

STATE OF NEW HAMPSHIRE DEPARTMENT OF ENERGY

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

LICENSE NO. CRE 2023-018

August 10, 2023

**Application for License to Construct and Maintain Electric Lines
Over and Across Public Waters in Merrimack**

This license is granted to Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) to construct and maintain its B143 Line, an existing 115kV electric transmission line, to the extent that it extends over and across public waters in Merrimack, all as described in its application and depicted in its filings, and as specified in the Enforcement Division's recommendation. The B143 Line was previously licensed at certain locations. The spans between structures 135 and 136, and between structures 138 and 139 previously were licensed under DE 19-146 (Order No. 26,317). The spans between structures 120 and 121, and between structures 146 and 147, were not previously licensed due to the line being built prior to Baboosic Brook being designated as a public waterbody, or due to an oversight as in the case of Structure 147. Structure 147 was replaced from wood to weathered steel in 2017 without obtaining a license. As result of this application, the B143 Line will be licensed in its entirety.

I. BACKGROUND

On August 3, 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 B143 Line, an existing 115kV electric transmission line, to the extent that it extends over and across public waters in Merrimack, all as described in its application and depicted in its

filings. On August 8, 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 B143 Line, which is a 115kV overhead electric transmission line that extends over and across the public waters of Baboosic Brook in Merrimack. The Eversource B143 line was originally built in 1966.

The proposed project for the B143 Line encompasses replacing certain existing wood structures, specifically Structures 120, 121, and 146, which need to be replaced to continue to function safely and reliably. The wood structures will be replaced with weathering steel equivalents that shall be located within 10' of existing structure locations. The existing two static wires at all the referenced crossing locations will be replaced with two optical ground wires (OPGW).

The B143 Line crosses Baboosic Brook between Structures 120 and 121, which span commences approximately 1,250 feet south from where the line crosses Summit Road, which is approximately 540 feet west from the intersection of Summit Road and Marrett Road in Merrimack. The crossing span continues south over two sections of Baboosic Brook, extending a total of 279.9 feet from the point of commencement to the south bank of Baboosic Brook.

The location of the proposed structures creates a span of 709.7 ft with 166.5 ft crossing the public waters of Baboosic Brook.

The B143 Line crosses Baboosic Brook in the Town of Merrimack between Structures 135 and 136, which crossing is located approximately 1,340 feet south from where the line crosses Catskill Road, which is approximately 50 feet southwest from the intersection of Catskill Road and Bedford Road in Merrimack. The crossing span continues south approximately 35 feet to the south bank of Baboosic Brook.

The location of the proposed structures creates a span of 472 ft with 35 ft crossing the public waters of Baboosic Brook.

The B143 Line crosses three sections of Baboosic Brook in the Town of Merrimack between Structures 138 and 139. This crossing commences approximately 2,500 feet south from where the line crosses Catskill Road, which is approximately 50 feet southwest from the intersection of Catskill Road and Bedford Road in Merrimack. The crossing span continues south over three sections of Baboosic Brook, extending a total of 196.8 feet to the southeast bank of Baboosic Brook.

The location of the proposed structures creates a span of 522.2 ft with 82.2 ft crossing the public waters of Baboosic Brook.

The B143 Line crosses Baboosic Brook in the Town of Merrimack between structures 146 and 147, which crossing commences approximately 824 feet south from where the line crosses Mallard Point Road, which is approximately 1,250 feet east from the intersection of Mallard Point Road and Wire Road in Merrimack. The crossing span continues south approximately 38 feet to the south bank of Baboosic Brook.

The location of the proposed structures creates a span of 361.8 ft with 38.2 ft crossing the public waters of Baboosic Brook.

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) does not regulate the subject portion of Baboosic Pond as navigable waters. As a result, a crossing permit from ACOE is not required.

C. Property Rights

According to Eversource, abutters to Baboosic Pond in Merrimack 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

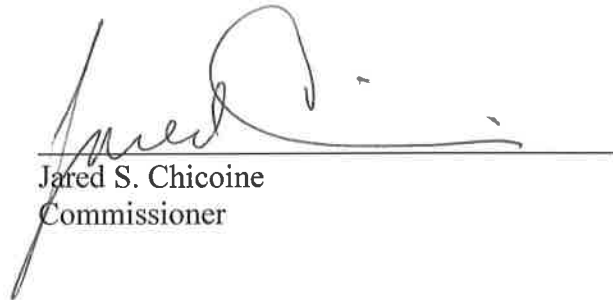
According to the application, the existing crossings were constructed, operated, and maintained to meet the reasonable requirements of service to the public. Eversource affirmed that the proposed modifications will continue to meet that public need and will not substantially affect the public's use and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

The line modifications are designed and will be constructed and maintained in accordance with the 2012 National Electrical Safety Code (NESC). The minimum clearance requirements, based on the design conditions at 285 deg F, ground elevation, and the FEMA 10-year flood level have been met.

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 Baboosic Pond 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 at the crossing locations in Merrimack, as required for approval under RSA 371:20. Therefore, the application is approved.

By order of the Department of Energy of New Hampshire this 10th day of August 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.