

**THE STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**Northern Utilities, Inc.  
DG 18-\_\_\_\_\_**

**Petition For Authority To Operate As A  
Public Utility In The Towns of Atkinson and Kingston**

Pursuant to RSA 374:22 and 374:26, Northern Utilities, Inc. (“Northern” or “the Company”) respectfully petitions the New Hampshire Commission (the “Commission”) for authority to provide natural gas service as a public utility in the Town of Kingston and for an expansion of its existing authority to provide natural gas service as a public utility in the Town of Atkinson. In support of this Petition, Northern states as follows:

1. Northern is a public utility providing natural gas service to approximately 33,000 customers in twenty one (21) municipalities in the seacoast region of New Hampshire. Northern owns and operates natural gas distribution facilities pursuant to authority previously granted by the Commission, including a discrete portion of the Town of Atkinson, *see Northern Utilities, Inc.*, DE 88-096, Order No. 19,147, 73 NH PUC 297-299 (Aug. 22, 1988), as well as Towns adjacent to Atkinson (Plaistow and Salem) and Kingston (Plaistow, East Kingston, Exeter, Brentwood).

2. By this Petition, Northern seeks authority to (a) expand its natural gas distribution network into the Town of Kingston and (b) expand its existing natural gas distribution network in the Town of Atkinson. In Kingston, Benevento Bituminous LLC (“Benevento”) has requested that Northern provide gas service to Benevento’s asphalt plant at 1 Roadstone Road. To do so, Northern will connect to the Company’s existing 6” gas main located along Route 125 in Plaistow and install approximately 7,300 feet of new 6” gas main along Route 125 North to the intersection of Roadstone Road and Route 125 in Kingston. From there the Company will install

approximately 500 feet of new main on Roadstone Road, as well as a 700 foot 6” gas service line to serve Benevento’s asphalt plant.

3. Lewis Builders in Atkinson, NH has requested gas service from Northern at the main club house of the Atkinson Country Club, as well as to an additional nine buildings comprising 288 condominiums. The latter project is scheduled to be built out over five years, from 2018 to 2022, and is the first phase in what is anticipated to be a much larger development that will include 800 condominiums, a hotel, and an entertainment complex. To provide the requested natural gas service to the club house and development, Northern will install approximately 20,000 feet of 8” gas main to reach the Atkinson Country Club and condominium development, and thereafter install on site approximately 2,160 feet of 4” gas main and ten 2” service lines at an approximate length of 200 feet each.

4. There are approximately fourteen (14) residential prospects and thirty two (32) commercial prospects along the proposed main extension route in Kingston, and approximately one hundred and twenty nine (129) residential prospects and eight (8) commercial prospects along the proposed main extension route in Atkinson. The Company intends to pursue potential customers along these new mains, and will continue to seek out additional expansion opportunities within each Town.

5. The Company is currently authorized to operate as a natural gas public utility in a defined portion of the Town of Atkinson. *Northern Utilities, Inc.*, DE 88-096, Order No. 19,147, 73 NH PUC at 298 (Aug. 22, 1988). Maps showing the service territory approved by the Commission in DE 88-096 are attached hereto as Exhibit A. In DE 88-096, the Commission determined that there was a need for Northern’s proposed expansion of service into Atkinson, that the company had the ability to provide such service, and that granting the Company’s application to operate in Atkinson was for the public good. *Id.* In the three intervening decades,

the Company has expanded service within its previously approved franchise territory in Atkinson. However, the Company has not since sought permission from the Commission to broaden its franchise in Atkinson to include the entire Town. Expanding the Company's franchise in Atkinson will enable the Company to more freely seek out new customers and bring service to them without having to return to the Commission for approval. For most of the municipalities that Northern serves in New Hampshire, the Company has a franchise to serve the entire town; granting Northern permission to operate broadly within the territorial borders of Atkinson will simply make the Company's Service Area tariff more consistent across the municipalities in which it operates. The limited borders established in DE 88-096 are no longer necessary, and in fact act as an impediment to the expansion of service to customers in Atkinson.

6. Northern will construct, operate and maintain the proposed gas mains and associated facilities Kingston and Atkinson in accordance with all applicable federal, state and municipal regulations. Upon the Commission's approval of this petition, Northern will obtain all necessary regulatory permits and approvals before commencing construction, including those required from New Hampshire Department of Transportation and the New Hampshire Department of Environmental Services.

7. The Kingston Board of Selectmen supports the Company's proposed expansion, and has provided a letter encouraging the Commission to grant Northern's application to expand its service area into the Town.<sup>1</sup> The Company has also been in communication with the Town of Atkinson regarding the proposed expansion of its existing franchise area and will further explain the details of the proposed expansion at the next Atkinson Board of Selectmen meeting on July 9, 2018. Northern will provide an update regarding its interactions with the Town of Atkinson

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<sup>1</sup> The Town of Kingston submitted its letter to the Commission in advance of this filing, and the letter has been inadvertently docketed in Docket DG 18-094 regarding the Company's pending petition to expand service into Epping, NH. The Company is providing a copy with this filing for the Commission's convenience.

during the course of this proceeding.

8. The Company has the requisite financial, technical and managerial capability to own and operate the expanded natural gas mains and associated facilities that are the subject of this Petition and to provide natural gas service within the Towns of Atkinson and Kingston. Northern has been a regulated public utility for many years in the seacoast region and has a strong record of providing safe and reliable natural gas service at just and reasonable rates. In addition to its New Hampshire operations, Northern also provides service in the State of Maine, and its affiliate Fitchburg Gas and Electric Light Company provides natural gas service in the Commonwealth of Massachusetts.

9. Granting the operating authority requested in this Petition would be for the public good. Compared to other fuels that have historically been used in New Hampshire, natural gas is a desirable alternative due to its abundance, domestic availability, lower cost, and lower environmental impact. As noted above, the Company already provides service within a defined area of Atkinson, and growth and demand in the past thirty years has rendered the current delineation of the Company's service territory in the Town obsolete. Expanding Northern's franchise within Atkinson will enable the Company to grow its distribution system to serve the Town's residents and commercial interests beyond the outdated artificial borders established in DE 88-096. Moreover, the Town of Kingston, much like the seacoast region generally, has experienced strong growth in recent years, and its residents and businesses will benefit from the availability of natural gas service. Many of the towns surrounding Kingston (Plaistow, East Kingston, Exeter, and Brentwood) are already served by Northern; granting the Company permission to operate in Kingston will enable the Town to enjoy the same benefits that natural gas service brings to its neighbors.

10. Northern wishes to commence construction on the Kingston and Atkinson extension projects as soon as possible, as the Company's construction season is relatively short, and the Company will not typically install mains and services in the ground during the winter season. Lewis Builders has requested gas service by December 1, 2018, and Benevento has requested gas service by April 1, 2019. It is therefore important for the Company to complete all necessary construction during the current construction season to ensure that its new customers in Kingston and Atkinson have gas service when necessary. Furthermore, the Company has recently become aware that the Department of Transportation will be performing work on a portion of the proposed route in Atkinson this year, and as such it is imperative that the Company complete its project prior to any paving work by the State. The Company therefore requests that this Petition be granted without hearing and through an Order *Nisi*, consistent with past Commission practice. *See, e.g., Northern Utilities, Inc.*, DG 14-154, Order No. 25,700 (August 1, 2014).

For all of the reasons stated in this Petition, as well as the accompanying Direct Testimony and Exhibits of Cindy L. Carroll, Northern respectfully requests that the Commission:

- A. Find that the operating authority requested in this Petition pursuant to RSA 374:22 is for the public good;
- B. Grant Northern authority to expand its operations to provide natural gas service as a public utility within the Town of Kingston;
- C. Grant Northern authority to expand its existing franchise to provide natural gas service as a public utility within the Town of Atkinson;
- D. Issue an Order *Nisi* and orders for publication with regard to the proposed franchise expansions; and
- E. Grant such other approvals and relief as may be just, necessary and appropriate in the circumstances.

Respectfully submitted,

Northern Utilities, Inc.

By Its Attorney,



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**Certificate of Service**

I hereby certify that on this 2<sup>nd</sup> day of July, 2018, a copy of this Petition has been sent by electronic mail to the New Hampshire Office of Consumer Advocate.

Dated: July 2, 2018



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