

**STATE OF NEW HAMPSHIRE DEPARTMENT OF ENERGY**

**CR 2021-001**

**NORTHERN UTILITIES, INC.**

**LICENSE NO. CR 2021-001**

**December 28, 2021**

**License to Construct and Maintain Gas Distribution Main  
Under and Across Public Waters in Rochester**

This license is granted to Northern Utilities, Inc. (Northern) pursuant to RSA 371:17 for the construction and maintenance of a natural gas distribution main under and across public waters in Rochester, New Hampshire.

**I. BACKGROUND**

On August 4, 2021, Northern filed a petition with the NH Department of Energy (Department), pursuant to RSA 371:17, requesting an after-the-fact license to construct and maintain a natural gas distribution line under and across the Coheco River in Rochester. On December 2, 2021, the Department's Enforcement Division Staff filed a recommendation that the petition be approved and a license granted. The petition and subsequent docket filings are posted to the Department's website (energy.nh.gov) at [Utility Crossings Over State Lands and Public Waters | NH Department of Energy.](#)

**II. SUMMARY OF LICENSE**

**A. Crossing Location and Construction**

Northern's natural gas distribution main in Rochester extends under and across the public waters of the Coheco River. The crossing involves a 100-foot section of main that was installed by horizontal directional drill (HDD) between Old Dover Road and Route 125 (Columbus Avenue). The location of the crossing is further specified in

the docket filings. Installation of the gas main was commenced on August 31, 2020 and completed on May 19, 2021. The license authorizes after the fact the installation of a 12-inch coated steel natural gas pipeline that runs under the Cocheco River from Lot 137-3 (owned by Northern) to Lot 136-76 (owned by the City of Rochester).

**B. Regulatory Requirements**

According to the petition, Northern obtained permission from the Rochester Planning Board to construct the pipeline 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 (“Axe Handle Brook Station”). The City of Rochester granted Northern an easement for the construction and operation of this segment of pipeline. Northern obtained a Shoreland Impact Permit from the New Hampshire Department of Environmental Services (NHDES) in connection with this project on September 8, 2021. Northern is responsible for obtaining any and all other federal, state, or local permits required by authorities having jurisdiction for the construction and installation of the proposed crossing.

**C. Property Rights**

Northern submitted that impacts of the crossing installation within the protected shoreland area occurred only on Lot 136-76 and included a 5'x5'x4'-deep HDD pit and a 2'x4'-deep pipe trench. All impacts were contained within an existing gravel driveway. No previously unaltered areas were altered, no increase in impervious area was created, and the lot was returned to its original condition following completion of the project.

**D. Service to the Public and Effect on Public Rights**

According to the petition, Northern designed this project to improve local gas

pressures with a larger pipe to allow each of the regulating stations to operate efficiently during periods of high demand for gas service. Northern affirmed that the installation will meet that public need and will not substantially affect the public's use and enjoyment of the identified public waters.

### **III. DEPARTMENT DECISION**

Northern is authorized, pursuant to RSA 371:17, *et seq.*, to construct, install, operate, and maintain a gas distribution main under and across public waters in Rochester, as described in its petition and depicted in its filings, and as specified in the Enforcement Division's recommendation. Based on the factual representations set forth in the petition and the recommendation, the Department finds that the requested crossing is necessary to meet the reasonable requirements of reliable service to the public, as required by RSA 371:17, and that the requested license may be exercised without substantially affecting public rights in the subject public waters at the crossing location in Rochester, as required for approval under RSA 371:20. Therefore, the petition is approved.

We require a copy of this license to be provided to the City Clerk of Rochester by first class mail no later than January 4, 2022, with a signed affidavit of compliance filed with the Department no later than 10 days following the issuance of this license.

By order of the Department of Energy of New Hampshire this 28th day of December 2021.



Jared S. Chicoine  
Commissioner