

STATE OF NEW HAMPSHIRE DEPARTMENT OF ENERGY

CRE 2021-026

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
D/B/A EVERSOURCE ENERGY**

**License to Construct and Maintain Electric Lines
Over and Across Public Waters in Warner and Sutton**

ORDER OF NOTICE

On December 22, 2021,¹ Eversource filed a petition with the N.H. Department of Energy (Department), pursuant to RSA 371:17, requesting a license to construct and maintain an existing overhead 2.4 kV electric distribution line (the 3410 Line) and an existing 19.9/34.5 kV electrical distribution line (the 317 Line) both of which extend over and across public waters in Warner and Sutton and re-designated as the 3410/317 Line. The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Department, will be posted to the Department's website (www.energy.nh.gov) at Utility Crossings Over State Lands and Public Waters /NH Department of Energy.

In its current petition, Eversource proposes to: (1) eliminate the 3410/317 Line (19.9/34.5kV) in its current location between poles 317A/70 and 317/927Y; and (2) relocate the 3410/317 Line to a Route 103 roadside location where it will be reconstructed between Pole 317/927Y. The new 3410/317 Line structures will be wood replacements and the structures associated with the Warner River crossings will be installed within 10 feet of the existing 3410

¹ The Company filed a replacement petition on March 15, 2022 and a second replacement petition on March 23, 2022.

wood structures, except for new 3410/317 Line Structure 4A/21 which will shift 20' west, away from the Warner River.

The 3410/317 Line crosses public waters of the Warner River in Warner and Sutton between Structures 4A/16 to 4A/17 and 4A/21 to 4A/21Y. Specific locations of the crossing structures are further detailed in the docket filings and illustrated in petition attachments. The water spans will have new conductors on the replacement structures.

According to the petition, the structure replacement work will be accomplished within existing right-of-way easements, thereby mitigating impacts and concerns of property owners affected by the project. Eversource will secure a New Hampshire Department of Environmental Services (NHDES) Shoreland Permit by Notification (PBN) and a Statutory Permit by Notification (PBN) for the work planned under this petition in relation to temporary impacts to wetlands, and the shoreland buffer prior to the commencement of construction.

The Department will review the filing to assess the necessity of the requested license to meet the reasonable requirements of reliable service to the public, as required by RSA 371:17, and whether the license may be exercised without substantially affecting public rights in the identified public waters in Warner and Sutton, as required for approval under RSA 371:20. The applicant and any interested party has the right to have an attorney represent the party at the party's own expense.

Based upon the foregoing, it is hereby

ORDERED, that, the Department will hold a prehearing conference, pursuant to N.H. Admin. R., Puc 203.15, on April 14, 2022 at 9:00 a.m., at which any interested party may provide its position with regard to the petition and any of the issues set forth in N.H. Admin. R., Puc 203.15; and it is

FURTHER ORDERED, that any interested party who wishes to participate in the proceeding shall file a written petition to intervene stating the interested party's basis for intervention consistent with RSA 541-A:32 and Puc 203.17 and specifying any objection the party has to the proposed crossings license. Petitions to Intervene shall be submitted to the Commissioner of the Department, with copies sent to the Petitioner that is seeking a license, no later than April 9, 2022. Failure to submit a Petition to Intervene at least three business days prior to the Prehearing Conference will constitute a waiver of the right to object to the Petition and the requested license; and it is

FURTHER ORDERED, that, immediately following the prehearing conference, Eversource, Department staff, and any intervening parties may hold a technical session to review the petition, as needed; and it is

FURTHER ORDERED, that, pursuant to N.H. Admin. R., Puc 203.12, Eversource shall notify all abutters to the proposed crossings by causing a copy of this order of notice to be sent, by any major delivery service that provides delivery confirmation, to the owners of all properties immediately adjacent and contiguous to the State land parcels that are subject to the proposed crossings. On or before April 9, 2022, Eversource shall file with the Department a list of all abutters so notified and copies of the return delivery confirmations. In addition, Eversource shall mail a copy of this order of notice to: (i) the Town Clerks of Warner and Sutton, New Hampshire; (ii) the New Hampshire Attorney General; (iii) the New Hampshire Department of Environmental Services; (iv) the New Hampshire Department of Transportation; and (v) the New Hampshire Department of Natural and Cultural Resources, and publish a copy of this order of notice on its website no later than one business day after the date of issue.



Jared S. Chicoine
Commissioner

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Department of Energy, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-3670; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made no later than one week prior to the scheduled event. **Queries regarding this petition and associated docket filings may be submitted to Crossings@energy.nh.gov.**