

STATE OF NEW HAMPSHIRE
Intra-Department Communication

Date: April 21, 2025

At (Office): NH Dept. of Energy

From: Kenneth G. Walsh *KGW*
Utility Analyst IV – Enforcement Division

Subject: CRE 2025-001 **Eversource Energy**
Application for License to Construct and Maintain Electric Lines Over and Across
State-Owned Land and Public Waters in Londonderry and Manchester, New Hampshire

Staff Recommendation

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

CC: Amanda Noonan, Director of Regulatory Support Division
Michael Soucy, Director of Enforcement Division
Elizabeth Nixon, Director of Electric Regulatory Support Division

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

- 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 En 300.
- Review of public need and public impact, including applicability of other State regulations; and
- Conclusions and Recommendations.

1. Application Contents and History

On January 22, 2025, Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource, ES), applied pursuant to RSA 371:17 for a license to construct and maintain the I158 Line, which is an existing three phase 115 kV line, that crosses State-owned land in Londonderry, and public waters in Manchester. The land crossings in Londonderry are administered by the New Hampshire Department of Transportation.

Eversource is requesting that the DOE issue a license for the purpose of proposed structure replacements and transfer of three existing conductors and one of two existing shield wires with the other shield wire being replaced with an OPGW installation on the I158 Line.

The proposed project is to replace the existing laminated wood structures with weathered steel structures, which will also be renumbered as depicted on the exhibits.

The scope of this project requires a license for two State-owned land crossings and a public water crossing. The first land crossing begins in Londonderry, near Structure #17. Structure #17 is located approximately 4,050 feet southeast from where the I158 Line crosses Liberty Drive. The I158 Line crosses Liberty Drive approximately 1400 feet northward from the intersection of Liberty Drive and Independence Drive. The span travels northwest approximately 750 feet from Structure #17 to Structure #19. Approximately 358 feet of that span crosses over State-owned land. From Structure #17, the crossing of State-owned land begins approximately 152 feet northwest. The crossing ends approximately 358 northwest from Structure #17. See Enforcement Division Map 1.

The second land crossing begins in Londonderry, near Structure #34. Structure #34 is located approximately 200 feet southeast from where the I158 Line crosses Route 93 North. The I158 Line crosses Route 93 North approximately 2,100 feet north from where Route 93 North crosses Route 28. The span travels northwest approximately 1,658.5 feet from Structure # 34 to Structure #37. Approximately 642 feet of that span crosses over State-owned land. From structure #34, the crossing of State-owned land begins approximately 680 feet northwest. The crossing ends approximately 1320 feet northwest from Structure #34. See Enforcement Division Map 2.

The public water crossing is in Manchester, near Structure #74. Structure #74 is located approximately 2,600 feet northwest from where the I158 Line crosses Sheffield Road. The I158 Line crosses Sheffield Road approximately 670 northeast of the intersection of Sheffield Road and South Willow Street. The span travels northwest approximately 550 feet from Structure #74 to Structure #75. Approximately 45.5 feet of that span crosses Cohas Brook. From Structure #74, the crossing begins approximately 150 feet northwest. The crossing ends approximately 195 feet northwest of Structure #74. See Enforcement Division Map 3.

ES provided details regarding structure types, numbers, spans, ES design criteria, and NESC compliance. See ES Exhibit 6.

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

RSA 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 public waters and State-owned land crossings in Londonderry and Manchester, New Hampshire.

Eversource previously constructed and currently operates and maintains an overhead 115 kV electrical transmission line, designated as the Eversource I158 Line. The I158 Line was built in 2002, largely using laminated wood system poles. The I158 Line crosses State-owned land between existing Structures #12 through #14, and existing Structures #29 through #33, and crosses Cohas Brook, a public waterbody, between existing Structures #70 and #71, all of which were not previously licensed, likely owing to oversight. As a result of this application, the I158 Line will be licensed in its entirety.

ES states that a New Hampshire Department of Environmental Services (NHDES) Standard Dredge and Fill permit (SDF) will be required for temporary and permanent impacts associated the structure replacements described in this application. A NHDES SDF has been submitted and permit received (NHDES SDF Permit #2024-00707).

The U.S. Army Corps of Engineers (USACOE) does not regulate the subject portion of Cohas Brook as navigable waters. Therefore, no crossing permits are required from USACOE.

The following is listed under the NHDES category “Public Rivers and Streams” in the Official List of Public Waters (OLPW):

- In Manchester, from the juncture of an unnamed 4th order stream

The entire list of public waters can be found on the NHDES website by using the following web link:

<https://www.des.nh.gov/sites/g/files/ehbemt341/files/documents/olpw.pdf>

4. Review of land ownership at proposed pole structures

Eversource attests that the structure replacement work will be accomplished within existing right-of-way easements, thereby mitigating impacts and potential objections of property owners affected by the project scope. Guard structures at public water and state land crossings will be utilized during the OPGW installation and crossing locations monitored prior to wire installation to ensure work areas are clear of pedestrians as an added precaution to ensure the public’s safety. Eversource is the fee owner on both sides of Cohas Brook; therefore, no abutter list was submitted.

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

The Enforcement Division reviewed the specifications related to the design and reconstruction of this crossing project as described in the application, attachments, and all supplemental support documents filed by ES and found them to be in conformance with N.H. Admin. Rule En 306 and applicable sections of the National Electrical Safety Code (NESC) C2-2023.

The conductor cable clearance requirements were met using the NESC based on the design conditions at 285° F. for all crossings within this petition. This scenario was the governing condition, which yielded the greatest sag and lowest clearance. Staff verified the computed sags with SAG 10 commercial software using inputs as stated in the application.

6. Review of public need and impact

The I158 transmission line is an integral part of Eversource’s existing electric transmission system in New Hampshire. The crossing locations identified in the petition are in Londonderry and Manchester, New Hampshire.

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 review is to provide for the 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 public waters or State-owned land, that safe clearances will always be maintained, and precautions undertaken to ensure the safety of recreational users. The Enforcement Division’s review of design specifications verified that the minimum safe clearances above water and land will be maintained during and after construction and; therefore, determines that public use and enjoyment of said water and land will not be diminished in any respect because of the proposed project.

7. Enforcement Division Recommendations

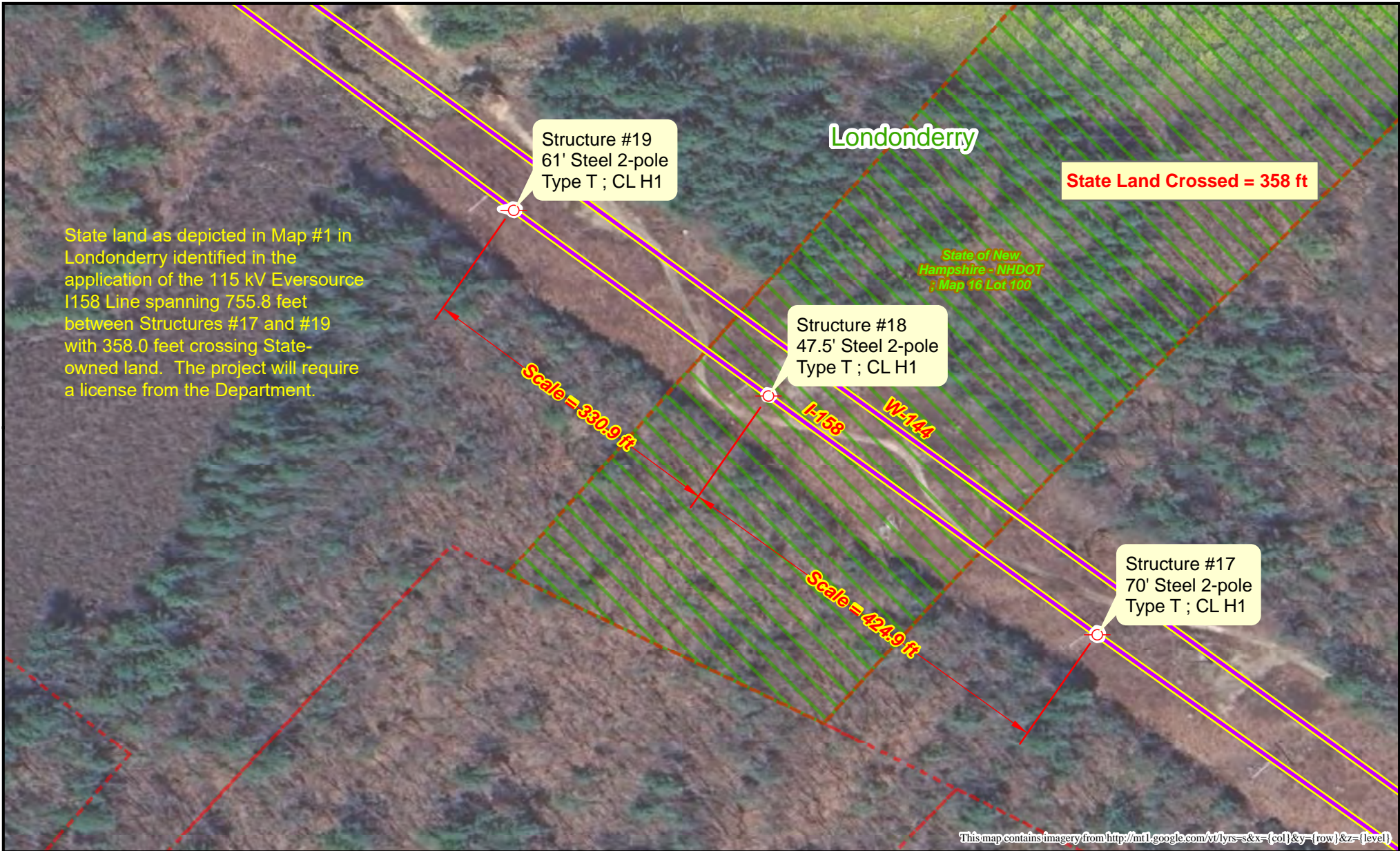
Based on the results of its review of the application, resubmissions, attachments, and all other supporting documents, the Enforcement Division recommends that the Department:





1. Find that the license Eversource requests in the application may be exercised without substantially affecting public rights on public waters and State-owned land; and

2. Grant Eversource a license to construct and maintain electric lines pursuant to RSA 371:17 and N.H. Admin. R., En 306.01, over State-owned land and across public waters in Londonderry and Manchester, New Hampshire as specified in the application.

Attachments:

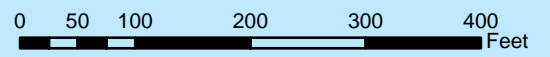
State Land (NHDOT) - CRE 2025 - 001 Eversource Crossing - Map 1



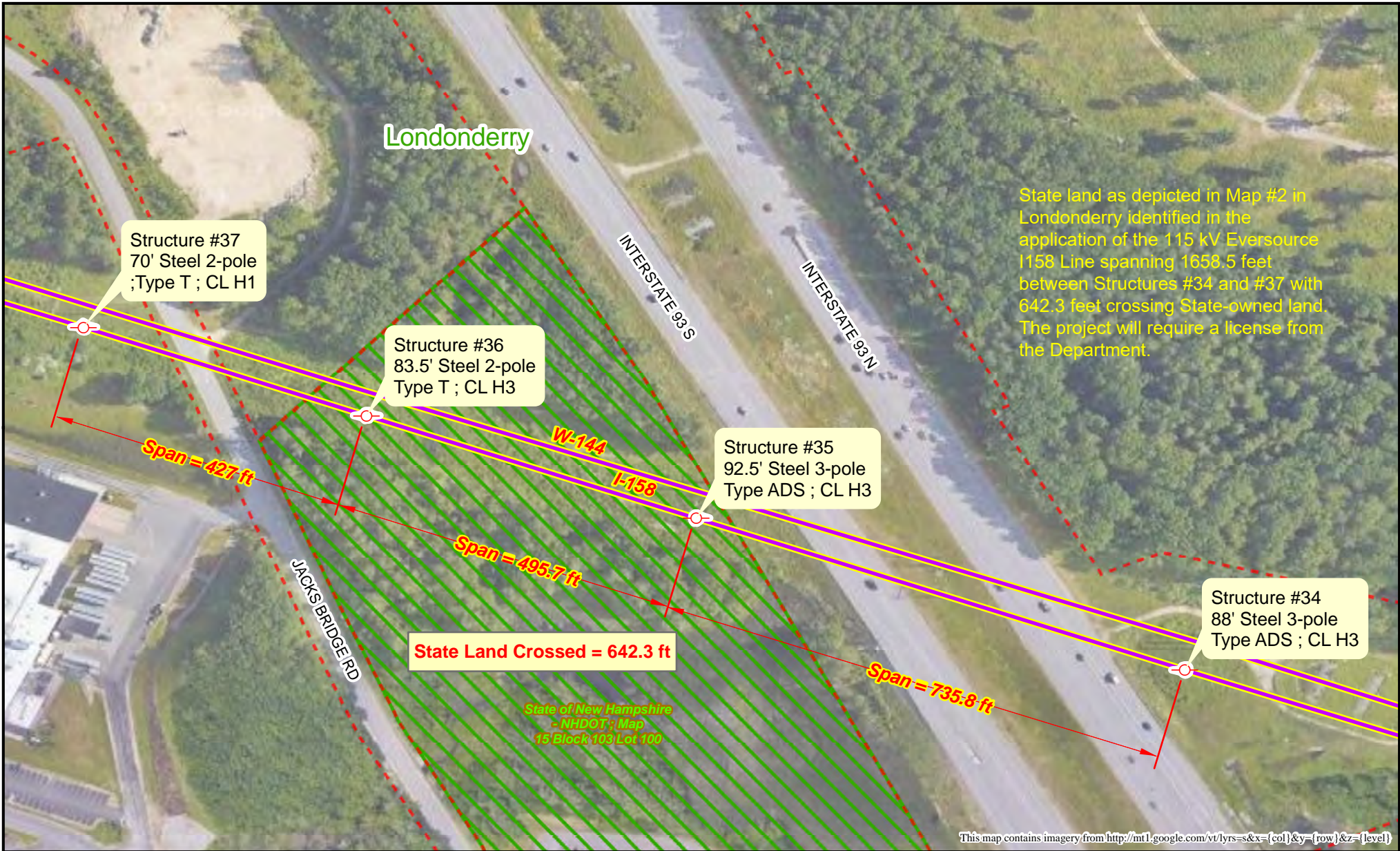
 Utility Structure	 Town Parcel
 115 kV Line	 State Land Parcel



Prepared by:
NH Department of Energy
Enforcement Division



State Land (NHDOT) - CRE 2025 - 001 Eversource Crossing - Map 2



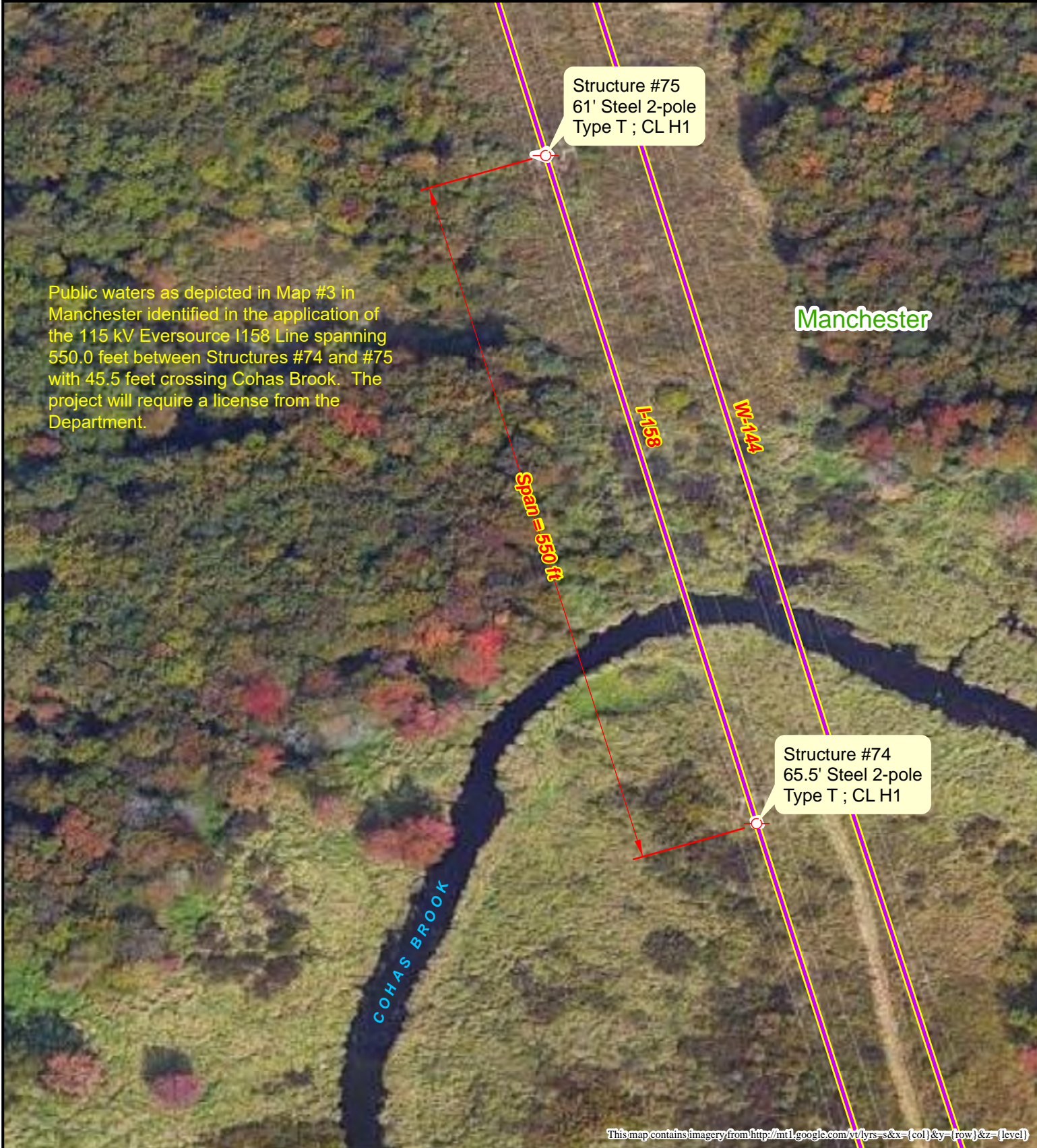
	Utility Structure		Town Parcel
	115 kV Line		State Land Parcel



Prepared by:
NH Department of Energy
Enforcement Division



Cohas Brook - CRE 2025 - 001 Eversource Crossing - Map 3



Public waters as depicted in Map #3 in Manchester identified in the application of the 115 kV Eversource I158 Line spanning 550.0 feet between Structures #74 and #75 with 45.5 feet crossing Cohas Brook. The project will require a license from the Department.

Utility Structure

115 kV Line



Prepared by:
NH Department of Energy
Enforcement Division

