

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

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

DOCKET No. DE 21-111

**PETITION OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE D/B/A
EVERSOURCE ENERGY FOR A LICENSE TO CONSTRUCT AND MAINTAIN
ELECTRIC LINES OVER AND ACROSS STATE OWNED LANDS IN HOOKSETT
AND PUBLIC WATERS IN MANCHESTER 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 lands in Hooksett and certain public waters in Manchester, 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 D121 Line, originally constructed in 1957, over State owned lands in Hooksett and across the public waters encompassing Black Brook in Manchester, New Hampshire. For reasons unknown a license was not obtained when the subject crossing spans were originally constructed but will be fully licensed pursuant to this petition. The location of the State owned lands and public water crossing which are the subject of this petition are depicted on the Overview Map attached hereto as Exhibit 1 and a more detailed location description is as follows:

Exhibits 2 through 4 – The D121 Line crosses one State owned land between Structure 81 and 87 in the Town of Hooksett. The crossing is located within a largely undeveloped area between Interstate 293 and Hackett Hill Road. The State owned land crossing begins

approximately 5,500 feet south from where the D121 line crosses Hackett Hill Road, which is approximately 530 feet west from the intersection of Hackett Hill Road and Cross Road. The State owned land crossing extends an additional 2,244.3' in a southerly direction.

Exhibits 5 to 7: The D121 Line crosses the second State owned land between Structures 88 and 93 in the Town of Hooksett. The crossing is located within the same largely undeveloped area between Interstate 293 and Hackett Hill Road. The State owned land crossing begins approximately 2,685 feet north from where the line crosses Poore Road, which is the first line encountered when traveling southeast from the intersection of Hackett Hill Road and Poore Road. The state owned land crossing extends an additional 1,674.9' in a northeasterly direction.

Exhibit 8 – The D121 Line crosses one public waterbody over Black Brook in Manchester between Structures 126 and 127. The line crosses Black Brook approximately 585 feet southwest from where the line crosses over Dunbarton Road, which is approximately 4,410 feet southeast from the intersection of Dunbarton Road and Straw Road. The line extends an additional 221' southwest over Black Brook.

2. As part of its ongoing asset condition inspection program, Eversource determined that wood Structure 127 at the south side of the Black Brook crossing span required replacement to continue to function safely and reliability and was replaced in 2017 with a weathering steel equivalent without obtaining a license due to an apparent oversight. Replacement Structure 127 was installed in 2017 within 10 feet of the previously existing structure. At both the State owned land and Black Brook crossing spans that are subject to this petition, the current D121 Line maintenance scope also includes the replacement of one existing pole-top shield wire with OPGW communication wire and the addition of a second pole-top OPGW communication wire with the specifications and configuration shown on the Cable Schedules and Structure Details, respectively, on Exhibits 2 through 8 hereto. The three existing conductors and the existing ADSS communications wire between Strs. 127 and 128 shall remain unchanged. The remaining existing wood Structures 126, 81 through 86, and 88 through 93 that are the subject of this petition remain in good condition and are not in need of replacement at this time.

3. Wire specifications and loading condition to establish maximum sag for the State owned lands and Black Brook crossing spans are indicated on the Profile View and Cable Schedule of Exhibits 2 through 8.

4. This petition addresses the following crossing spans:

- a. State Owned Land: Hooksett Map 23, Lot 7 and Map 28, Lot 7 (Exhibits 2 through 4)
 - i. Structures: 81 to 87
 - ii. Structure Span (ft): 2,713.8
 - iii. State Owned Land Span (ft): 2,244.3
- b. State Owned Land: Hooksett Map 28, Lot 12 and Map 28, Lot 14 (Exhibits 5 through 7)
 - i. Structures: 88 to 93
 - ii. Structure Span (ft): 2,012.1
 - iii. State Owned Land Span (ft): 1,674.9
- c. Black Brook: Manchester (Exhibit 5)
 - i. Structures: 126 to 127
 - ii. Structure Span (ft): 557.2
 - iii. Public Waters Span: 220.8

5. All conductors and wires have been drawn on Exhibits 2 through 8 to show the minimum clearance at maximum sag conditions in reference to the State owned land and public water body crossing spans, as noted.

6. Eversource will maintain and operate the clearances of the crossings at a height no less than what is required by the 2012 National Electric Safety Code (NESC, Table 232-1) which, in the case of the State owned land span is 16.1 feet for spaces and ways subject to pedestrians or restricted traffic only¹, and which, is 18.6 feet for water areas not suitable for sail boating or where

¹ The State owned lands are bounded by private properties to the north, south and west and by the limited access right of way of Interstate 93 to the east. Therefore, access and conditions do not exist which, according to guidance in Note #9 to Table 232-1 of the 2012 NESC, would “not normally [be] encountered or reasonably anticipated” to accommodate vehicles or other mobile units exceeding a total height of 8 feet. Accordingly, Eversource believes that “spaces and ways subject to pedestrian or restricted traffic” clearance standard most appropriately applies to the State owned land crossing location. Alternatively, based on contemporary Department suggestion that the NESC’s “other areas traversed by vehicles” may apply to the State owned lands that are the subject of this petition, Eversource notes that NESC Section. 13(b)(3) only requires contemporary

sail boating is prohibited. The actual minimum height over public waters utilizing 100 year flood elevation as described in Note 3 of Exhibit 8, is depicted on the attached Exhibit 8, and exceeds the minimum requirements.

7. A New Hampshire Department of Environmental Services (NHDES) Statutory Permit by Notification (SPN) for temporary impacts to wetlands have been obtained for the overall D121 Line maintenance project (NHDES #2020-03201, #2020-03224) including in Manchester and Hooksett, however temporary impacts are not anticipated as part of the work subject to this petition hereto as ground disturbance at both the State owned land span and public waters span that are the subject of this petition will be avoided by utilizing a helicopter to replace and install the new wires. A Shoreland Permit by Notification (PBN) is not required as ground disturbance within the shoreland buffer will be avoided. A NHDES Utility Maintenance Notification was obtained in 2017 (NHDES #2017-00125) for temporary wetland impacts associated with the replacement of Structure 127.

8. The U.S. Army Corps of Engineers (ACOE) does not regulate the subject portion of Black Brook as navigable waters.

9. The shield wire replacement with OPGW communication wire and addition of OPGW communication wire will be accomplished within existing ROW easements in respect to the parcels on which Structures 81 through 86 and 88 through 93 are located and on either side of Black Brook where Structures 126 and 127 are located and therefore will not interfere with the property rights and interests of the owners of the parcels where that work will be performed.

10. Eversource submits that the license petitioned for herein may be exercised without substantially affecting the rights of the public in the State owned land and public waters. Minimum

application of the “other vehicles” clearance standard to the two new pole top OPGW installation, even though the original and existing conductors do not meet that standard in every instance. The original and existing conductors were designed to the prevailing regulatory perspective at that time which applied a pedestrian clearance standard. The two new pole top OPGW wires do satisfy the “other vehicles” clearance standard in all locations that are the subject of this petition.

safe clearances above the State owned land and public waters shall be maintained at all times. Owing to the anticipated duration of the maintenance work and safety precautions undertaken by Eversource and its contractors, the use and enjoyment by the public of State owned land and Black Brook will not be diminished in any material respect as a result of the described structure replacement and wire replacement and addition.

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 and public waters that are the subject of this petition;
2. Grant Eversource a license to construct and maintain electric lines over and across the State owned land and public waters as identified and described in this petition; and
3. Issue an order *Nisi* and orders for their publication.

Dated at Manchester, New Hampshire this 26th day of August, 2021.

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



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