

STATE OF NEW HAMPSHIRE

Intra-Department Communication

Date: March 25, 2024

At (Office): NH Dept. of Energy

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

Subject: CRE 2024-003 Eversource Energy
Application for License to Construct and Maintain Electric Lines Over and Across State-owned Land in Londonderry, 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 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

On March 19, 2024, Public Service Company of New Hampshire D/B/A Eversource Energy (Eversource, ES) submitted an application pursuant to RSA 371:71 for a license to construct and maintain a portion of the 380 Line in Londonderry, NH. The ES 380 Line is a 345 kV transmission line that crosses State-owned land between Structure 4 and Structure 5. Eversource is requesting that the Department of Energy issue a license for the purpose of proposed structure replacement at the referenced span only.

Eversource has determined that in order to continue to meet the requirements for reasonable service to the public, and to function safely and reliably, existing wood Structure 5 at the State-owned land crossing needs to be replaced. Structure 5 will be replaced with a weathering steel equivalent and will be located within 10 feet of the current structure location. Structure 4 is currently a steel structure which was replaced without license in 2018. The existing conductors and static wires will remain unchanged as a result of this project.

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

The ES 380 Line crosses a rail trail managed by NHDOT between Structures 4 and 5 in Londonderry, NH. Structure 5 is located approximately 200 feet east of where the line crosses Rockingham Road and the NHDOT parcel crossing begins approximately 370 feet east of Structure 5. The State-owned land crossing continues another 95 feet east towards Structure 4.

- The proposed structure locations create a total span of 584.8 feet, with 95.1 feet of the span crossing State-owned land.

The following table illustrates the structure and span details provided in the application, as well as required NESC clearance and the designed clearance at each crossing span:

Eversource Energy – 380 Line CRE 2024-003 State-owned Land Crossing Design Details						
Structure Number	Structure Type	Measured Span	Distance (feet)	Minimum NESC Clearances (feet)	ES Design Clearances (feet)	Complies with NESC 232-1 (Y/N)
4	SED-2 Steel	4-5	584.8	32.7	45.3	Y
5	Type A Steel					

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 the applicable State-owned land crossing in Londonderry, New Hampshire

Eversource currently owns and operates the 380 Line, which was originally constructed in 1970. According to ES, the State-owned land parcel crossing in Londonderry was not previously licensed perhaps owing to an oversight.

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

4. Review of land ownership at proposed pole structures

Eversource states that the structure replacement work will be accomplished within existing right-of-way easements, thereby mitigating impacts and concerns of property owners affected by the project scope. The work will be undertaken in coordination with the New Hampshire Dept. of Transportation, as they manage the rail trail parcel, and construction signage and spotters will be utilized to ensure public safety during the wire transfer from the old wood structure to the new steel structure.

5. Review of National Electric Safety Code (NESC) requirements as described in N.H. Admin. R., Puc 306.01 (b)

Eversource shall own, maintain, and operate the 380 Line with clearances at a height no less than what is required by the 2012 National Electrical Safety Code (Table 232-1), which is 32.7 feet for 345 kV wires over track rails of railroads, or in this case, where a railroad could be reestablished.

Eversource proposes to install one Type A Steel structure. Structure 5 will have two vertical steel poles and is designed to be 97 feet. Line supporting structures are required to conform to strength and loading specifications described in NESC 2012 rule 252, 260, and 261.

Enforcement Division staff reviewed the specifications of the proposed replacement work and found them to be in conformance with N.H. admin. R., Puc 306.01 and applicable 2012 NESC rules. The minimum clearance requirements with respect to ground level and design conditions at 285° F have been met. Staff verified the depicted wire specifications and loading conditions detailed by Eversource in application Exhibit 2.

6. Review of public need and impact

The ES 380 Line connects Scobie Pond Station in Londonderry with Eagle Station in Merrimack and is an important component of the NH 345 kV transmission system.

RSA 371:17 requires the Department of Energy to review applications for licenses to construct, maintain, or modify installations that exist or are proposed to exist, over, under, or across public waters or State-owned land. This is to provide for safety of the public and the preservation of perpetual access and use of public waters and State-owned land in New Hampshire.

Eversource declares that the license, if granted, may be exercised without substantially affecting the use or enjoyment of State-owned land, that safe clearances will be maintained at all times, and precautions undertaken to ensure the safety of recreational users. The Enforcement Division’s review of design specifications verified that minimum safe clearances above State-owned land will be maintained during and after construction; 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:

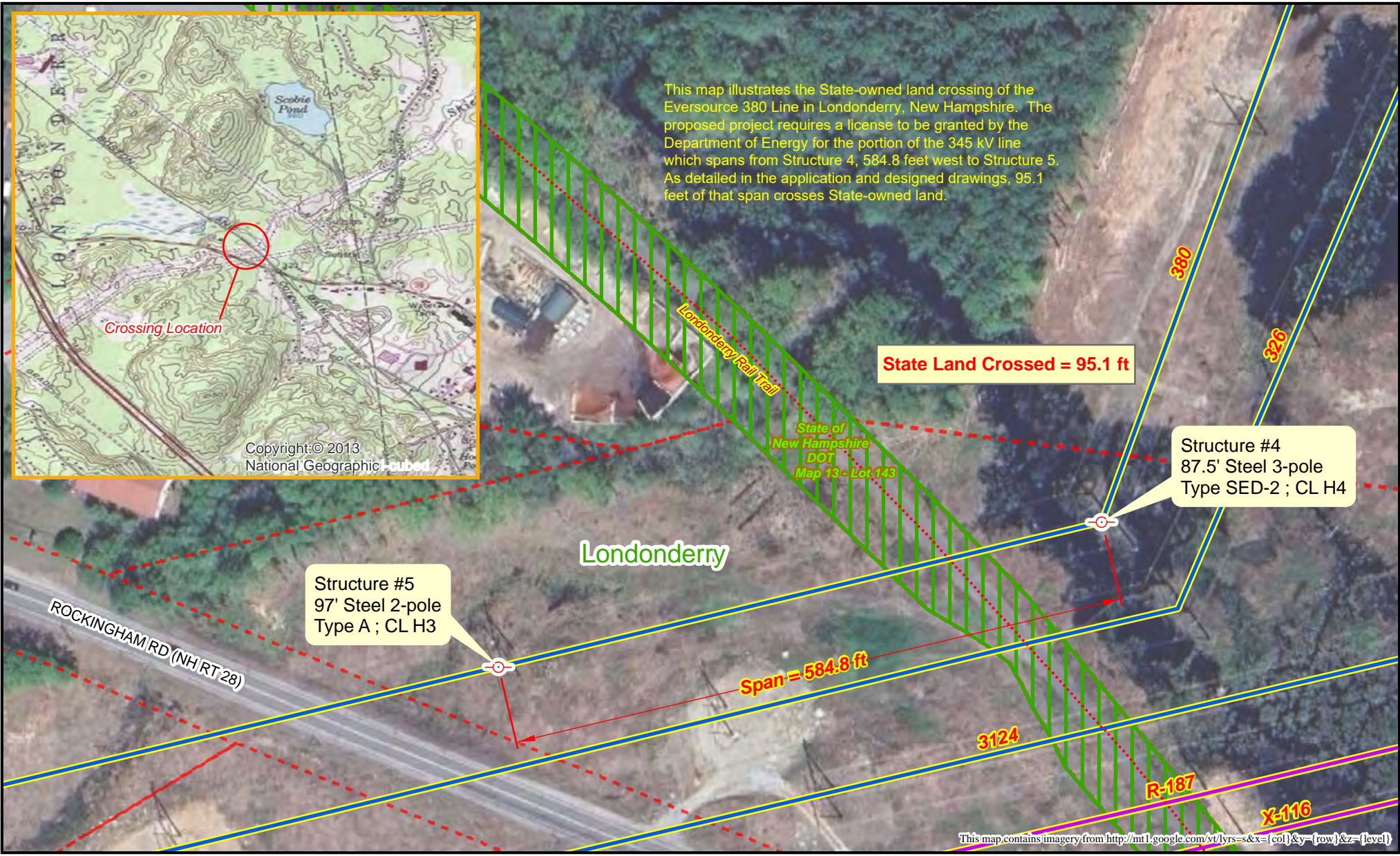
1. Find that the license Eversource requests in the application may be exercised without substantially affecting public rights to State-owned land; and
 2. Grant Eversource a license to construct and maintain electric lines pursuant to RSA 371:17 and PUC 306.01, over and across State-owned land in Londonderry,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

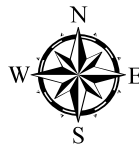
State Land (NHDOT) - CRE 2024-003 Eversource Crossing



This map illustrates the State-owned land crossing of the Eversource 380 Line in Londonderry, New Hampshire. The proposed project requires a license to be granted by the Department of Energy for the portion of the 345 kV line which spans from Structure 4, 584.8 feet west to Structure 5. As detailed in the application and designed drawings, 95.1 feet of that span crosses State-owned land.



	Utility Structure		Town Parcel
	345 kV Line		State Land Parcel
	115 kV Line		



Prepared by:
NH Department of Energy
Enforcement Division

