

STATE OF NEW HAMPSHIRE DEPARTMENT OF ENERGY

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

LICENSE NO. CRE 2023-016

July 25, 2023

**Application for License to Construct and Maintain Electric Lines
Over and Across Public Waters and State Owned Land
in Canterbury, Franklin, and Northfield**

This license is granted to Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) to construct and maintain its F139 Line, an existing 115kV electric transmission line, to the extent that it extends over and across public waters and land owned by the State of New Hampshire in Canterbury, Franklin, and Northfield, all as described in its application and depicted in its filings, and as specified in the Enforcement Division's recommendation. The F139 Line was previously licensed under various DE Orders. The State-owned land between existing Structures 241 and 243 was licensed under DE 20-058 (Order No. 26,406), the State-owned land and public water crossing at the Merrimack River between existing Structures 280 and 281 was licensed under DE 21-064 (Order No. 26,479), and the public water crossing at Chance Pond Brook between existing Structures 348 and 349 was previously licensed under DE 87-131 (Order No. 18,782). The State-owned land crossing between existing Structures 340 and 350 was not previously licensed due either to the line being constructed prior to State ownership of the land, or due to oversight. With the approval of the application, the F139 Line will be licensed in its entirety.

I. BACKGROUND

On July 17, 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 F139 Line, an existing 115kV electric transmission line, to the extent that it extends over and across public waters in Franklin and Northfield and State-owned land in Canterbury and Franklin, all as described in its application and depicted in its filings. On July 24, 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 F139 Line, which is a 115kV overhead electric transmission line that extends over and across public waters of the Merrimack River in Franklin and Northfield, Chance Pond Brook in Franklin, and land owned by the State of New Hampshire in Canterbury and Franklin. The State-owned railroad right-of-way parcel in Canterbury is administered by the NH Department of Transportation. The Eversource F139 line was originally built in 1966.

The proposed project for the F139 Line encompasses replacement of the existing wood structures, specifically Structures 188, 189, and 190, promptly to continue to function safely and reliably. The three existing conductors and static wires will be replaced with new 1272

¹ The Company filed an amended application on July 21, 2023.

kemil ACSS conductors and two optical ground wires (OPGW). Additionally, Eversource is renumbering all structures as part of this project and, thus, the structures comprising the spans that are the subject of the application will be renumbered from existing structure numbers 241, 243, 280, 281, 348, 349, and 350 to numbers 84, 85, 121, 122, 188, 189, and 190, respectively.

The F139 Line crosses the Merrimack River and State-owned land in the Town of Northfield and the City of Franklin between renumbered structures 121 and 122 (existing Structures 280 and 281), which span is located southeast of where the line crosses Route 3 in Franklin, approximately 1.00 mile north of the intersection of Route 3 and Stirrup Iron Road in Boscawen. The first State owned land boundary (Map 126, Lot 401) commences along the west bank of the Merrimack River and extends northwest approximately 140' where it abuts another State-owned land parcel, identified as the Northern Rail Trail. The span continues northwest across the second State owned property, encompassing the Northern Rail Trail corridor, which has a width of 88.9'. The Merrimack River crossing occurs within the same span as described above, between Structure 121 and 122. The east bank of the river crossing occurs approximately 0.63 miles west from where the line crosses Fiddlers Choice Road in Northfield and extends approximately 295.2 feet northwest across the river.

The location of Structures 84 and 85 creates a total span of 651.7 feet, with 97.9 feet crossing State-owned land.

The F139 Line crosses Chance Pond Brook and State-owned land in the City of Franklin between renumbered Structures 188, 189, and 190 (existing Structures 348, 349, and 350). The Chance Pond Brook crossing commences approximately 20 feet northeast from where the F139 Line crosses Chance Pond Road, which is approximately 190 feet northwest from the intersection of Chance Pond Road and Carr Street. The Chance Pond Brook crossing continues approximately 239 feet to the northeast bank of Chance Pond Brook. The

State-owned land crossing, identified as the Northern Rail Trail, commences approximately 185 feet northeast from where the F139 Line crosses Garneau Road, which is approximately 460 feet northwest from the intersection of Garneau Road and Carr Street. The State-owned land crossing continues approximately 136.4 feet northeast where the State-owned land abuts Map 76, Lot 1.

The location of Structures 188 and 189 creates a total span of 538.8 feet, with 239.4 feet crossing the public waters of Chance Pond Brook.

The proposed location of Structures 189 and 190 creates a total span of 180 feet, with 136.4 feet crossing State-owned land.

The F139 Line crosses a State-owned railroad right-of-way parcel administered by NH Department of Transportation in the Town of Canterbury and is located between renumbered Structures 84 and 85 (existing Structures 241 and 243), which crossing commences approximately 65 feet northwest from where the F139 Line crosses Interstate 93 in Canterbury, which is approximately 1.55 miles north of Exit 18 on Interstate 93. The crossing continues approximately 97 feet northwest to the property boundary between State-owned land and Map 236, Lot 17 in the Town of Canterbury.

The location of Structures 84 and 85 creates a total span of 651.7 feet, with 97.9 feet crossing State-owned land.

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) Standard Dredge and Fill Permit 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) does not regulate the subject portion of The Merrimack River or Chance Pond Brook as navigable waters. As a result, a crossing permit from ACOE is not required.

C. Property Rights

According to Eversource, abutters to the Merrimack River in Franklin and Northfield, Chance Pond Brook in Franklin, and State-owned land in Canterbury and Franklin 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 the Merrimack River, Chance Pond Brook, or the State land parcels in Canterbury, Franklin, and Northfield.


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 FEMA 10-year flood level requirement.

II. 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 Franklin and Northfield, Chance Pond Brook in Franklin, and State-owned land in Canterbury and

Franklin, 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 Canterbury, Franklin, and Northfield, as required for approval under RSA 371:20. Therefore, the application is approved.

By order of the Department of Energy of New Hampshire this 25th day of July 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.