

STATE OF NEW HAMPSHIRE DEPARTMENT OF ENERGY

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

LICENSE NO. CRE 2023-011

June 14, 2023

**Application for License to Construct and Maintain Electric Lines
Over and Across Public Waters and State Owned Land
in Litchfield, Merrimack, Amherst, and Milford**

This license is granted to Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) to construct and maintain its W157 Line, an existing electric transmission line that extends over and across public waters and land owned by the State of New Hampshire in Litchfield, Merrimack, Amherst, and Milford. The W157 Line was not previously licensed in its entirety owing to oversight, or that the waterbodies were not designated as public waters, and/or the state did not have ownership at the time the W157 Line was built. The public water crossings at the Merrimack River at Structures 7 and 8, and the Souhegan River at Structures 16 and 17 that are the subject of this application were both licensed in 1976 under DE 76-22 (Order # 12,219). The W157 Line in New Hampshire will be licensed in its entirety as a result of this application.

I. BACKGROUND

On May 24, 2023,¹ 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 W157 Line, an electric transmission line that extends over and across public waters in Litchfield, Merrimack, Amherst, and Milford and State-owned land in Merrimack. On June 12,

¹ The Company filed an amended application on June 1, 2023.

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 W157 Line, which is a 115kV overhead electric transmission line that extends over and across public waters of the Merrimack River in Litchfield and Merrimack, the Souhegan River in Merrimack, and the Beaver Brook in Amherst, as well as land owned by the State of New Hampshire and administered by the Department of Transportation (NHDOT) in Merrimack. The Eversource W157 line was originally built in 1967 between the Milford Tap in Litchfield, New Hampshire and South Milford Substation in Milford.

The proposed project for the W157 Line encompasses replacing the existing two shield wires with two optical ground wires at the pole top position and structure replacements from wood to weathering steel at eight locations. Structures 18 through 22, 25, 34, and 93 will be replaced. Structures 16, 17, 26, 33, 92, 112, and 113 are in good functional condition and will remain as wood. Structures 7 and 8 at the Merrimack River crossing were replaced from wood to steel in 2016 without a license owing to oversight and will be licensed as a result of this application. The 3 existing phase conductors will not be changed and have the characteristics noted in the Cable Schedule of Exhibits 2 through 8 submitted by ES.

The W157 Line crosses the Merrimack River between Litchfield and Merrimack, New Hampshire between Structures 7 and 8, which span begins approximately 2,470 feet southwest from where the W157 Line crosses Charles Bancroft Highway (aka NH Route 3A), which is at the intersection of Hilcrest Road and Charles Bancroft Highway (aka NH Route 3A). The span extends southwest approximately 400 feet to the west bank of the Merrimack River, which is approximately 1,390 feet east from where the W157 Line crosses Daniel Webster Highway (aka NH Route 3) in Merrimack, which is at the intersection of E. Chamberlain Road and Daniel Webster Highway (aka NH Route 3).

The location of Structures 7 to 8 in this application creates a total span of 589 feet with a span of 400.2 feet crossing public water in the Towns of Litchfield and Merrimack.

The W157 Line crosses the Souhegan River between Structures 16 and 17 in the Town of Merrimack. The span begins approximately 1,200 feet east from where the W157 Line crosses Daniel Webster Highway (aka NH Route 3), which is at the intersection of E Chamberlain Road and Daniel Webster Highway (aka NH Route 3). The crossing extends approximately 264 feet to the northwest bank of the Souhegan River.

The location of Structures 16 to 17 in this application creates a total span of 475.3 feet with a span of 264.6 feet crossing public water in the Town of Merrimack.

The W157 Line crosses State-owned land operated by the Department of Transportation between Structures 18 and 22 in the Town of Merrimack. The crossing commences where the W157 line crosses the western edge of the Everett Turnpike, which is approximately 3,800 feet south from where Baboosic Lake Road passes over the Everett Turnpike. The crossing extends northwesterly over State-owned land approximately 1,082 feet to where the State-owned property ends at the property boundary with Map 5C, Lot 658,

which is located approximately 1,400 feet east from the next described crossing of the Souhegan River.

The location of Structures 18 to 22 in this application creates a total span of 1,423 feet with a span of 1,082.9 feet crossing State-owned land in the Town of Merrimack.

The W157 Line crosses the Souhegan River between Structures 25 and 26 in the Town of Merrimack, which span commences approximately 2,360 feet west from where the W157 Line crosses the western edge of the Everett Turnpike, which is approximately 3,800 feet south from where Baboosic Lake Road passes over the Everett Turnpike. The crossing extends approximately 145 feet west to the western bank of the Souhegan River, which is approximately 1,300 feet east from where the line crosses Iris Drive, which is approximately 700 feet northeast from the intersection of Iris Drive and Turkey Hill Road.

The location of Structures 25 and 26 creates a total span of 489.4 feet with a span of 145.1 feet crossing public water in the Town of Merrimack.

The W157 Line crosses the Souhegan River between Structures 33 and 34 in the Town of Merrimack, which span commences approximately 125 feet east from where the W157 Line crosses Turkey Hill Road, which is approximately 150 feet southeast from the intersection of Cota Road and Turkey Hill Road. The crossing extends approximately 95 feet to the western bank of the Souhegan River, which is approximately 2,400 feet east from where the line crosses Wilson Hill Drive, which is approximately 630 feet south of the intersection of Wilson Hill Road and Old Blood Road.

The location of Structures 33 and 34 creates a total span of 518.8 feet with 95.4 feet crossing public water in the Town of Merrimack.

The W157 Line crosses Beaver Brook between Structures 92 and 93 in the Town of Amherst, which span commences approximately 40 feet southwest from where the W157

Line crosses Corduroy Road and at the intersection of Corduroy Road and Boston Post Road. The crossing extends approximately 15 feet to the western bank of the Beaver Brook, which is approximately 640 feet northeast from where the line crosses the intersection of NH Route 122 and the NH Route 101 westbound on-ramp.

The location of Structures 92 and 93 creates a total span of 439.9 feet with 15.6 feet crossing public water in the Town of Amherst.

The W157 Line crosses the Souhegan River between Structures 112 and 113 in the Towns of Amherst and Milford, which span commences approximately 2,000 feet south from where the W157 Line crosses Merrimack Street, which is approximately 550 feet east from the intersection of Fox Run Road and Merrimack Street. The crossing extends approximately 123 feet to the southern bank of the Souhegan River, which is approximately 1,030 feet northeast from where the line crosses the intersection of Nashua Road (aka NH Route 101A) and Kelly Park Lane in Milford.

The location of Structures 112 and 113 creates a total span of 267.8 feet with 123.8 feet crossing public water in the Towns of Amherst and Milford.

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, a New Hampshire Department of Environmental Services (NHDES) Statutory Permit by Notification (SPN), and a Shoreland Statutory Permit by Notification (PBN) will be obtained for the work planned under this application in relation to temporary impacts associated with the structure replacements prior to the commencement of construction.

The U.S. Army Corps of Engineers (ACOE) regulates the subject portion of the Merrimack River as navigable waters and the scope of work discussed in this application at the subject public water crossing will be licensed via Self-Verification under the ACOE New Hampshire Programmatic General Permit #4, and this licensing will be accomplished prior to commencement of the maintenance project. The Souhegan River and Beaver Brook crossing locations are not regulated by the ACOE as navigable waters.

C. Property Rights

According to Eversource, abutters to the Merrimack River in Litchfield and Merrimack, the Souhegan River in Merrimack, and the Beaver Brook and NHDOT land in Merrimack will not be affected by the proposed project, as the structure replacement work will be accomplished within existing right-of-way easements.

D. Service to the Public and the Effect on Public Rights

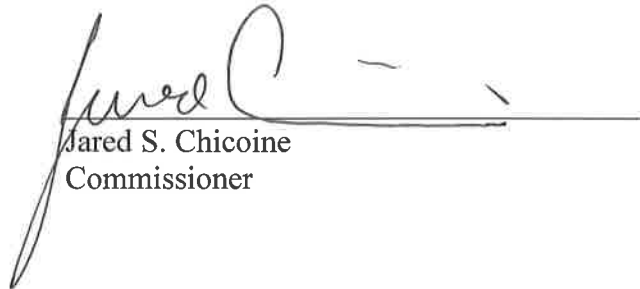
According to the application, the existing crossings were constructed, operated, and maintained to meet the reasonable requirements of service to the public. Eversource affirmed that the proposed modifications will continue to meet that public need and will not substantially affect the public's use and enjoyment of the public waters of the Merrimack River in Litchfield and Merrimack, the Souhegan River in Merrimack, and the Beaver Brook or the State land parcel in Merrimack.

The conductor clearance requirements pursuant to the 2012 NESC, based on the design conditions at 285 deg F, ground elevation, the 10-year flood level for the Merrimack River, and the 100-year flood level of the Souhegan River and Beaver Brook have been met. The 100-year level is more stringent than the 10-year flood level.

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 the Merrimack River in Litchfield and Merrimack, the Souhegan River in Merrimack, and the Beaver Brook in Amherst, as well as State land in Merrimack, 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 and subject land at the crossing locations in Litchfield, Merrimack, Amherst, and Milford, as required for approval under RSA 371:20. Therefore, the application is approved.

By order of the Department of Energy of New Hampshire this 14th day of June 2023.



Jared S. Chicoine
Commissioner

Pursuant to RSA 371:20, applicants and other persons directly affected by the issuance or denial of a license may appeal to the Public Utilities Commission within 30 days of the department's decision.