

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

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
d/b/a EVERSOURCE ENERGY**

DOCKET No. DE 20-_____

**PETITION OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE D/B/A EVERSOURCE
ENERGY FOR LICENSE TO CONSTRUCT AND MAINTAIN ELECTRIC LINES OVER AND
ACROSS THE NORTH BRANCH OF THE SUGAR RIVER IN CROYDON; STATE OWNED
LAND IN CROYDON AND NEWPORT; STATE OWNED LAND IN CLAREMONT; THE
SUGAR RIVER IN CLAREMONT; AND THE CONNECTICUT RIVER IN CLAREMONT,
NEW HAMPSHIRE**

Pursuant to RSA 371:17, Public Service Company of New Hampshire d/b/a Eversource Energy (“Eversource” or “the Company”), a public utility engaged in the transmission, distribution and sale of electricity in the State of New Hampshire, hereby petitions the Public Utilities Commission (“Commission”), for a license to construct and maintain electric lines over and across certain public waters and State owned land in Croydon, Newport and Claremont, New Hampshire. In support of this petition Eversource states as follows:

1. In order to meet the requirements for reasonable service to the public, Eversource has previously constructed and currently operates and maintains an overhead 115 kV electrical transmission line, designated as the Eversource K174 Line, over and across the public waters of the North Branch of the Sugar River, the Sugar River, the Connecticut River and State Owned lands identified by the Croydon assessor as Map 14, Lot 16, by the Newport assessor as Map 206, Lot 5 and by the Claremont assessor as Map 60, Lot 12.
2. The Connecticut River and Sugar River crossing spans in Claremont were previously licensed by Order 8696 dated July 19, 1967 (copy enclosed as Appendix 1 since it is not in the PUC’s virtual file room). The crossing of the North Branch of the Sugar River in Croydon and State owned lands in Croydon, Newport and Claremont have not been previously licensed by the State due either to oversight, or because the lands involved were in private ownership at the time of the original construction of the existing lines and no crossing license was required, but will be fully licensed pursuant to this petition. The locations of

the public water crossings and State owned land crossing spans which are the subject of this petition are depicted on the Overview Map attached hereto as Exhibit #1.

3. In 2017, Eversource undertook replacement of Structures 199 and 205 with weathered steel as part of a storm hardening initiative after field inspection identified its need for replacement. In 2018, Structure 200 was replaced as well due to structural deficiencies detected. Neither the conductors nor the neutral wire were replaced as part of these prior structure replacements; instead, the existing conductors and static wire were transferred to the new steel structure. The aboveground height for replacement Structures 199 and 205 increased by 5 feet and Structure 200 increased by 15 feet. Structures 199 and 205 were installed within 10 feet of the original wood structures and Structure 200 was relocated approximately 95 feet at the property owner's request to minimize impacts to his field.

4. Additional structures which are proposed to be replaced under this license at the crossing locations depicted on the attached Exhibits are Strs. 57, 58, 74, 75, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 153, 154, 155 and 156 and will all similarly be weathered steel replacements of original wood structures from 1967 installed within 10' of the existing structure, except in the case of Str. 98, which, owing to topography, will be installed within 30' of the existing structure. Str. 57 + 18'; Str. 58 + 13.5'; Str. 74 + 13.5'; Str. 75 + 9'; Str. 88 + 9'; Str. 89 + 13.5'; Str. 90 + 13.5'; Str. 91 + 9'; Str. 92 + 13.5'; Str. 93 + 18'; Str. 94 + 18'; Str. 95 + 90'; Str. 96 + 13.5; Str. 97 + 9'; Str. 98 + 13.5/9'; Str. 153 + 9'; Str. 154 + 9'; Str. 155 + 18' and : Str. 156 + 18'.

5. In addition to the aforementioned structure replacements, the existing static wire between the North Road Substation in Sunapee and Str. 191 (See, Exhibit 1 Overview Plan) will be replaced with optical ground wire (OPGW) to enhance communications functionality as part of Eversource's ongoing reliability initiatives.

6. The design and proposed construction of the replacement structures and OPGW installation for the K174 Line over the North Branch of the Sugar River, Sugar River, Connecticut River and State owned lands are in accordance with the National Electrical Safety Code (NESC), as shown on the Eversource Plan and Profile Drawings, attached as Exhibits 2 through 14.

7. Wire and structure specification for the crossings that are the subject of this petition are as indicated on the Structure and Profile Details of Exhibits 2 through 14.

8. The location of the structures creates the following crossing span:
- I. North Branch Sugar River: Croydon (Exhibit 2)
 - i. Structures: 57 to 58
 - ii. Structure Span (ft): 384'
 - iii. Public Waters Span (ft): 85'
 - II. State Owned Land: Croydon Map 14, Lot 16 and Newport Map 206, Lot 5 (Exhibits 3 to 11)
 - i. Structures: 74 to 104
 - ii. Structure Span (ft): 12,500'
 - iii. State Owned Land Span (ft): 11,862.7'
 - III. State Owned Land: Claremont Map 60, Lot 12 (Exhibit 12)
 - i. Structures: 153 to 156
 - ii. Structure Span (ft): 1,379'
 - iii. State Owned Land Span (ft): 634'
 - IV. Sugar River: Claremont (Exhibit 13)
 - i. Structures: 199 to 200
 - ii. Structure Span (ft): 721'
 - iii. Public Water Span (ft): 116'
 - V. Connecticut River: Claremont (Exhibit 14)
 - i. Structures: 205-206
 - ii. Structure Span (ft): 1,621'
 - iii. Public Water Span (ft): 795'
9. All conductors and wires have been drawn on Exhibits 2 to 14 to show the minimum clearance at maximum sag conditions in reference to the public waters and State owned land.

10. Eversource will maintain and operate the clearances of the crossings at a height no less than what is required by the 2017 National Electrical Safety Code (NESC, Table 232-1). The North Branch of the Sugar River crossing in Croydon and Sugar River crossing in Claremont both require at least 18.6 feet for 115 kV open supply conductors over water areas not suitable for sail boating. The Connecticut River crossing in Claremont requires at least 30.1 feet for 115 kV open supply conductors over water areas suitable for sail boating and between 20 to 200 acres. The State owned land crossings in Croydon (Map 14, Lot 16), Newport (Map 206, Lot 5) and Claremont (Map 60, Lot 12) require at least 16.1 feet to land for 115 kV open supply conductors over spaces and ways subject to pedestrian or restricted traffic. The

actual minimum height over the public waters and State owned land crossing are depicted on the attached Exhibits 2 through 14 and exceed the minimum requirements.

11. For the North Branch of the Sugar River crossing (Exhibit 2), Sugar River Crossing (Exhibit 13) and Connecticut River Crossing (Exhibit 14), the 100-year flood level was established based upon FEMA flood zone maps for those areas with an effective date of May 23, 2006. This elevation is based on the national Geodetic Vertical Datum of 1988 (NAVD 1988). For the purposes of calculating clearance, the 100-year flood elevation was used, as it was readily available. This is higher than the 10-year flood elevation required by NESC and provides a conservative clearance requirement.

12. All of the crossing spans that are the subject of this petition entail some temporary minor alterations of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters and therefore, New Hampshire Department of Environmental Services statutory permits by notification (SPN's) will be required. Additionally, the span of the North Branch of the Sugar River in Croydon will create impacts to the protected shoreland for which a Shoreland Permit by Notification (PBN) will be obtained. The work to be performed under the license requested by this petition will not commence until said SPN's and PBN have been obtained. Utility Maintenance Notification (UMN) 2017-00109 was obtained in 2017 for the storm hardening program under which structures 199 and 205 were replaced, although these two structures did not have associated wetland impacts and the UMN was not required for their replacement. PBN 2018-00715 was obtained in support of impacts associated with the previous replacement of Structure 200 in Claremont. UMN 2018-00116 was also obtained for certain temporary access needs associated with other structure replacement work in 2018 but was unrelated to the prior Structures 199, 205 and 200 replacements that were undertaken.

13. The U.S. Army Corps of Engineers (ACOE) does not regulate the subject portions of North Branch of the Sugar River in Croydon and Sugar River in Claremont as navigable waters. As a result, a crossing permit from the ACOE is not required. The ACOE does regulate the subject portion of the Connecticut River as a federally designated navigable water. Eversource previously consulted with the ACOE and was advised that when wire and cable clearances will be increased over those presently in place, no ACOE permit modifications are required, as is the case with the Structures 205 and 206 replacements.

14. It was not anticipated that abutters on either side of the public water and State owned land crossing spans that are the subject of this petition would be affected by the structure replacement and static wire replacement with OPGW, as the K174 Line is an existing line and the crossing span work was and will be performed fully within Eversource's existing utility easements and fee rights of way.

15. Eversource submits that the license petitioned for herein may be exercised without substantially affecting the rights of the public in the public waters of the North Branch of the Sugar River, Sugar River and Connecticut River, or in the State's land. Minimum safe clearances above the water surfaces and land were and will be maintained at all times. The use and enjoyment by the public of the North Branch of the Sugar River, Sugar River and Connecticut River and the State owned land will not be diminished in any material respect as a result of the discussed structure replacement and static wire replacement with OPGW.

WHEREFORE, Eversource respectfully requests that the Commission:

1. Find that the license petitioned for herein may be exercised without substantially affecting the public rights in the public waters and State lands which are the subject of this petition;
2. Grant Eversource a license to construct and maintain electric lines over and across the public waters and State owned land as identified and described in this petition;
3. Issue an order *Nisi* and orders for its publication.

Dated at Manchester, New Hampshire this 1st day of July, 2020.

Respectfully submitted,
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
D/B/A EVERSOURCE ENERGY
By Its Attorney



Erik R. Newman, Senior Counsel, Legal
780 North Commercial Street
Manchester, NH 03101
(603) 634-2459