

# STATE OF NEW HAMPSHIRE

## Intra-Department Communication

**Date:** June 19, 2023  
**At (Office):** NH Dept. of Energy

**From:** Bryan J. Flynn      B J F  
Utility Analyst IV – Enforcement Division

**Subject:**    **CRE 2023-015** Eversource Energy  
Application for License to Construct and Maintain Electric Lines Over and  
Across State-Owned Land in the Town of Hooksett, New Hampshire

### **Staff Recommendation**

**To:**           Jared Chicoine, Commissioner, Department of Energy  
Christopher Ellms, Jr., Deputy Commissioner, Department of Energy

**CC:**           Thomas Frantz, Director of Regulatory Support Division  
Paul Kasper, Director of Enforcement Division  
Elizabeth Nixon, Director of Electric Regulatory Support Division  
Andrew Harmon, Hearings Examiner, Enforcement Division

Review by the Enforcement Division of the above application consisted of the following elements:

- Application contents, revised application contents, and history.
- Applicable State statutes.
- Review of the existing crossing(s) previously licensed by the State of New Hampshire, if any.
- Review of land ownership and of existing pole structures.
- Review of NESC code requirements as described in PUC 300.
- Review of public need and public impact, including applicability of other State regulations; and
- Recommendations

## 1. Application Contents and History

Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource, ES) submitted an application pursuant to RSA 371:17 to construct and maintain a portion of the ES D121 Line on June 14, 2023. The Eversource D121 Line is a 115kV transmission line that crosses a parcel of State-owned land in Hooksett. The proposed project will require a license granted by the Department of Energy for the referenced structure replacement work. Enforcement Division staff received and reviewed the application, exhibits, and all additional supporting documents.

Eversource has determined through asset inspection that Structure 93, part of the State-owned land crossing span, needs to be replaced promptly for safety and reliability. The existing wood structure will be replaced with a weathering steel equivalent to be located within 10 feet of the current structure location. The existing conductors and OPGW wires will remain unchanged as a result of the proposed project.

The location of the State-owned land crossing referenced in the application is depicted on the Overview Map submitted by ES as Exhibit 1, and a more detailed location description is as follows:

The D121 Line crosses the State-owned land between Structures 92 and 93 in the Town of Hooksett. The crossing is located within a largely undeveloped area between Interstate 293 and Hackett Hill Road. The State-owned land crossing begins approximately 2,685 feet north from where the line crosses Poore Road, which is the first line encountered when traveling southeast from the intersection of Hackett Hill Road and Poore Road. The State-owned land crossing between Structures 92 and 93 extends approximately 476 feet in a northeasterly direction.

- The proposed location of the new structure creates a total span of 476.1 feet with 403.2 feet crossing State-owned land.

The following table provides a summary of pertinent details included in the application to include structure numbers, types, spans, minimum NESC clearance, design clearance, and NESC compliance:

Eversource Energy D121 Line Crossing Design Details proposed CRE 2023-015						
Structure Number	Structure Type	Measured Span	Distance (Feet)	NESC Table 232-1 Min Clearance (Feet)	ES Design Clearance (Feet)	Complies with NESC Table 232-1
92	ES Type A Tangent 45.3'	92-93	476.1	16.1	25.6	Y
93	ES Type T Tangent 61'					

**2. New Hampshire statute referenced in application (modified by NH House Bill 1258, August 22, 2022)**

**371:17 Licenses for New Poles.** – Whenever it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a pipeline, cable, or conduit, or a line of poles or towers and wires and fixtures thereon, over, under or across any of the public waters of this state, or over, under or across any of the land owned by this state, modify a previously licensed installation, or license a previously constructed installation, it shall apply to the department of energy for a license to construct and maintain the same. For the purposes of this section, " public waters " are defined to be all ponds of more than 10 acres, tidewater bodies, and such streams or portions thereof as the department of energy may prescribe. Every corporation and individual desiring to cross any public water or land for any purpose herein defined shall apply to the department of energy for a license in the same manner prescribed for a public utility. The department of energy may condition any license issued under this paragraph in any manner necessary to assure that the license may be exercised without substantially affecting the public rights in public waters or state-owned lands. Using a non-adjudicative process, the department of energy may reject incomplete or improperly filed applications, and shall, also using non-adjudicative process, issue or deny the license within 90 days of receiving a complete application and all information subsequently requested of an applicant.

**3. Review of existing license(s) and permissions previously granted by the State of New Hampshire, including additional permitting requirements, for this crossing over State-owned land in Hooksett, New Hampshire**

The ES D121 Line was originally constructed in 1957. Structures 88 to 93 were most recently licensed over State-owned lands in 2021 by the Department of Energy under CRE 2021-008. The current application seeks to license the span from Structure 92 to Structure 93 for new maintenance.

A New Hampshire Department of Environmental Services (NHDES) wetland statutory permit by notification (SPN) will be required for temporary impacts associated with the structure replacements and will be obtained prior to commencement of construction.

**4. Review of land ownership at proposed pole structures**

The structure replacement project is to be accomplished within existing right-of-way easements thereby mitigating impacts and concerns of property owners affected by the project scope.

**5. Review of National Electric Safety Code requirements as described in PUC 300**

The wire specifications and loading condition to calculate maximum sag for the State-owned land crossing span is as indicated on Profile View and Cable Schedule of Exhibit 2

submitted by ES. All conductors and wires have been drawn on Exhibit 2 to show the minimum clearance at maximum sag conditions.

Eversource shall own, maintain, and operate the proposed crossing at a height no less than what is required by the 2012 NESC which is 16.1' for 115 kV conductors over spaces and ways subject to pedestrians or restricted traffic only. The actual minimum height over the State-owned land is depicted on the attached Exhibit 2 and exceeds the respective minimum requirements.

The Enforcement Division reviewed the specifications of the replacement work and proposed structure and found them to be in conformance with N.H. Admin. Rule PUC 306. The minimum clearance requirements pursuant to NESC table 232.1 at ground level have been met. The Enforcement Division verified the depicted sag clearances using Sag10 commercial software with the data inputs provided in the application.

## **6. Review of public need and impact**

The Eversource 115kV D121 line provides a crucial supply of electricity to the town Hooksett and the surrounding area. The proposed project and license applied for is to maintain the infrastructure needed for that supply. Eversource attests that the license, if granted, may be exercised without substantially affecting the use and enjoyment of the State-owned land. The Enforcement Division review of design specifications verified that minimum safe clearances above State-owned land will be maintained during and after structure replacement; and therefore determines that public use and enjoyment of said land will not be diminished in any respect as a result of the proposed project.

## **7. Enforcement Division Recommendations**

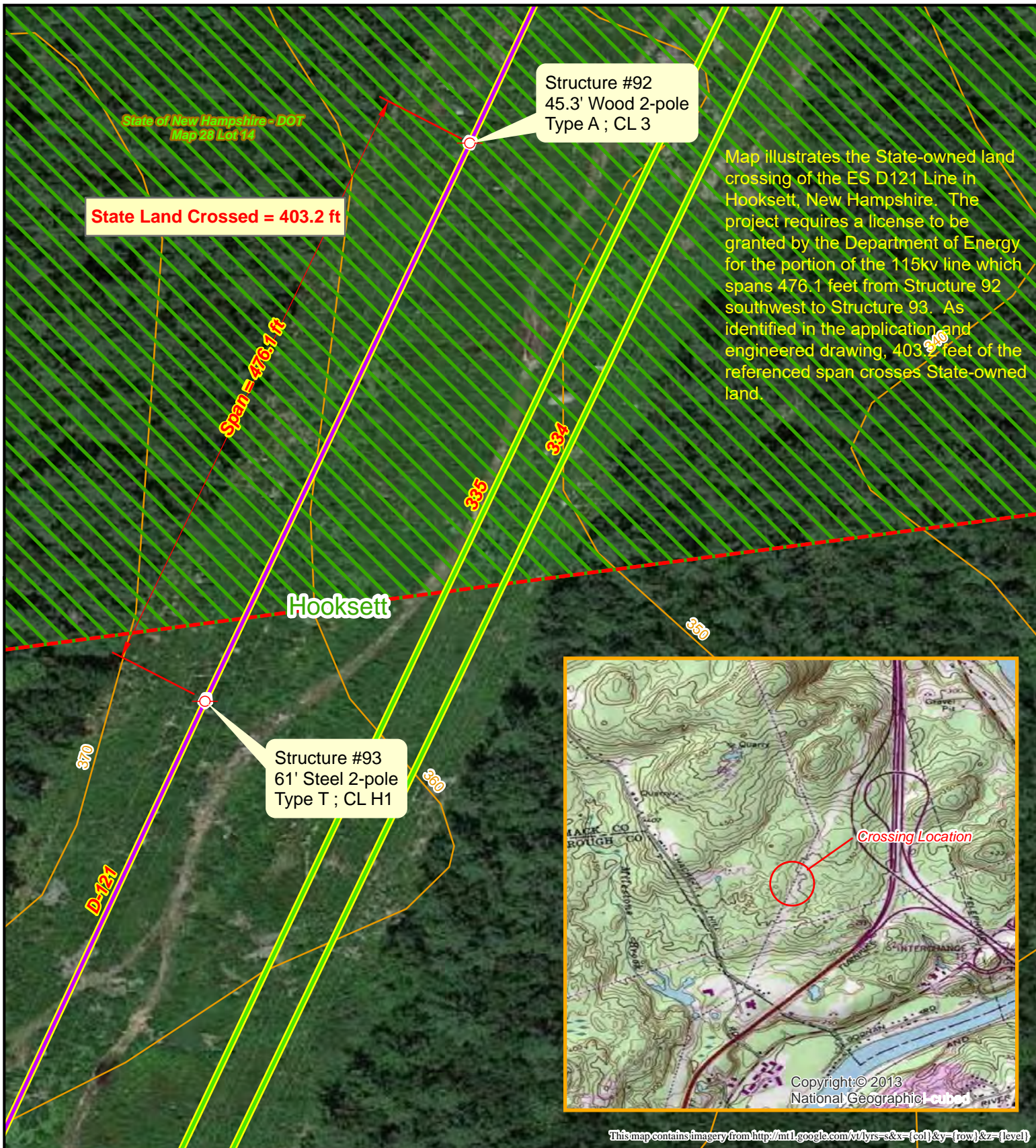
Based on the results of its review of the application, attachments, and all other supporting documents, the Enforcement Division recommends that the Department:

1. Find that the license Eversource requests in the application may be exercised without substantially affecting the public rights on State-owned land; and
2. Grant Eversource a license to construct and maintain electric lines pursuant to RSA 371:17 and PUC 306.01, over and across State-owned land in the Town of Hooksett, New Hampshire as specified in the application.

## **Map Attachment**



# State Land (NHDOT) - CRE 2023-015 Eversource Crossing



	Utility Structure		Town Parcel		Elev. Contour
	115 kV Line		State Land Parcel		
	34.5 kV Line				



Prepared by:  
NH Department of Energy  
Enforcement Division

