

DONALD J. PFUNDSTEIN
President & Managing
Director

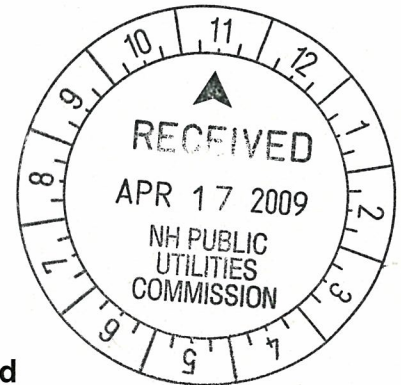
214 N. Main Street
P.O. Box 1415
Concord, NH 03301

Ph: (603) 545-3600
Ph: (800) 528-1181
Fax: (603) 228-6204
pfundstein@gcglaw.com

April 17, 2009

HAND DELIVERY

Ms. Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire 03301-2429



Re: DE 08-003; New England Power Company d/b/a National Grid


Dear Ms. Howland:

In compliance with Order *Nisi* No. 24,956 dated April 8, 2009 in the above-captioned docket, National Grid hereby submits an original and six copies of an Affidavit of Publication indicating that the Order *Nisi* was published in The Union Leader on April 13, 2009.

Also enclosed in compliance with the Order are an original and six copies of an Affidavit of Mailing indicating that a copy of the Order was mailed as required on April 13, 2009.

If you have any questions, please do not hesitate to give me a call.

Very truly yours,



Donald J. Pfundstein

DJP/skr

Enclosures

cc: Meredith A. Hatfield, OCA
George Deloureiro

THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

*
In Re: DE 08-003, New England Power Company *
d/b/a National Grid *
*

AFFIDAVIT OF MAILING

Rui George DeLoureiro, the Project Manager of New England Power Company d/b/a
National Grid, being first duly sworn, does depose and say as follows:

That I caused Order Nisi No. 24,956 dated April 8, 2009 to be mailed by first class U.S.
mail on Friday, April 10, 2009 to: (1) the clerks of the affected municipalities, (2) the Attorney
General, and other owners of land parcels bordering on public waters at and immediately
upstream and downstream of the location of each crossing, (3) the New Hampshire Department
of Transportation (4) the Office of Secretary, U.S. Department of Commerce, and (5) the United
States Army Corp of Engineers. Copies of the transmittal letters sent with the Order are attached
to this Affidavit.

Dated: _____

4/16/09



Rui George DeLoureiro

April 10, 2009

Darlene Clark, Clerk
Town of Surry
1 Village road
Surry, NH 03431

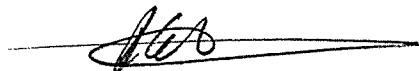
Dear Ms. Clark:

National Grid is in the process of improving the electric transmission line that crosses the Connecticut River and Cold River in Walpole, New Hampshire, and the Ashuelot River in Surry, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061, if you have any questions.

Very truly yours,



Rui George DeLoureiro,
Project Manager

Enclosure

April 10, 2009

Sandra Smith, Clerk
Town of Walpole
P. O. Box 756
Walpole, NH 03608

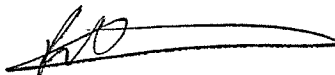
Dear Ms. Smith:

National Grid is in the process of improving the electric transmission line that crosses the Connecticut River and Cold River in Walpole, New Hampshire, and the Ashuelot River in Surry, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061, if you have any questions.

Very truly yours,



Rui George DeLoureiro,
Project Manager

Enclosure

April 10, 2009

Kelly Ayotte, Esq.
Attorney General's Office
NH Department of Justice
33 Capitol Street
Concord, NH 03301

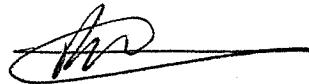
Dear Attorney Ayotte:

National Grid is in the process of improving the electric transmission line that crosses the Connecticut River and Cold River in Walpole, New Hampshire, and the Ashuelot River in Surry, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061, if you have any questions.

Very truly yours,



Rui George DeLoureiro,
Project Manager

Enclosure

April 10, 2009

George N. Campbell, Jr., Commissioner
NH Department of Transportation
John O. Morton Building
P. O. Box 483
Concord, NH 03302-0483

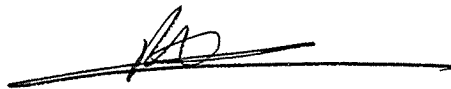
Dear Commissioner Campbell:

National Grid is in the process of improving the electric transmission line that crosses the Connecticut River and Cold River in Walpole, New Hampshire, and the Ashuelot River in Surry, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061, if you have any questions.

Very truly yours,



Rui George DeLoureiro,
Project Manager

Enclosure

April 10, 2009

U.S. Department of Commerce
Office of the Secretary
Herbert C. Hoover Building
1401 Constitution Ave., NW
Washington, DC 20230

Dear Sir/Madam:

National Grid is in the process of improving the electric transmission line that crosses the Connecticut River and Cold River in Walpole, New Hampshire, and the Ashuelot River in Surry, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061, if you have any questions.

Very truly yours,



Rui George DeLoureiro,
Project Manager

Enclosure

April 10, 2009

Regulatory Office
US Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751

Dear Sir/Madam:

National Grid is in the process of improving the electric transmission line that crosses the Connecticut River and Cold River in Walpole, New Hampshire, and the Ashuelot River in Surry, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061, if you have any questions.

Very truly yours,



Rui George DeLoureiro,
Project Manager

Enclosure

nationalgrid

April 10, 2009

Mr. Joseph Baute
515 East Surry Road
Surry, NH 03431


Dear Mr. Baute,

National Grid is in the process of improving the electric transmission line that crosses the Ashuelot River adjacent to your property in Surry, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061 if you have any questions.

Very truly yours,



Rui George DeLoureiro
Project Manager

Enclosure

nationalgrid

April 10, 2009

Ms. Andrea Fisher
98 South Road
East Swanzey, NH 03446

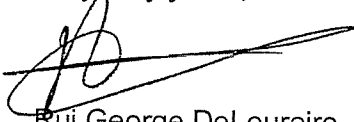
Dear Ms. Fisher,

National Grid is in the process of improving the electric transmission line that crosses the Connecticut and Cold Rivers adjacent to your property in Walpole, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061 if you have any questions.

Very truly yours,



Rui George DeLoureiro
Project Manager

Enclosure

nationalgrid

April 10, 2009

Mr. Donald Wood Sr.
Revocable Trust
24 Drewsville Road,
Wood Hill Farm
Alstead, NH 03602

Dear Mr. Wood,

National Grid is in the process of improving the electric transmission line that crosses the Connecticut and Cold Rivers adjacent to your property in Walpole, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061 if you have any questions.

Very truly yours,



Rui George DeLoureiro
Project Manager

Enclosure

nationalgrid

April 10, 2009

Robert & Darlene Hobbs
886 Forest Road
Walpole, NH 03608

Dear Mr. & Mrs. Hobbs,

National Grid is in the process of improving the electric transmission line that crosses the Connecticut and Cold Rivers adjacent to your property in Walpole, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061 if you have any questions.

Very truly yours,



Rui George DeLoureiro
Project Manager

Enclosure

nationalgrid

April 10, 2009

Mr. Robert Cairns
46 San Remo Drive
South Burlington, VT 05403

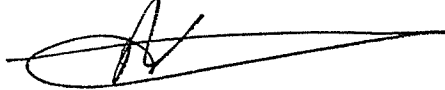
Dear Mr. Cairns,

National Grid is in the process of improving the electric transmission line that crosses the Connecticut and Cold Rivers adjacent to your property in Walpole, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061 if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Rui George DeLoureiro', with a long horizontal stroke extending to the right.

Rui George DeLoureiro
Project Manager

Enclosure

nationalgrid

April 10, 2009

Boston and Main Railway Corp
c/o Guilford Transportation
1700 Iron Horse Park
Billerica, MA 01862-1641

To Whom It May Concern,

National Grid is in the process of improving the electric transmission line that crosses the Connecticut and Cold Rivers adjacent to your property in Walpole, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061 if you have any questions.

Very truly yours,



Rui George DeLoureiro
Project Manager

Enclosure



April 10, 2009

Cheshire Railway Corp.
PO Box 498
Bellows Falls, VT 05101

To Whom It May Concern,

National Grid is in the process of improving the electric transmission line that crosses the Connecticut and Cold Rivers adjacent to your property in Walpole, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061 if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rui George DeLoureiro", with a long horizontal stroke extending to the right.

Rui George DeLoureiro
Project Manager

Enclosure

nationalgrid

April 10, 2009

Mr. Bruce Anderson
165 Winchester Street
Keene, NH 03431

Dear Mr. Anderson,

National Grid is in the process of improving the electric transmission line that crosses the Ashuelot River adjacent to your property in Surry, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061 if you have any questions.

Very truly yours,



Rui George DeLoureiro
Project Manager

Enclosure

April 10, 2009

Brentwood Golf Course
East Surry Road
Surry, NH 03431

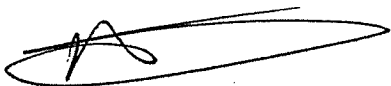
To Whom It May Concern,

National Grid is in the process of improving the electric transmission line that crosses the Ashuelot River adjacent to your property in Surry, New Hampshire, as described in detail in the attached Order No. 24,956.

Under New Hampshire law, RSA 371:17, this work requires the approval of the New Hampshire Public Utilities Commission because the transmission line crosses a body of public water. The Public Utilities Commission has determined that this improvement to the transmission line and river crossing are necessary for National Grid to meet the reasonable requirements of reliable service to the public. Accordingly, the Public Utilities Commission has granted conditional permission for this work, which is set forth in the attached Order 24,956. You may submit comments or make a written request for a hearing stating the reason and basis for a hearing on or before April 17, 2009.

Please give me a call at (508) 389-3061 if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Rui George DeLoureiro', enclosed within a large, horizontal oval shape.

Rui George DeLoureiro
Project Manager

Enclosure

THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

In Re: DE 08-003, New England Power Company
d/b/a National Grid

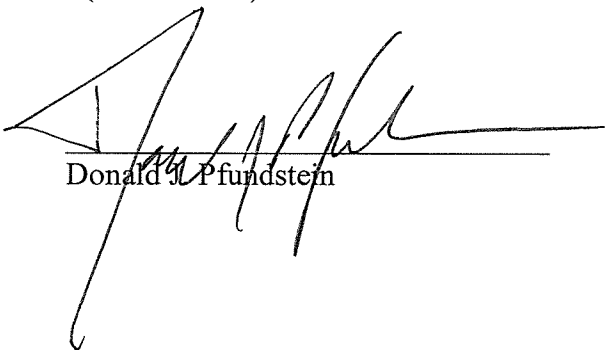
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AFFIDAVIT OF PUBLICATION

Donald J. Pfundstein, Esquire, of Gallagher, Callahan & Gartrell, P.C., New Hampshire
Counsel to New England Power Company d/b/a National Grid, being first duly sworn, does
depose and say as follows:

That I caused Order Nisi No. 24,956 dated April 8, 2009 to be published in the New
Hampshire Union Leader on Monday, April 13, 2009 (see attached).

Dated: 4/16/09


Donald J. Pfundstein

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

On this the 16th day of April, 2009, before me, the undersigned officer, personally
appeared Donald J. Pfundstein, known to me (or satisfactorily proven) to be the person whose
name is subscribed to the within Affidavit and acknowledged that he executed the same for the
purposes therein contained.

In witness whereof I hereunto set my hand and official seal.


Notary Public

My Commission Expires:

JANET L. BENSON, Notary Public
My Commission Expires September 13, 2011

Legal Notice

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION
DE 08-003

NEW ENGLAND POWER COMPANY
D/B/A NATIONAL GRID
Petition for License to Construct and
Maintain Electric Lines Over and Across
Public Waters in the Towns of Walpole
and Surry, New Hampshire
Order Nisi Granting License
ORDER NO. 24,956
April 8, 2009

On January 16, 2008, New England Power Company d/b/a National Grid (National Grid or Company) filed a petition for a license to construct and maintain electric lines over and across the Connecticut River and the Cold River in Walpole and the Ashuelot River in Surry. National Grid filed the petition pursuant to New Hampshire RSA 371:17, which requires a utility to obtain a license from the Commission before constructing utility facilities across any public water.

Following the initial filing, Staff and its consultant, The Liberty Consulting Group (Liberty) held several technical sessions with the Company to discuss the deficiencies in the petition and corrective measures to address these deficiencies. In addition, Staff and Liberty conducted a field visit to one of the proposed crossings. As a result of these discussions, National Grid filed a revised petition on February 13, 2008. With its revised filing, National Grid included locational geographic maps, plan and profile drawings for the crossings, site review findings and clearances, and construction detail for the structure and foundation modifications.

In its revised petition, National Grid states that it operates and maintains two 115 kV transmission lines (I-135N and J-136N) between Flag Pond Substation in Pitchburg, Massachusetts and Bellows Falls Substation No. 14 in Rockingham, Vermont. According to the Company, the I-135N line was constructed in 1927 and crosses the Connecticut River between the Bridge Street crossing to the north and the Bellows Falls Hydroelectric Station to the south. In addition, the I-135N line crosses the Cold River approximately 2,400 feet northwest of the Route 12A Bridge and the Ashuelot River in Surry, New Hampshire.

National Grid stated that, to improve the reliability of its electric transmission system, the Company proposes to reductor the I-135N line. The Company said that a low voltage situation currently occurs as a result of a double circuit tower outage on the I-135S and J-126 S lines on the system between the Flag Substation and Pratts Junction. At present, the low voltage problem is managed by load shedding. In addition, voltage and thermal issues can result from the outages of the 345/115kV transformer at Vermont Yankee, the K-186 115kV line from Vermont Yankee to Public Service Company of New Hampshire or the 345 kV line between the Vermont Yankee and the Coolidge substations in Vermont. To address these issues, the Company will reductor the I-135N line with 795 kcmil ACSR, 26/7 "Drake" phase conductors at a rating of 284 degrees Fahrenheit. The Company states that one of the two 7/16 inch HS galvanized steel shieldwires will be replaced with a new shield wire containing fiber optics (OPGW) equivalent to 3/8 inch extra high strength galvanized steel. National Grid states that the reductoring of the I-135N 115kV line will allow National Grid to meet the reasonable requirements of service to the public in the southwestern region of New Hampshire.

According to its revised petition, National Grid owns easements for its lines and facilities on both sides of the public waters at all of the proposed crossing locations and that each crossing will be constructed within the limits of those easements. The construction of the crossings, as described by National Grid, will consist of reinforced dead end structures and foundations. As designed, the phase conductors will be horizontally configured with a single OPGW acting as a static conductor positioned above and centered between two of the phase conductors.

The Company investigated a multitude of weather and loading conditions for its design. The design condition that produced the maximum sag for the phase conductors was operation at 284 degrees Fahrenheit. The design condition that produced the maximum sag for the OPGW cable was at 105 degrees Fahrenheit. The Company used these design conditions to determine the minimum clearance of the phase conductors and the OPGW cable to the water surfaces of the crossings and to land surfaces. To determine the minimum distances between the phase conductors and the OPGW communication cable, National Grid assumed the phase conductors were at 30 degrees Fahrenheit without ice and the static wires were at 30 degrees Fahrenheit with 3/4 inch of radial ice and 4 pounds per square foot of wind.

As designed by National Grid, the three 795 MCM 26/7 ACSR conductors at the Connecticut, Cold and Ashuelot River crossings will be constructed in a horizontal configuration and tensioned to 8,800 pounds, 8,000 pounds and 8,500 pounds, respectively, at National Electrical Safety Code (NESC), American National Standards Institute (ANSI) C2-2007 Heavy Load Conditions. Similarly, the OPGW communications cable at the Connecticut, Cold and Ashuelot River crossings will be tensioned to 4,900 pounds, 4,500 pounds and 4,500 pounds, respectively, at the NESC ANSI C2-2007 Heavy Load Conditions.

National Grid used the 10-year flood levels contained in the Federal Emergency Management Agency (FEMA) flood data in its design at the Connecticut and Cold River crossing locations. For the Surry Mountain Lake Dam crossing associated with the crossing of the Ashuelot River, the Company used the design high water elevation established in the 1929 relocation agreement with the U.S. Army Corps of Engineers. Because the crossing at the Surry Mountain Lake Dam does not meet the NESC clearance requirements, the Company agreed to maintain the required 18.6 feet of clearance up to a water elevation of 560 feet by initiating operating restrictions. At 556 feet of water elevation, the crossing meets the clearance requirement. Therefore, beginning at water elevations of 556 feet, the Company will operate the line to assure a clearance of 18.6 feet from the surface of the water to the conductors.

With respect to all other water crossings for the I-135N line, National Grid's design assures that clearances to water exceed the requirements of NESC Rule 232.C.1.a. In addition, the design criteria for the location of the static and the phase conductors, and the location of the OPGW relative to the phase conductors exceed the requirements of NESC Table 235-6.2a.

National Grid also stated that the use and enjoyment by the public of these waters will not be diminished in any material respect as a result of the proposed line crossings.

Staff filed its recommendation on April 7, 2009. With its recommendation, Staff filed the following attachments: the field report of the I-135N Crossing of the Connecticut River south of the Bellows Falls Hydroelectric Station identified as Attachment A; a correlation of existing and current petition information identified as Attachment B; location descriptions of the crossings identified as Attachment C; structure and span information identified as Attachment D; phase wire water clearance information identified as Attachment E; phase wire land clearance information identified as Attachment F; and minimum clearance between phase and static conductors identified as Attachment G, all of which are incorporated by reference in this order. Staff recommended that the Commission grant the license for the reductoring of the I-135N line requested by National Grid's revised petition.

RSA 371:17 provides in part that whenever it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a line of poles or towers and wires and fixtures thereon over or across the public waters of New Hampshire, it shall petition the Commission for a license to construct and maintain the same. "Public waters," as defined in RSA 371:17, means "all ponds of more than ten acres, tidewater bodies, and such streams or portions thereof as the Commission may prescribe." Based on the information presented, the Commission regards the parts of the Connecticut River, the Cold River and the Ashuelot River under the proposed aerial electric lines as "public waters" under RSA 371:17.

Based on the information presented by National Grid and Staff's recommendation, we find that such crossing for purposes of reductoring the I-135N line is necessary for National Grid to meet the reasonable requirements of reliable service to the public within National Grid's franchise area and that the requested license may be exercised without substantially affecting the public rights in the waters of the Connecticut, Cold and Ashuelot River. We find that the crossing is in the public good and will approve the petition on a Nisi basis in order to provide any interested party the opportunity to submit comments on said petition or to request a hearing.

Based upon the foregoing, it is hereby ORDERED NISI, that subject to the effective date below, New England Power Company d/b/a National Grid is authorized, pursuant to RSA 371:17 et seq., to construct, maintain and operate the aerial electric lines over and across the Connecticut, Cold and Ashuelot Rivers in the Towns of Walpole and Surry, New Hampshire for purposes or reductoring the I-135N line as described in National Grid's revised petition and depicted in the attached figures, appendices and exhibits; and it is

FURTHER ORDERED, that National Grid shall construct, maintain and operate these crossings in conformance with the NESC and, in the case of the crossing of the Surry Mountain Lake Dam, institute an operational constraint to meet NESC's minimum clearance requirements; and it is

FURTHER ORDERED, that National Grid shall provide a copy of this order (1) to the clerks of the affected municipalities, (2) the Attorney General, and other owners of land parcels bordering on public waters at and immediately upstream and downstream of the location of each crossing, (3) the New Hampshire Department of Transportation, the Office of Secretary, U.S. Department of Commerce, and (4) the United States Army Corps of Engineers, by first class mail, no later than April 13, 2009, and to be documented by affidavit filed with this office on or before April 20, 2009; and it is

FURTHER ORDERED, that the Petitioner shall cause a copy of this Order Nisi to be published once in a statewide newspaper of general circulation or of circulation in those portions of the state where operations are conducted, such publication to be no later than April 13, 2009 and to be documented by affidavit filed with this office on or before April 20, 2009; and it is

FURTHER ORDERED, that all persons interested in responding to this Order Nisi be notified that they may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than April 17, 2009 for the Commission's consideration; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than April 20, 2009; and it is

FURTHER ORDERED, that this Order Nisi shall be effective April 21, 2009, unless the Petitioner fails to satisfy the publication obligation set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New Hampshire this eighth day of April, 2009.

Thomas B. Getz, Chairman
Graham J. Morrison, Commissioner
Clifton C. Below, Commissioner
Attested by: Debra A. Howland
Executive Director & Secretary

(UL - April 13)