As-Built Information		
W.O Number: 22972876		Job Location: MELODY LN #5B1/17C Job Description: KEITH WANTS CAMPER THER Home Phone: 361-4826 Work Phone: Contractor Phone: Temp Required: No	Remarks: NEW MIDSPAN POLE 200 AMPS SERVICE TO A REMOTE METER USE4	Approved By: Jeff Bird		Date: 05/18/22
Service Location: 60087180				Released to Const By:		Date:
Name: KEITH RODRIGUE				Tailgate Conference By:		Date:
Staked By: JEFFREY T BIRD				Construction Cert. By:		Date:
Date: 05/06/2022				Closed By:		Date:
				Underground Flagged By:		Date:
<hr/>						
Phase Change?						
Fuse Size: ____ Amps						
Meter No.						
Transformer No.						
System Voltage: 12,470/7,200 15KV						
Sub Code.: SP13						



1 Pole Number: 5B1/17C 1/2 Abandoned: Tel. Pole Number: Attachee: Source: Comments: ROW Comments: 15' ESOW New: (1)A2.1B New: (1)E1-10 Comment: 18-20' GUY LEAD New: (1)F1.10 New: (1)G2.010S.120 New: (1)G92-1.1 New: (1)M2-51.1 New: (215)N.CUT-NEW CONSTRUCT New: (1)P1.40-3 Comment: 40/40 TAG @ 9'6 New: (1)UJ3-3	2 Pole Number: REMOTE METER Abandoned: Tel. Pole Number: Attachee: New UG Service 10 feet Source: 5B1/17C 1/2 Comments: ROW Comments: NO CUTTING REQUIRED New: (4)N.STAKE New: (1)N.TRVCREW New: (30)N.TRVTRK New: (1)UQ1 New: (10)UW3.040.USE Comment: DOES NOT INCLUDE TAILS	3 Pole Number: 5B1/17D Abandoned: NO Tel. Pole Number: 131/19-4 Attachee: CT Source: 5B1/17C 1/2 Comments: ROW Comments: 15' ESOW New: (75)N.CUT-NEW CONSTRUCT Existing: (75)1/0 ACSR Existing: (1)A4 Existing: (1)E1-4 Existing: (1)P1.40-4
--	---	--

Telephone Co.: Consolidated Communicat Scenic Road: No Wetlands: No Railroad X-ing: N/R PSNH X-ing: No Pole Renumbering: N/R Pole Location Plan: No Buried Cable Petition: No	Town: Sunapee District: SUNAPEE Tel. 601 No.: CATV No.: License No.: Pole Record By: Date: Loan Project: 141 - Project No.: Type: NC	Line Feet	New	Ret
		OH Primary	0	0
		UG Primary	0	0
		OH Secondary	0	0
		UG Secondary	0	0
		OH Service	0	0
		UG Service	10	0
		Unit Categories	New	Ret
		Services	0	0
		Lights	0	0

NHEC Attachment 2

W.O. Number: 22972876

Date: 01/11/2023 09:40:00 AM

CONSTRUCTION UNIT LIST

This estimate is for work to be done by New Hampshire Electric Co-op, Inc., on said location below. This work must be started within 30 days of this estimate at the location specified below. After 30 days the job must be re-estimated at the cost of the Member.

Name: KEITH RODRIGUE

Location: 01/11/2023 09:40:00 AM

Construction Unit	Quantity (New / Retired)	Total Cost
A2.1B	1/0	\$259.20
E1-10	1/0	\$453.73
F1.10	1/0	\$247.39
G2.010S.120	1/0	\$272.49
G92-1.1	1/0	\$587.74
M2-51.1	1/0	\$349.67
N.CUT-NEW CONSTRUCT	290/0	\$2,436.00
N.STAKE	4/0	\$463.75
N.TRVCREW	1/0	\$239.03
N.TRVTRK	30/0	\$49.59
P1.40-3	1/0	\$1,787.63
UJ3-3	1/0	\$1,186.44
UQ1	1/0	\$59.76
UW3.040.USE	10/0	\$35.70
Construction Unit Cost:		\$8,428.12

NHEC Attachment 3

Job History/Work History

Work Order Number: 22972876
Name: KEITH RODRIGUE
Mailing Address: JV MELODY LANE
Town: SUNAPEE
State: NH **Zip Code:** 03782
Phone: 361-4826
Contractor:
Contractor Phone:

District: SUNAPEE
Date: 05/06/2022
Pole Number:
Job Town: Sunapee
Job Location: MELODY LN #5B1/17C
Job Description: KEITH WANTS CAMPER THERE THIS SUMMER, LO
Loan Project: 141
Loan Project Ext.:
Staked By: JEFFREY T BIRD

State/Town Approval Required?: No
Telephone Company: Consolidated Communications
Senic Road: No
Wetlands: No
Railroad X-ing: N/R
PSNH X-ing: No
Pole Renumbering: N/R
Pole Location Plan: No
Buried Cable Petition: No

Application Needed?: Received
Easement Needed?:
Temp Required?: No
Is Prepayment Required Before Job is Released?:

Customer Number: _____

Invoice Number: _____

Remarks: NEW MIDSPAN POLE 200 AMPS SERVICE TO A REMOTE METER USE4

Property Owners Name	Status	Date Sent	Date Recieved	Pole Number
This job requires no new easements.				

Pricing for Per Foot Jobs Only

0	Overhead Primary (ft)
0	Underground Primary (ft)
0	Overhead Secondary (ft)
0	Underground Secondary (ft)
0	Overhead Service (ft)
10	Underground Service (ft)
-10	Allowance (ft): Underground
<hr/>	
\$0.00	Sub Total
<hr/>	
\$0.00	Additions
\$0.00	Deductions
\$0.00	Recording Fees
<hr/>	
\$0.00	Total Amount of Invoice

Invoice Comments:

Estimate Addition Comments:

Estimate Deduction Comments:

Docket No. DE 22-077

Date Request Received: January 06, 2023

Date of Response: January 19, 2023

Data Request No. DOE 1-002

Page 1 of 1

Request from: Department of Energy

Request:

Please provide the street address numbers along Melody Lane for the two properties if available.

Response:

The town has yet to issue 911 street addresses for these properties given that there are currently no structures on either lot.

New Hampshire Electric Cooperative, Inc.

Docket No. DE 22-077

Date Request Received: January 06, 2023

Date of Response: January 19, 2023

Data Request No. DOE 1-003

Page 1 of 2

Request from: Department of Energy

Request:

Reference: Joint Petition para. 1. The Joint Petition states that Eversource servicing the properties at issue is “more complicated and resource intensive” than the provision of NHEC services to the same properties, which is described as “more economical” and “[more] readily. . . accomplished.” Please provide a detailed explanation and supporting documentation as to why, in NHEC’s view, NHEC is the preferred provider for each individual lot.

Response:

NHEC references the answer previously provided in DOE 1-001. NHEC’s facilities are directly adjacent to both properties making the construction of both new services more affordable for the property owners as well as both companies. NHEC will need to place a midspan pole to serve the Rodrigue property along with 10 feet of underground wire to a remote meter. Lot 18-674 has not yet contacted NHEC for new service, but the same considerations would apply to that property.

NHEC has conferred with and reviewed Eversource’s response to DOE 1-001, and concurs with both Eversource’s response and the depiction in the photograph included with DOE 1-001.

New Hampshire Electric Cooperative, Inc.

Docket No. DE 22-077

Date Request Received: January 06, 2023

Date of Response: January 19, 2023

Data Request No. DOE 1-004

Page 1 of 2

Request from: Department of Energy

Request:

Please provide a map showing pole placement along the relevant portion of Melody Lane in Croydon/Sunapee. Please clearly identify which poles are owned by NHEC. If known to NHEC, please indicate ownership of other poles in that location.

Response:

NHEC has conferred with and reviewed Eversource's response to DOE 1-004, and concurs with both Eversource's response and the depiction in the attached map.

New Hampshire Electric Cooperative, Inc.

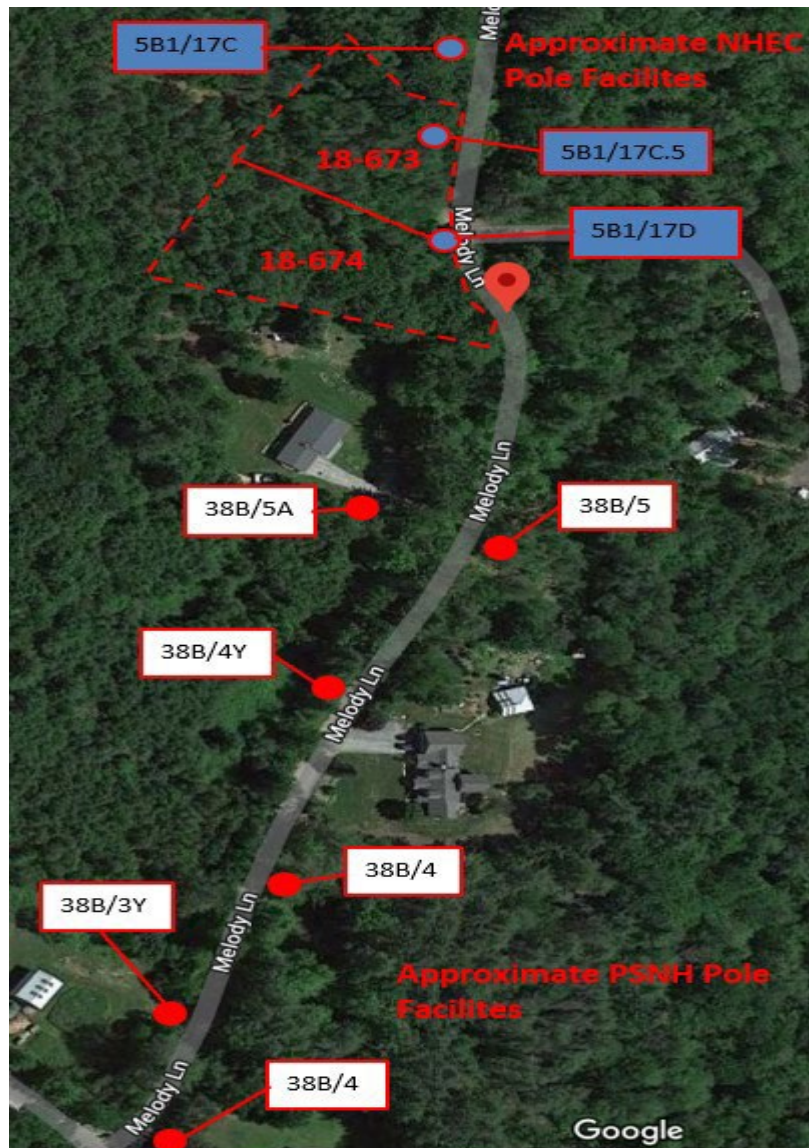
Docket No. DE 22-077

Date Request Received: January 06, 2023

Data Request No. DOE 1-004

Date of Response: January 19, 2023

Page 2 of 2



New Hampshire Electric Cooperative, Inc.

Docket No. DE 22-077

Date Request Received: January 06, 2023

Date of Response: January 19, 2023

Data Request No. DOE 1-005

Page 1 of 1

Request from: Department of Energy

Request:

Please provide a copy of all estimates and documentation (if any) *provided to each customer*, including documentation showing that each customer supports the request to obtain services from NHEC and each customer's acceptance of NHEC's cost estimates.

Response:

NHEC did not provide a cost estimate to either property owner. Mr. Rodrigue, the property owner of Lot 18-673, contacted NHEC to see if NHEC would be able to provide his property with a new service. Mr. Rodrigue has been in communication with our line designer and is aware that we are waiting for approval from the PUC to move forward. NHEC references the documentation previously provided in response to DOE 1-001. NHEC has not been contacted to initiate design of electric service from the owners of Lot 18-674.

New Hampshire Electric Cooperative, Inc.

Docket No. DE 22-077

Date Request Received: January 06, 2023

Date of Response: January 19, 2023

Data Request No. DOE 1-006

Page 1 of 2

Request from: Department of Energy

Request:

Reference: Attachment 1 to these DOE Data Requests. DOE's Enforcement Division, which maintains maps of utility franchise boundaries, has mapped the proposed franchise alteration for The Two Properties in the attached map (DOE Attachment 1) consistent with existing lot boundaries. Please confirm that NHEC accepts this map as accurately representing the alteration requested.

Response:

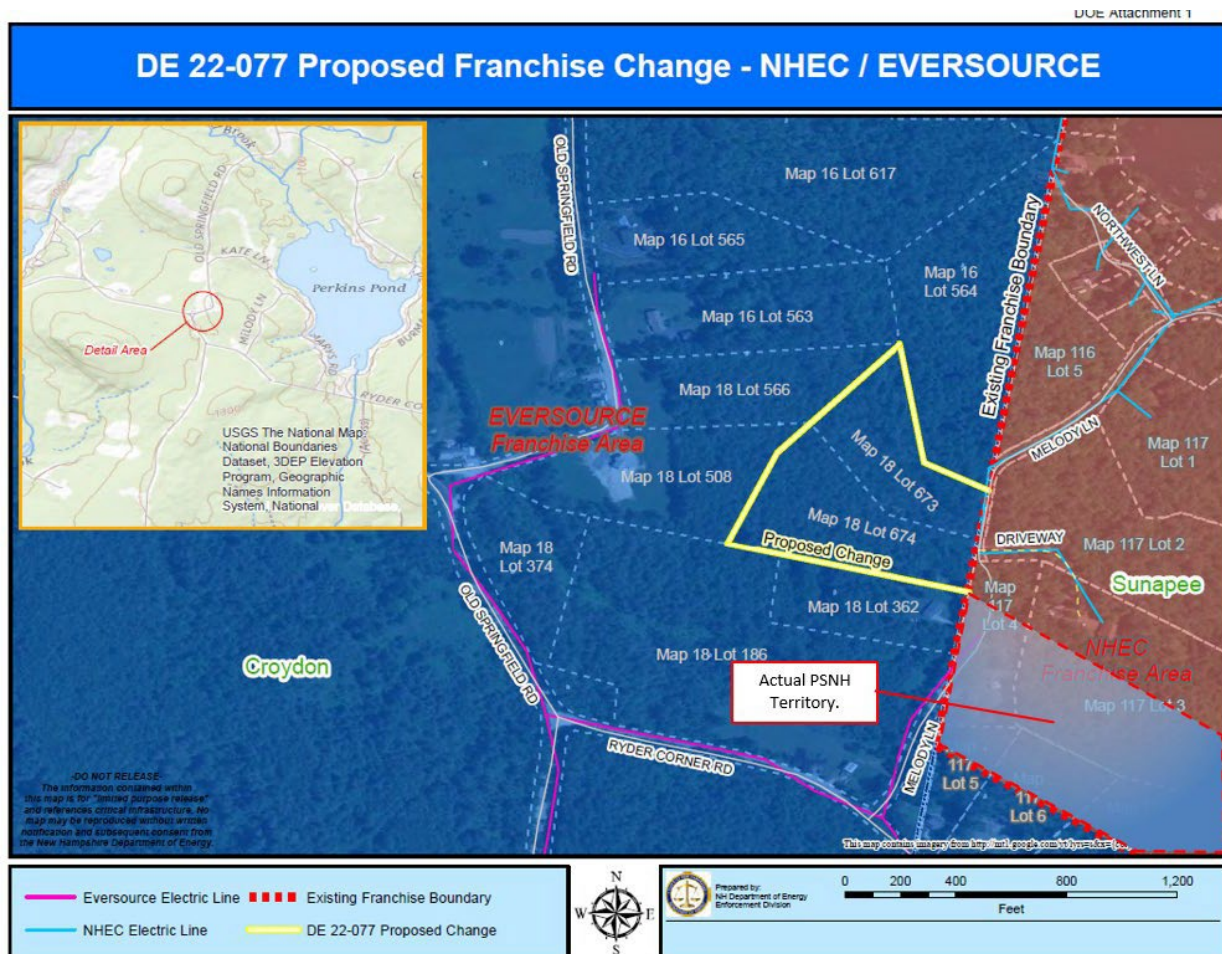
NHEC confirms the map is accurate, but the current franchise boundaries are not accurate.

NHEC has conferred with Eversource and reviewed Eversource's response to DOE 1-006, and concurs with both Eversource's response and the depiction in the attached map.

New Hampshire Electric Cooperative, Inc.
Docket No. DE 22-077

Date Request Received: January 06, 2023
Data Request No. DOE 1-006

Date of Response: January 179 2023
Page 2 of 2



New Hampshire Electric Cooperative, Inc.

Docket No. DE 22-077

Date Request Received: January 06, 2023

Date of Response: January 19, 2023

Data Request No. DOE 1-007

Page 1 of 2

Request from: Department of Energy

Request:

Reference: Attachment 1 to these DOE Data Requests. DOE's Attachment 1 shows Lot 117-4 in the NHEC franchise boundary yet depicts Eversource utility poles extending along Melody Lane into that property. Please confirm that what DOE Attachment 1 has depicted for Lot 117-4's current boundaries and electric distribution facility is accurate.

Response:

As mentioned in the previous response to DOE 1-006, NHEC confirms the map is accurate, but the current franchise boundaries are not accurate.

NHEC has conferred with Eversource and reviewed Eversource's response to DOE 1-007, and concurs with both Eversource's response and the depiction in the map previously included in the response to DOE 1-006.

New Hampshire Electric Cooperative, Inc.

Docket No. DE 22-077

Date Request Received: January 06, 2023

Date of Response: January 17, 2023

Data Request No. DOE 1-008

Page 1 of 1

Request from: Department of Energy

Request:

Reference the Joint Petition, para.1. The Joint Petition states “There is an existing and proximate NHEC distribution line within Melody Lane right of way abutting the Site, as depicted in Attachment A...”. See Petition at 1. Neither the Joint Petition’s Attachment A nor Attachment B clearly depict the described “Melody Lane right of way.” Please update Attachment A and Attachment B to show the referenced right of way.

Response:

Attachment A and Attachment B were provided in the petition to clearly depict the differences between the service territories as they exist today and what the territories would be if NHEC were to supply power to the Two Properties. It was not the intent to depict the Melody Lane right of way with respect to NHEC’s poles and wires. NHEC concurs with Eversource in that we ask the DOE to withdraw the request to update Attachments A and B with respect to the rights of way. NHEC agrees with the location of the centerline on Melody Lane per DOE Attachment 1.

Public Service Company of New Hampshire d/b/a Eversource Energy
Docket No. DE 22-077

Date Request Received: January 31, 2023
Data Request No. DOE 2-002

Date of Response: February 08, 2023
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Request from: Department of Energy

Request:

Reference: The Joint Petition, numbered para 1 and 3 (representing all owners in agreement); Melody Lane Lot 18-674 owned by Sugar River Holdings, LLC; Eversource Response to DOE 1-3 and 1-5

- a) Please explain in detail how Eversource has attempted to contact the owner(s) of Melody Lane Lot 18-674, Sugar River Holdings, LLC and please provide information known to Eversource about Sugar River Holdings LLC. For each attempted contact, please provide the date, the method (phone, hard copy mail, email, etc.) the name of the Eversource staff attempting to make contact, the Sugar River Holding LLC contact information used (address, telephone number, landline) and the name of any Sugar River Holdings, LLC owners, employees, or staff (including legal counsel) if known.
- b) Is Eversource aware of any other petitions to alter franchise in which the owner(s) of the property or properties was unaware of the request made and/or failed to respond to the utilities -- and/or to the PUC or PUC Staff efforts, if any -- to make contact? If so, please identify those petitions by docket number.
- c) What authority does Eversource rely upon in order to support the request it seems to be making that a franchise boundary be altered without the consent and/or knowledge of the property owner, i.e., Sugar River Holdings LLC?
- d) The Joint Petition states that NHEC and Eversource “*jointly request [the Commission to] issue an order approving a change in the franchise areas served by the two utilities ...so as to accommodate the requests from two customers for line extensions for service in Croydon at Lots 18-673 and 18-674 as shown in Attachment A to this petition.*” Joint Petition (top of the page). The Joint Petition states “*The owners of Lot 18-674, also part of the Site, have also requested a line extension.*” Joint Petition numbered paragraph 1. The Joint Petition states “*NHEC and Eversource understand that Site owners agree with these arrangements. When all parties agree, the Commission may grant the permission requested without a hearing pursuant to RSA 374:26.*” Joint Petition numbered paragraph 3. Yet at the same time, Eversource’s January 18, 2023 responses to DOE data requests 1-3 and 1-5 indicate that

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Eversource has not had any contact with the owner(s) of Lot 18-674. *See Eversource Responses to DOE 1-3 (“While the customer for the second property has made no such request at this time, the same circumstances would apply to that property.”) and DOE 1-5 (“While Sugar River Holdings, LLC could not be reached to verify its support to move to NHEC franchise territory. . . .”).* Please explain the apparent contradiction between statements in the Joint Petition and statements in Eversource’s response to DOE data requests.

Response:

a) The Commission in its notice of commencement of an adjudicative proceeding issued in this docket on December 27, 2022, directed that “Eversource shall also provide supplemental notice to the owners of Lot 18-673 and Lot 18-674 by sending a copy of this notice by either first-class United States mail or electronic mail to the owners of Lot 18-673 and Lot 18-674 on or before January 3, 2023. Such publication and mailing shall be documented by affidavits filed with the Commission on or before January 9, 2023.” Eversource put Sugar River Holdings Company, LLC on notice by mailing the Commission’s notice via USPS certified mail on January 3, 2023 to the company’s address as registered with the New Hampshire Secretary of State. Eversource filed an affidavit attesting to this fact also on January 3, 2023, but the affidavit has not yet been posted to the docket webpage.

Upon receiving contact information from the DOE for a Mr. David Bourque, the owner of Sugar River Holdings, LLC, an Eversource staff member, Christopher Giumarra, made two telephone calls to the number provided by DOE on February 3, 2023 in an attempt to get written permission for the modification and left messages for Mr. Bourque. Mr. Giumarra has received no calls back in response to those messages. Most recently, on February 6, 2023, Eversource counsel sent two emails to Mr. Bourque, using the information provided by DOE. In those emails Eversource provided an overview of the reason for the proposed modification of the franchise boundary and offered to have a meeting or a call to discuss further. There has been no response to those emails as of this writing.

b) Eversource is not aware of any such petitions, but the company is also not aware of any docket to adjust a franchise boundary where explicit customer consent was required.

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c) This question is not appropriate for an Eversource witness to respond to, as it asks for legal analysis, but as the company wishes to be responsive to the DOE request, counsel has drafted the following:

Eversource is relying upon RSA 374:26 which establishes the standard for granting franchise adjustments, which is if “construction or exercise of right, privilege or franchise would be for the public good, and not otherwise.” The public interest is the only standard for amending a franchise; customer consent or knowledge is not a requirement or a criterion for Commission approval, except to the extent that a public interest finding might depend on it. That is not the case in this matter.

As stated in prior discovery responses, each of the customer property owners at issue, should they be moved into NHEC service territory, would save approximately \$4,800 in customer costs they would otherwise incur should they remain in the Eversource franchise (*See* DOE 1-005). Additionally, Eversource would have to incur not insignificant costs to extend its distribution facilities the 437 feet to the properties in question including line extensions and installation of at least three poles as well as considerable vegetation management work, which would be socialized to Eversource’s customers (*See id*). NHEC in contrast, would have to do no such work to serve the two properties. As there are no known detriments to modifying the franchise boundary as requested, the cost savings for both of the owners of the two properties, as well as for Eversource and its customers, constitute a public good that can be objectively determined without express customer consent.

RSA 374:26 also allows for Commission approval “without hearing when all interested parties are in agreement.” Here, Sugar River Holdings, LLC has had constructive notice of the proposed modification for approximately one month, but has not objected or filed a petition for intervention. While the company maintains that customer consent is not required for a public good finding in this matter, the lot owner’s consent may be inferred through the lack of objection or intervention.

d) The original reason Eversource included the property abutting lot 18-673 in the petition was to avoid a second franchise modification process when lot 18-674 is developed. Assuming that the owner of the abutting property would want to avoid the estimated \$4,800 customer contribution cost required to remain an Eversource customer, a second franchise modification process would be duplicative and inefficient for the petitioners, the Commission, and any parties to the dockets. It appears that initially the petitioners’ understanding was that both lots belonged to Mr. Rodrigue and Aurora Merry, but when it was ascertained that there were different owners

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for the two lots, there seems to have been an assumption made that the same circumstances applied to both lots, and this assumption was not corrected prior to filing, which accounts for the apparent discrepancy in information.

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Request from: Department of Energy

Request:

Reference: The Joint Petition, numbered para 1 and 3 (representing all owners in agreement); Melody Lane Lot 18-674 owned by Sugar River Holdings, LLC; NHEC Response to DOE 1-1, 1-3 and 1-5.

- a) Please explain in detail how NHEC has attempted to contact the owner(s) of Melody Lane Lot 18-674, Sugar River Holdings, LLC and provide information known to NHEC about Sugar River Holdings LLC. For each attempted contact, please provide the date, the method (phone, hard copy mail, email, etc.) the name of the NHEC staff attempting to make contact, the Sugar River Holding LLC contact information used (address, telephone number, landline) and the name of any Sugar River Holdings, LLC owners, employees, or staff (including legal counsel) if known.

Response:

NHEC has only attempted to contact the owner of Sugar River Holdings, LLC on February 6, 2023, by e-mail from Elijah Emerson to David Bourque (reveredplus@comcast.net). No response was received. All other communication to the owner of Sugar River Holdings, LLC has been through Eversource.

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Request from: Department of Energy

Request:

Reference: The Joint Petition, numbered para 1 and 3 (representing all owners in agreement); Melody Lane Lot 18-674 owned by Sugar River Holdings, LLC; NHEC Response to DOE 1-1, 1-3 and 1-5.

- b) Is NHEC aware of any other petitions to alter franchise in which the owner(s) of the property or properties was unaware of the request made and/or failed to respond to the utilities -- and/or to the PUC or PUC Staff efforts, if any -- to make contact? If so, please identify those petitions by docket number.

Response:

NHEC is not aware of any specific examples where the property owner was unaware of the request to adjust the boundary. Based on its understanding of the process previously utilized by the Public Utilities Commission (the "Commission"), where the Commission would issue an Order Nisi approving the franchise adjustment, it was very common for the property owners not to respond to the published order of decision. Thus, it would be common for the property owner to fail to response to the utilities or the Commission. It is even possible that some of the property owners involved were unaware of the proposal.

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Request from: Department of Energy

Request:

Reference: The Joint Petition, numbered para 1 and 3 (representing all owners in agreement); Melody Lane Lot 18-674 owned by Sugar River Holdings, LLC; NHEC Response to DOE 1-1, 1-3 and 1-5.

- c) What authority does NHEC rely upon in order to support the request it seems to be making that a franchise boundary be altered without the consent and/or knowledge of the property owner, i.e., Sugar River Holdings LLC?

Response:

NHEC objects to the question in that it calls for legal analysis. Notwithstanding that objection, NHEC notes that the standard applicable to grant “permission” for the franchise adjustment pursuant to RSA 374:26 (the section applicable to NHEC) is the “public good.” Although the property owner’s specific approval (or non-objection) should be relevant to making a determination of the public good, it is not an explicit requirement of RSA 374:26. In previous dockets reviewing franchise adjustments, where the Commission issued Orders Nisi, the property owners’ lack of objection was deemed sufficient for approving the adjustment. Eversource and NHEC have provided the notice of the proposed adjustment as was required by the Commission in its Order of Notice and now both have reached out directly by e-mail to the owner of Lot 18-674. As of the date of this response, the property owner has not made any objection to the proposal.

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Request from: Department of Energy

Request:

Reference: The Joint Petition, numbered para 1 and 3 (representing all owners in agreement); Melody Lane Lot 18-674 owned by Sugar River Holdings, LLC; NHEC Response to DOE 1-1, 1-3 and 1-5.

- d) The Joint Petition states that NHEC and Eversource “*jointly request [the Commission to] issue an order approving a change in the franchise areas served by the two utilities ...so as to accommodate the requests from two customers for line extensions for service in Croydon at Lots 18-673 and 18-674 as shown in Attachment A to this petition.*” Joint Petition (top of the page). The Joint Petition states “*The owners of Lot 18-674, also part of the Site, have also requested a line extension.*” Joint Petition numbered paragraph 1. The Joint Petition states “*NHEC and Eversource understand that Site owners agree with these arrangements. When all parties agree, the Commission may grant the permission requested without a hearing pursuant to RSA 374:26.*” Joint Petition numbered paragraph 3. Yet at the same time, NHEC’s January 19, 2023 responses to DOE data requests 1-1, 1-3 and 1-5 indicate that NHEC has not had any contact with the owner(s) of Lot 18-674. See NHEC Responses to DOE 1-1 (“*NHEC hasn’t been contacted by the property owner of Lot 18-674*”), DOE 1-3 (“*Lot 18-674 has not yet contacted NHEC for new service*”) DOE 1-5 (“*NHEC has not been contacted to initiate design of electric service from the owners of Lot 18-674*”). Please explain the apparent contradiction between statements in the Joint Petition and statements in NHEC’s response to DOE data requests.

Response:

NHEC acknowledges there is a contradiction and it is the result of an error in the Joint Petition. Only the owner of Lot 18-673 requested an adjustment of the franchise area. The owner of Lot 18-674 has yet to respond to several instances where notice of the proposed adjustment has been provided. If the Commission issued an Order Nisi approving the adjustment, the owner of Lot 18-674 would have another opportunity to object to the adjustment.

New Hampshire Electric Cooperative, Inc.

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Data Request No. DOE 2-003

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Request from: Department of Energy

Request:

Reference: NHEC response to DOE 1-1, 1-3

- a) DOE assumes that even if NHEC will not charge Mr. Rodrigue (the owner of Lot 18-673) for new service, there are costs involved to serve both lots. Based upon NHEC's response to DOE 1-1 and 1-3, DOE understands NHEC's estimate of costs to bring service to Lot 18-673 is \$8,428.12 through February 11, 2023. What are NHEC's estimated costs to bring service to both Lot 18-673 and Lot 18-674?

Response:

Assuming that the owner of Lot 18-674 requests the same type of service as Lot 18-673, the estimated cost would be the same (\$8,428.12). However, because the owner of Lot 18-674 has not requested any type of service for this property, NHEC does not have an actual estimate for any associated cost.

New Hampshire Electric Cooperative, Inc.

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Request from: Department of Energy

Request:

Reference: NHEC response to DOE 1-1, 1-3

- b) NHEC's response to DOE 1-1 states "Based on NHEC's cost structure, Mr. Rodrigue would not be invoiced for the new service so in this scenario there are no shared costs." With regard to Lot 18-674, Sugar River Holdings LLC's property, would NHEC charge the lot owner, Sugar River Holdings LLC "zero dollars" for the new service?

Response:

Assuming that the owner of Lot 18-674 requests the same type of service as Lot 18-673, NHEC would charge Sugar River Holdings, LLC "zero dollars." However, because the owner of Lot 18-674 has not requested any type of service for this property, NHEC does not have an actual estimate for any associated cost.



780 N. Commercial Street
P.O. Box 330
Manchester, NH 03105-0330

Jessica Chiavara
Senior Counsel

Phone: 603-634-2972
jessica.chiavara@eversource.com

January 3, 2023

Via electronic mail only

Daniel Goldner, Chair
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

RE: Docket No. DE 22-077 Joint Petition to Alter Franchise Areas in Croydon and Sunapee Public Service Company of New Hampshire d/b/a Eversource Energy – affidavit of supplemental notice mailed

Chair Goldner:

In accordance with Commission Order of Notice dated December 27, 2022, Public Service Company of New Hampshire d/b/a Eversource Energy sent the required supplemental notice to the owners of lots 18-673 and 18-674 via U.S. certified mail today. Attached is an affidavit attesting to the mailing.

Consistent with current Commission policy this filing is being made electronically only; paper copies will not follow. If you have any questions, please contact me. Thank you for your assistance with this matter.

Regards,

A handwritten signature in blue ink, appearing to read "J. Chiavara", written over a light blue horizontal line.

Jessica A. Chiavara

Senior Counsel, Eversource Energy

Attachment

cc: DE 22-077 service list

AFFIDAVIT OF PUBLICATION

I, Jessica Chiavara, counsel for Public Service Company of New Hampshire d/b/a Eversource Energy, hereby certify the following:

On December 27, 2022, the New Hampshire Public Utilities Commission issued an Order of Notice for Docket No. DE 22-077. In part that Order of Notice required that in addition to publishing the Notice on the company website, that “Eversource shall also provide supplemental notice to the owners of Lot 18-673 and Lot 18-674 by sending a copy of this notice by either first-class United States mail or electronic mail to the owners of Lot 18-673 and Lot 18-674 on or before January 3, 2023. Such publication and mailing shall be documented by affidavits filed with the Commission on or before January 9, 2023.” Order of Notice at 5.

Today, January 3, 2023, a copy of the Notice was sent via certified mail to each of the owners of Lots 18-673 and 18-674.

Dated this 3rd day of January, 2023

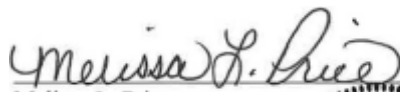


Jessica A. Chiavara

STATE OF NEW HAMPSHIRE

COUNTY OF HILLSBOROUGH

Sworn to and subscribed before me this 3rd day of January, 2023.


Melissa L. Price
My Commission expires: 