

**STATE OF NEW HAMPSHIRE DEPARTMENT OF ENERGY**

**CRE 2022-011**

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

**Petition for License to Construct and Maintain Electric Lines  
Over and Across Public Waters in Merrimack and Litchfield**

**ORDER OF NOTICE**

On April 12 2022, 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 115 kV electric transmission line (the K165 Line) over and across public waters in Merrimack and Litchfield. 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 K165 Line was originally constructed in 1966. The public water crossing at the Merrimack River that is included in this petition was previously licensed in 1969 under DE-5747 (Order No. 9829).

In its current petition, Eversource proposes to: (1) replace wood Structure 184 with a weathering steel structure located within 10 feet of its current location; and (2) license after-the-fact the 2012 replacement of Structure 183 from original wood with a galvanized steel structure.

The K165 Line crosses public waters of the Merrimack River in Merrimack and Litchfield between Structures 183 and 184. Specific locations of the crossing structures are further detailed in the docket filings and illustrated in petition attachments. The K165's existing

three phase conductors, a single OPGW wire, and a single static wire between Structures 183 and 184 will remain unchanged in the course of relocation to the replacement structures.

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) Statutory Permit by Notification (PBN) and Shoreland Permit 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 the scope of work discussed in this petition at the subject crossing location will be licensed via Self-Verification under the ACOE New Hampshire Programmatic General Permit #4 and which licensing will be accomplished prior to commencement of the maintenance project.

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 public waters in Merrimack and Litchfield, 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 May 10, 2022 at 9:00 a.m., at which any interested party may

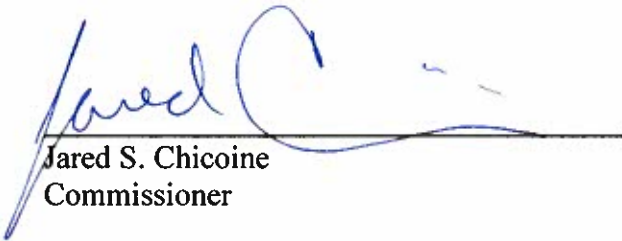
provide its position with regard to the petition and any of the issues set forth in N.H. Admin. R., Puc 203.15; and it is

**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 May 5, 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 May 5, 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 Town Clerks of Merrimack and Litchfield, 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](mailto:Crossings@energy.nh.gov).**