

STATE OF NEW HAMPSHIRE

Intra-Department Communication

DATE: October 22, 2021

AT (OFFICE): NH Dept. of Energy

FROM: Kenneth Walsh *KGW*
Utility Analyst IV – Division of Enforcement

SUBJECT: CR2021-05 Eversource Energy
Petition for License to Construct and Maintain Electric Lines Over and Across State Owned Land in Plymouth and License Amendment to Maintain Electric Lines Over and Across Public Waters in Plymouth and Holderness, New Hampshire
Division of Enforcement, **Safety Bureau Recommendation**

TO: Jared Chicoine, Interim Commissioner, Department of Energy
Christopher Ellms, Jr., Deputy Commissioner, Department of Energy

CC: Thomas Frantz, Director of Regulatory Division
Richard Chagnon, Regulatory Division
Lynn Fabrizio, Division of Enforcement
Randall Knepper, Division of Enforcement
Paul Kasper, Division of Enforcement

The Division of Enforcement's review of the above petition consisted of the following elements:

- Petition contents, resubmitted petition contents, and history;
- Applicable State statute;
- Review of the existing crossing(s) previously licensed by the PUC, if any;
- Review of land ownership of existing pole structures;
- Review of NESC code requirements as described in Puc 300;
- Review of public need and public impact, including applicability of other State regulations; and
- Conclusions and Recommendations.

1. Petition contents and history

On July 2, 2021, Public Service New Hampshire d/b/a Eversource Energy (Eversource, or the Company) filed a petition for a license and license amendment pursuant to RSA 371:17 to construct and maintain the Eversource 3196 Line, which is an existing 34.5kV distribution line that crosses State land in Plymouth and public waters in Plymouth and Holderness.

On October 15, 2021, Eversource Energy resubmitted exhibits due to errors as identified by Safety Bureau Staff.

On October 19, 2021, Eversource Energy resubmitted the petition with exhibits due to errors in their October 15, 2021 submittals as identified by Safety Bureau Staff.

The State owned land crossing was not previously licensed for unknown reasons, according to the petition. The public water crossing was previously licensed pursuant to PUC Order 12-219.

This proposed project is to replace (2) steel lattice structures with weathered steel structures. Structure #101 was replaced in 2020 as a result of foundation rot and deterioration that required immediate replacement. The (3) existing distribution conductors will be transferred to the new structures.

Common to all these noted structures (Type DTR 10.628, CL H9), existing distribution conductors consist of (3) ACSR 336 kcmil 18/1 conductors with the conductors being the lowest attached wires.

The conductor cable clearance requirements were met using the National Electrical Safety Code (NEC) based on the design conditions for all crossings within this petition. This scenario was the governing condition, which yielded the greatest sag and lowest clearance. Only 26.5 feet clearance for 34.5 kV conductor is required by the NEC Table 232-1 for wires over track rails of railroads and only 17.0 feet is required for water areas not suitable for sailboating. Staff verified the computed sags with SAG 10 commercial software using inputs as stated in the petition.

The scope of this project begins in Plymouth at Structure #99 approximately 335 feet northeast of where the 3196 Line crosses State Route 3/25 (Daniel Webster Highway). The 3196 Line then traverses northeast crossing the railroad tracks and then continuing northeast across the Pemigewasset River.

Exhibit #2 describes the 550.7 foot span between Structures #99 to #100 in Plymouth with 88.6 feet crossing State owned land. The 572.2 foot public water span in Plymouth and Holderness between Structures #100 to #101 crosses 349.5 feet of the Pemigewasset River.

2. New Hampshire statute referenced in petition (as modified by N.H. House Bill 2 on June 3, 2021)

371:17 Licenses for New Poles (2021, 91:260, eff. July 1, 2021)

3. Review of existing license(s) and permissions previously granted by the PUC for these locations of the State owned land in Plymouth and Public Waters in Plymouth and Holderness.

The public water crossing was licensed pursuant to PUC Order 12-219.

The State owned land crossing span in Plymouth was not previously licensed.

In Plymouth and Holderness, from the outlet of Profile Lake in Franconia Notch State Park to the southern boundary of Franconia State Park and from the northernmost Thornton town line to

the confluence with the Merrimack River in Franklin is listed under the category “Public Rivers and Streams” in the Official List of Public Waters (OLPW). The entire list of public waters can be accessed through the following web link:

<https://www.des.nh.gov/sites/g/files/ehbemt341/files/documents/olpw.pdf>

The U.S. Army Corps of Engineers does not regulate the subject portions of the Pemigewasset River as navigable waters.

Eversource Energy asserts there will be no environmental impacts from this project that would require permits from the NH Department of Environmental Services.

4. Review of land ownership of proposed pole structures

In its petition, Eversource Energy specifies that the structures and wires pursuant to this petition cross State owned land in Plymouth and public waters in Plymouth and Holderness, New Hampshire.

5. Review of NESC code requirements as described in Puc 300

The Safety Bureau reviewed the specifications related to the design and re-construction of this crossing project as described in the petition, attachments, and all supplemental support documents and corrections filed by the Company, and found them to be in conformance with N.H. Admin. Rule Puc 306 and applicable sections of NESC C2-2012.

6. Review of public need and public impact

The 3196 distribution line is an integral part of Eversource Energy’s existing electric distribution system in New Hampshire. The crossing locations identified in the petition are in Plymouth and Holderness. The Company asserts in its petition that the existing crossings will be exercised without substantially affecting public rights in the identified State owned land and public waters.

The Safety Bureau verified that minimum safe line clearances above the land and public waters will be maintained at all times, and determined that public use and enjoyment of the State owned land and public waters will not be diminished in any material respect as a result of the proposed overhead line crossings.

Safety Bureau Recommendation:

Based on the results of its review of the petition, attachments, and all other supporting documents filed to this docket, the Safety Bureau recommends that the Department:

- 1) Find that the license and license amendment Eversource Energy requests in this petition may be exercised without substantially affecting the public rights in State owned land and public waters; and
- 2) Grant Eversource Energy a license and license amendment to construct, install, operate, and maintain electric lines pursuant to RSA 371:17 and Puc 306.01, over and across State owned land in Plymouth and Public Waters in Plymouth and Holderness, New Hampshire, as specified in the petition.

Attachments

