

STATE OF NEW HAMPSHIRE DEPARTMENT OF ENERGY

**CR 2021-009
(formerly PUC DE 21-085)**

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

LICENSE NO. CR 2021-009

October 15, 2021

**License to Construct and Maintain Electric Lines
Over and Across State Owned Land in Northumberland
and Public Waters in Lancaster**

This license is granted to Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) to modify and maintain its D142 Line, an existing electric transmission line that extends over and across land owned by the State of New Hampshire in Northumberland and public waters in Lancaster.

I. BACKGROUND

On June 3, 2021,¹ Eversource filed a petition with the N.H. Department of Energy (Department), pursuant to RSA 371:17, requesting a license to modify, reconstruct, and maintain its D142 Line, a 115 kV electric transmission line that extends over and across State-owned land in Northumberland and public waters in Lancaster. On September 8, 2021, the Department's Enforcement Division Staff filed a recommendation that the petition be approved and a license granted, based on the petition filings, applicable statutes, rules, NESC requirements, and land ownership, as well as public need, safety, and impact. The petition and subsequent docket filings are

¹ The Company filed an initial petition on April 28, 2021 with the NH Public Utilities Commission; a replacement petition with corrections was filed on June 3, 2021.

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 Locations and Construction

This license pertains to Eversource's D142 Line, a 115 kV electric transmission line that extends over and across Cape Horn State Forest property in Northumberland, and public waters of Otter Brook and the Israel River in Lancaster. The D142 Line will cross State forest land in Northumberland within an existing utility right-of-way between new Structures 23 and 49 (existing Structures 325 to 352). The Line will cross Otter Brook between new Structures 91 and 92 (existing Structures 396 and 397) and the Israel River between new structures 93 and 94 (existing Structures 398 and 399) in Lancaster. Locations of crossing structures are further specified in the petition filings.

The license authorizes the replacement of 27 existing wood structures that support the D142 Line across the State forest property, and 4 existing wood structures that support the two public water crossings with weathered steel structures. The license further authorizes the transfer and reconductoring of the electric lines attached to each structure, and the replacement of two shield wires with two optical ground wires (OPGWs) used for communications and grounding. One of the original wood structures (existing Structure 339) on the State forest property will be eliminated.

B. Regulatory Requirements

Eversource 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. According to the petition, Eversource will obtain a New Hampshire Department of Environmental Services (DES) Standard Dredge and Fill Wetlands Permit for the pole replacements, and a Shoreland Permit by Notification for the Otter Brook and Israel River crossings in Lancaster.

C. Property Rights

According to Eversource, abutters to the State land crossing in Northumberland, and the public water crossings in Lancaster will not be affected by the proposed project, because the D142 Line is an existing line and the crossing structures are being replaced and rebuilt within existing easements.

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

According to the petition, the existing crossings were constructed, operated, and maintained to meet the reasonable requirements of service to the public. Eversource affirmed that the proposed modifications will continue to meet that public need, and will not substantially affect the public's use and enjoyment of the State land in Northumberland or the public waters of Otter Brook and the Israel River in Lancaster.

The line modifications are designed and will be constructed and maintained in accordance with the 2012 National Electrical Safety Code (NESC). The clearance requirement with respect to the water crossing was calculated using a 100-year flood level, a more conservative analysis than the NESC 10-year flood clearance requirement.

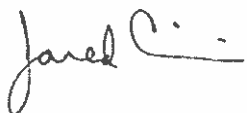
III. DEPARTMENT DECISION

Eversource is authorized, pursuant to RSA 371:17, *et seq.*, to construct, install, operate, and maintain electric lines over and across State land in Northumberland and

the public waters of Otter Brook and the Israel River in Lancaster, 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 amendments are 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 land and public waters at the crossing locations in Northumberland and Lancaster, 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 Town Clerks of Northumberland and Lancaster by first class mail no later than October 20, 2021, with a signed affidavit of compliance filed with the Department no later than 10 days following the issuance of the license.

By order of the Department of Energy of New Hampshire this 15th day of October 2021.



Jared S. Chicoine
Interim Commissioner