

STATE OF NEW HAMPSHIRE DEPARTMENT OF ENERGY

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

LICENSE NO. CRE 2022-019

August 26, 2022

Petition for License to Construct and Maintain Electric Lines Over and Across Public Waters and State-Owned Land in Dover, New Hampshire

This license is granted to Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) to modify and maintain its R169 Line, an existing electric transmission line that extends over and across land owned by the State of New Hampshire and public waters in Dover.

The public waters crossing at the Cocheco River that is included in this petition was originally constructed in 1953 and rebuilt in 2002. The public waters crossing at the Cocheco River that is included in this petition was most recently licensed in 2001 under DE 01-233 (Order No. 23,860) in conjunction with a project to rebuild the line in 2002; in 2002 the premises comprising the State-owned land that is the subject of this petition was not in state ownership.

I. BACKGROUND

On July 27, 2022,¹ 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 R169 Line, a 115kV electric transmission line that extends over and across State-owned land and public waters in Dover. On August 24, 2022, the Department's Enforcement Division Staff filed a recommendation that the petition be approved, and a license granted,

¹ The Company filed a final replacement petition on August 22, 2022.

based on the results of its review of the petition, attachments, and all other supporting documents. 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 Locations and Construction

This license pertains to Eversource's R169 Line, a 115kV electric transmission line that extends over and across land owned by the New Hampshire Department of Transportation (NHDOT) in Dover and public waters of Cocheco River in Dover.

The R169 Line crosses State land in Dover between Structures 20 and 28, commencing along the northwest edge of McKone Lane where the R169 Line crosses McKone Lane. The crossing is located approximately 1,200 feet east from the intersection of McKone Lane and Henry Law Ave. The span continues northwesterly approximately 1,017 feet to a private driveway encompassed by Dover assessor Map K-1-A-0 where said private driveway bisects the State-owned land span. The State-owned land span resumes on the westerly side of the driveway and continues northwesterly approximately 2,101 feet to the southwest bank of the Cocheco River.

The span across the Cocheco River in Dover between Structures 27 and 28, commencing along the southwestern bank of the Cocheco River, approximately 3,000 feet northwest from where the line crosses McKone Lane. The road crossing is approximately 1,200 feet east from the intersection of McKone Lane and Henry Law Ave. The span continues northwesterly over the Cocheco River approximately 508 feet to an Eversource-owned property that fronts the Cocheco River to the east and is southwest of the residential neighborhood on Gerry's Lane.

The length of span between Structures 20 and 28 is 4,017.4 feet with a span of 3,119.1 feet across State-owned land. The length of span between Structures 27 and 28 creates a total span of 508.4 feet, with a span of 220 feet over and across the Cocheco River.

The license authorizes the replacement of Structures 24, 25, 26 and 27 over and across State-owned land and the Cocheco River with weathering steel equivalents that will be located within 10 feet of the current structure locations. The three existing phase conductors, the static wire, and ADSS wire at the crossing spans shall remain unchanged while performing the structure replacements.

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 stated that it will obtain a New Hampshire Department of Environmental Services (NHDES) Statutory Permit Notification (SPN) and a Shoreland Permit by Notification (PBN) for temporary impacts to wetlands associated with the construction and installation of new of structures 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 public waters crossing will be licensed via Self-Verification under the ACOE New Hampshire Programmatic General Permit #4. Licensing will be accomplished prior to commencement of the maintenance project.

C. Property Rights

According to Eversource, abutters to the NHDOT land and the Cocheco River in Dover 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 the State land parcel or the public waters of the Cocheco River in Dover.

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, which is 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 and the public waters of the Cocheco River in Dover, 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 Dover, as required for approval under RSA 371:20. Therefore, the petition is approved.

By order of the Department of Energy of New Hampshire this 25th day of August,
2022.



Christopher J. Ellms, Jr.
Deputy Commissioner