

THE STATE OF NEW HAMPSHIRE

BEFORE THE

DEPARTMENT OF ENERGY

PETITION OF NORTHERN UTILITIES, INC. FOR LICENSE TO CONSTRUCT AND MAINTAIN A DISTRIBUTION GAS MAIN ACROSS PUBLIC WATERS

Northern Utilities, Inc. (“Northern” or the “Company”) respectfully petitions the New Hampshire Department of Energy (“Department”) pursuant to RSA 371:17 for a license to construct and maintain a natural gas distribution main under public waters owned by the State of New Hampshire. As explained below, the Company did not submit an application for a license prior to constructing the project and requests that the Department grant a license on a retroactive basis. In support of this Petition, Northern states as follows:

1. Northern is a public utility providing natural gas service to customers in twenty three (23) municipalities in the southeastern and seacoast regions of New Hampshire.

Specifically relevant to this petition, Northern owns and operates natural gas distribution facilities regulated by the Department within franchise areas previously approved by the New Hampshire Public Utilities Commission, including the City of Rochester (“Rochester”).

2. Northern currently operates a natural gas distribution main in Rochester, NH. For the purposes of supporting recent significant commercial customer load growth in the area, Unitil installed a 12" coated steel natural gas pipeline by horizontal directional drill (HDD) under the Cocheco River from lot 137-3 (owned by Northern) to lot 136-76 (owned by City of Rochester). Historically, the Rochester IP system has been fed by a single feed. The newly installed pipeline is designed to feed two district regulating stations: An existing station located at 760 Columbus Avenue in Rochester (“Route 125 station”) and a new station located at 770 Columbus Ave in Rochester (the “Axe Handle Brook Station”) that is currently under

construction. The Company designed this project to improve local pressures with larger pipe to allow each of the stations to operate efficiently during periods of high demands.

3. The City of Rochester granted Northern an easement for the construction and operation of this segment of pipeline. The Company commenced construction of the pipeline on August 31, 2020 and completed work on May 19, 2021. The segment of pipeline was placed into service on May 19, 2021.

4. The gas pipeline segment passes under approximately 100 feet of the Cochecho River at an approximate depth of twelve feet below the river bottom. Northern utilized the Horizontal Directional Drilling method to install the 12" diameter pipeline consistent with the technical specifications attached hereto as Attachment A. Horizontal Directional Drilling is a trenchless method of installing pipeline that is accomplished in multiple stages, including site preparation, equipment setup, pilot bore, reaming, pulling the pipeline through the drilled bore, and site restoration. A stress calculation and analysis report for the 12" diameter pipeline located under Cochecho River is included in Attachment A.

5. The Horizontal Drilling Process and relocation of the gas pipeline did not present issues of environmental or safety related concern at the time of construction and will not present such issues going forward. Northern intends to submit a Shoreland Permit Application to the New Hampshire Department of Environmental Services in connection with this project on or about August 13, 2021. Impacts within the protected shoreland area only occurred on lot 136-76. Impacts included a 5'x5'x4' deep HDD pit and a 2'x4' deep pipe trench. All impacts were contained within the existing gravel driveway. No previously unaltered areas were altered and no increase in impervious area was created. The lot was returned to its original condition following completion of the project.

6. The construction and maintenance of the pipeline segment under the Cocheco River in Rochester, NH is necessary as a second feed for the city of Rochester. It also provides pressure support to the district regulating station which supplies this area. To continue to provide natural gas service to customers in Rochester, Northern respectfully requests a license, pursuant to RSA 371:17, to construct and maintain a gas pipeline under the Cocheco River.

7. Northern believes that the Department license requested above will be exercised without substantially affecting public rights in affected waters. The gas pipeline segment will not present any impediment to or safety concern for marine traffic on the Cocheco River. The pipeline will not impose any additional burden upon the public interest.

8. Due to an inadvertent oversight, Northern did not submit an application pursuant to RSA 371:17 prior to constructing its gas pipeline segment under the Cocheco River in Rochester. The Company now requests a license to construct and maintain its pipeline crossing under the Cocheco River pursuant to ensure compliance with RSA 371:17. Northern respectfully requests that the Department grant the requested license on a retroactive basis.

WHEREFORE, Northern respectfully requests that the Department:

- A. Find that the license for construction and maintenance of a natural gas under the Cocheco River from lot 137-3 (owned by Northern) to lot 136-76 (owned by City of Rochester) in Rochester, NH may be exercised without substantially affecting public rights in State waters;
- B. Grant Northern a license to construct and maintain a natural gas under the Cocheco River from lot 137-3 (owned by Northern) to lot 136-76 (owned by City of Rochester) in Rochester, NH;
- C. Issue an order *nisi* and orders for its publication.

Dated at Hampton, NH on this 6th day of August, 2021.

Respectfully submitted,

Northern Utilities, Inc.

By Its Attorney,

A handwritten signature in black ink, appearing to read "Patrick H. Taylor", written over a horizontal line.

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