

STATE OF NEW HAMPSHIRE DEPARTMENT OF ENERGY

CRE 2022-009

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

**Petition for License to Construct and Maintain Electric Lines Over and Across
State-Owned Land and Public Waters in Concord, Bow and Pembroke**

ORDER OF NOTICE

On March 28, 2022,¹ Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource, or the Company) filed a petition for a license to construct and maintain an existing overhead 115 kV electrical transmission line (the M108 Line) over and across land owned by the State of New Hampshire and over and across public waters in Concord, Bow and Pembroke. The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Department, will be posted to the Department's website at [Utility Crossings Over State Lands and Public Waters /NH Department of Energy](#).

The M108 Line was originally constructed in 1951 as the V-182 and rebuilt in 2007 and redesignated as the M108 Line. The public water crossing over and across the Merrimack River that is included in this petition was previously licensed in 2007 in DE 08-064 by Order No. 24,859. The State-owned land included in this petition was not previously licensed.

In its current petition, Eversource proposes to promptly replace laminated wood Structures #3, #25, #26 and #28 with new steel structures. All replacement structures will be located within 10 feet of their current locations. Three existing transmission conductors, one

¹ Eversource filed an initial petition with attachments on March 23, 2022 and resubmitted a corrected petition with revised exhibits on March 28, 2022, as a result of errors identified by Department Safety Bureau staff.

static wire, and single optical ground wire (OPGW) cable will be unchanged in the course of transferring to the replacement structures.

The M108 Line crosses public waters of the Merrimack River in Bow and Concord between Structures #2 and #3. The M108 Line crosses State-owned land between Structures #25 and #32, however the petition seeks to license work on the State-owned land from Structures #25 to #29 at this time. The entirety of the M108 Line will be rebuilt in 2023 and the State-owned land span will be licensed at that time. The replacement of Structures #25, #26 and #28 petitioned for herein will be incorporated into the rebuild design. Specific locations of the crossing structures are further detailed in the docket filings and illustrated in petition attachments.

According to the petition, the structure replacement work will be accomplished within existing right-of-way easements, thereby mitigating impacts and concerns of property owners affected by the project. Eversource will obtain a New Hampshire Department of Environmental Services (NHDES) Wetland Statutory Permit by Notification (SPN and Statutory Permit by Notification (PBN) for the work planned under this petition in relation to temporary impacts to wetlands, and the shoreland buffer and will be secured prior to the commencement of construction. The U.S. Army Corps of Engineers (ACOE) does regulate the subject portion of the Merrimack River as navigable waters and scope of work discussed in this petition at that crossing location is covered through Self-Verification process under the ACOE New Hampshire Programmatic General Permit #4, provided that there will be no decrease in existing clearances, which is the case for the scope petitioned herein.

The Department will review the filing to assess the necessity of the requested license to meet the reasonable requirements of reliable service to the public, as required by RSA 371:17,

and whether the license may be exercised without substantially affecting public rights in the identified State land and public waters in Concord, Bow and Pembroke, as required for approval under RSA 371:20. The applicant and any interested party has the right to have an attorney represent the party at the party's own expense.

Based upon the foregoing, it is hereby


ORDERED, that, the Department will hold a prehearing conference, pursuant to N.H. Admin. R., Puc 203.15, on April 15, 2022 at 9:00 a.m., at which any interested party may provide its position with regard to the petition and any of the issues set forth in N.H. Admin. R., Puc 203.15; and it is

FURTHER ORDERED, that any interested party who wishes to participate in the proceeding shall file a written petition to intervene stating the interested party's basis for intervention consistent with RSA 541-A:32 and Puc 203.17 and specifying any objection the party has to the proposed crossings license. Petitions to Intervene shall be submitted to the Commissioner of the Department, with copies sent to the Petitioner that is seeking a license, no later than April 12, 2022. Failure to submit a Petition to Intervene at least three business days prior to the Prehearing Conference will constitute a waiver of the right to object to the Petition and the requested license; and it is

FURTHER ORDERED, that, immediately following the prehearing conference, Eversource, Department staff, and any intervening parties may hold a technical session to review the petition, as needed; and it is

FURTHER ORDERED, that, pursuant to N.H. Admin. R., Puc 203.12, Eversource shall notify all abutters to the proposed crossings by causing a copy of this order of notice to be sent, by any major delivery service that provides delivery confirmation, to the owners of all

properties immediately adjacent and contiguous to the State land parcels that are subject to the proposed crossings. On or before April 12, 2022, Eversource shall file with the Department a list of all abutters so notified and copies of the return delivery confirmations. In addition, Eversource shall mail a copy of this order of notice to: (i) the City Clerk of Concord and the Town Clerks of Bow and Pembroke, New Hampshire; (ii) the New Hampshire Attorney General; (iii) the New Hampshire Department of Environmental Services; (iv) the New Hampshire Department of Transportation; and (v) the New Hampshire Department of Natural and Cultural Resources, and publish a copy of this order of notice on its website no later than one business day after the date of issue.



Jared S. Chicoine
Commissioner

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Department of Energy, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-3670; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made no later than one week prior to the scheduled event. **Queries regarding this petition and associated docket filings may be submitted to Crossings@energy.nh.gov.**