

**STATE OF NEW HAMPSHIRE DEPARTMENT OF ENERGY**

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

**LICENSE NO. CRE 2023-001**

**January 25, 2023**

**Application for License to Construct and Maintain Electric Lines  
Over and Across Public Waters in Concord, New Hampshire**

This license is granted to Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) to construct and maintain its C189 Line, an existing 115 kV electric transmission line that extends over and across public waters in Concord, New Hampshire. The C189 Line was previously licensed as the V-182 Line in 2008 under DE 08-064-22 (Order No. 24,859). The V182 Line was bifurcated in 2017, and the section of line with the subject crossing was renamed the C189 Line.

**I. BACKGROUND**

On January 13, 2023, Eversource filed an application with the N.H. Department of Energy (Department), pursuant to RSA 371:17, requesting a license to construct and maintain its C189 Line, a 115 kV electric transmission line that extends over and across public waters in Concord, New Hampshire. On January 19, 2023, the Department's Enforcement Division Staff filed a recommendation that the application be approved, and a license granted, based on the application filings, applicable statutes, rules, NESC requirements, and land ownership, as well as public need, safety, and impact. The application 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 C189 Line, a 115 kV electric transmission line that extends over and across the public waters of Turtle Town Pond in Concord, New Hampshire. The C189 Line crosses public waters in the City of Concord between original structures 79 to 87 (new structure numbers 22 to 30), which span begins approximately 75 feet southeast from where the C189 Line crosses Appleton Street, which is approximately 4,200 feet west to the intersection of Appleton Street and Cemetery Street. The public water crossing extends northwest approximately 3,272 feet to the northwest side of Oak Hill Road and coincides with the edge of Turtle Town Pond based on the flood elevation (EL 321') used for establishing safe clearances. At this location, the C189 Line crosses Oak Hill Road approximately 950 feet southwest to the intersection of Oak Hill Road and Irving Drive.

The length of span between Structures 22 and 30 creates a total span of 3,747.3 feet with a span of 3,102.5 feet crossing Turtle Town Pond.

The license authorizes, after the fact, the 2017 replacement of Structures 84 and 85 (new Structures 27 and 28), with a weathered steel structure.

### **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 application, Eversource stated that it will obtain a New Hampshire Department of Environmental Services (NHDES) Statutory Permit Notification (SPN) for temporary impacts to wetlands associated with the construction and installation of new structures. A NHDES Shoreland Permit by Notification (PBN) will be obtained for the work planned under this application in relation to temporary impacts to wetlands, and the shoreland

buffer to Turtle Town Pond prior to the commencement of construction. A NHDES wetland permit (DES # 2016-00700) was obtained for the impacts associated with the prior replacement of Structures 84 and 85 (renumbered 27 and 28).

The U.S. Army Corps of Engineers (ACOE) does not regulate the subject portion of Turtle Town Pond as navigable waters. As a result, a crossing permit from ACOE is not required.

**C. Property Rights**

According to Eversource, abutters to Turtle Town Pond in Concord, New Hampshire 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**

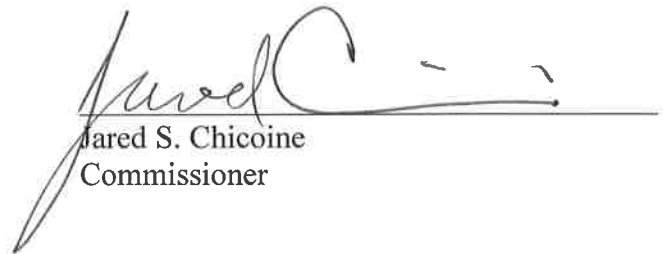
According to the application, the existing crossings were constructed, operated, and maintained to meet the reasonable requirements of service to the public. Eversource affirmed that the proposed modifications will continue to meet that public need and will not substantially affect the public's use and enjoyment of the public waters of Turtle Town Pond in Concord, New Hampshire.

The line modifications are designed and will be constructed and maintained in accordance with the 2012 National Electrical Safety Code (NESC). Per NESC requirements, the 10-year flood elevation should be used to determine the minimum height requirements. However, FEMA Flood Insurance Maps do not exist for Turtle Town Pond. A water elevation analysis determined that EL. 321' is a conservative flood elevation of Turtle Town Pond to establish safe clearance measurements. Turtle Town Pond EL. 321' was used in 2008 under DE 08-054 (order # 24,859) and will be utilized for the C189 Crossing over Turtle Town Pond.

**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 Turtle Town Pond in Concord, New Hampshire, as described in its application and depicted in its filings and as specified in the Enforcement Division's recommendation. Based on the factual representations set forth in the application 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 public waters at the crossing locations in Concord, New Hampshire, as required for approval under RSA 371:20. Therefore, the application is approved.

By order of the Department of Energy of New Hampshire this 25<sup>th</sup> day of January  
2023.



Jared S. Chicoine  
Commissioner