

**STATE OF NEW HAMPSHIRE DEPARTMENT OF ENERGY**

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

**LICENSE NO. CRE 2022-001**

**May 31, 2022**

**Petition for License and License Amendment to Construct and Maintain Electric Lines  
Over and Across Public Water in Atkinson, New Hampshire**

This license is granted to Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) to modify and maintain its 3818 Line, an existing electric distribution line that extends over and across public waters in Atkinson. The original construction date of the 3818 Line is unknown but predates 1976 when one of the two public water crossing spans part of this petition was licensed pursuant to Order No. 12,219. The second public water crossing span that is the subject of this petition, over Island Pond, was not previously licensed.

**I. BACKGROUND**

On January 27, 2022,<sup>1</sup> 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 3818 Line, a 4.16 kV electric distribution line that extends over and across public waters in Atkinson. On May 3, 2022, 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 posted to the

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<sup>1</sup> The Company filed a replacement petition on April 28, 2022.

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 3818 Line, a 4.16 kV electric distribution line that extends over and across the public waters of Island Pond in Atkinson. The 3818 Line crosses public waters of the Island Pond in Atkinson between Structures 1/12 and 1/13, and between Structures 1/16 and 1/17.

The 3818 Line crosses public water known as Island Pond, a/k/a Boulder Cove, in Atkinson, New Hampshire starting on the southeastern side of Chase Island from structure 1/12 and extending southeast to the northern tip of Sheep Island to structure 1/13. The 3818 Line also crosses Island Pond, a/k/a Boulder Cove, from the southeast edge of Sheep Island from structure 1/16 and extending southeasterly to the western shore of Houle Grove, at the approximate location of where Boulder Cove Road ends and splits into joint driveways to structure 1/17.

The length of span between Structures 1/12 to 1/13 and 1/16 to 1/17 is 611 feet and the length of span over and across public water is 428 feet.

The license authorizes, after the fact, the 2017 replacement of Structure 127 with a weathered steel structure; the replacement of an existing pole-top shield wire with an optical ground wire (OPGW) used for communications and grounding; and the addition of a second OPGW line. Three existing transmission conductors and one existing ADSS communications wire will remain unchanged under this license.

**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 (NHDES) Shoreland Permit Notification (PBN) and a 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 not regulate Island Pond as navigable waters. As a result, a crossing permit from the AOE is not required.

**C. Property Rights**

According to Eversource, abutters to Island Pond in Atkinson will not be affected by the proposed project, because the crossing structures are being replaced and rebuilt within existing right-of-way 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 Island Pond in Atkinson.

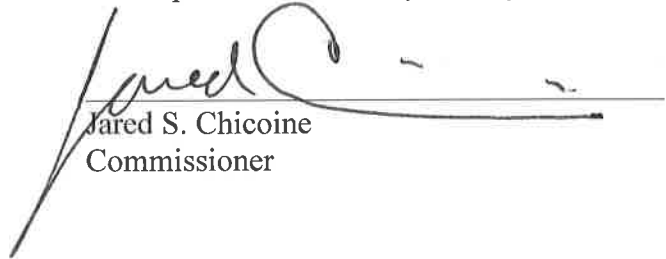
The line modifications are designed and will be constructed and maintained in accordance with the 2012 National Electrical Safety Code (NESC). The clearance requirement with respect to the water crossing was calculated using the NESC 10-year flood clearance requirement.

**III. DEPARTMENT DECISION**

Eversource is authorized, pursuant to RSA 371:17, *et seq.*, to construct, install, operate, and maintain electric lines over and across the public waters of Island Pond in Atkinson, 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 public waters at the crossing locations in Atkinson, 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 Clerk of Atkinson by first class mail no later than June 3, 2022 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 31st day of May, 2022.



Jared S. Chicoine  
Commissioner