

DE 00-073

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

Petition for License to Construct and Maintain Electric Lines
Over and Across Public Waters
in the Town of Henniker, New Hampshire

Order NISI Granting License for Electric Lines Over and Across
Public Waters

O R D E R N O. 23,480

May 15, 2000

On March 30, 2000, the Petitioner, Public Service Company of New Hampshire (PSNH), filed with the New Hampshire Public Utilities Commission (Commission) a petition pursuant to RSA 371:17 to construct and maintain an electric line over and across the public waters of the Contoocook River at three (3) locations in the Town of Henniker, New Hampshire. On April 26, 2000, PSNH filed an amendment to its petition which reflected design changes to the line and the support structures. The definition of public waters contained in RSA 371:17 includes, "all ponds of more than ten acres, tidewater bodies, and such streams or portions thereof as the Commission may prescribe." The Commission prescribes these crossings to be over and across public waters.

In order to meet reasonable requirements of service to the public, PSNH has constructed and presently maintains an overhead three-phase, 34.5 kV electric transmission line,

designated as the 311 line, which runs from Hillsboro, New Hampshire to Webster, New Hampshire (311 line). The 311 line is an integral part of PSNH's electric transmission system in New Hampshire.

As a result of the construction and operation of an airport runway on privately owned property in Henniker, New Hampshire, and in order to continue to maintain safe and reliable service to the public, PSNH will relocate a section of the existing 311 line in Henniker. The new section of the 311 line will cross over the Contoocook River in Henniker at three new locations. The locations of these crossings are shown on PSNH's Drawing No. D-7649-403A, entitled "34.5KV - Line 311, Mile 10, Contoocook River Water Crossing, Henniker, New Hampshire", dated January 31, 2000, which is attached to the petition and labeled as Exhibit A1.

The new section of the 311 line, inclusive of the three water crossings, will be constructed over and across land in Henniker which is owned by and under the control of the United States Army Corps of Engineers (the Army Corps), and which is part of the Hopkinton-Everett Flood Control Project. The Army Corps has specified a maximum flood plain elevation of 420 feet for line design clearance purposes.

Construction of the proposed new section of the 311 line will involve the placement of thirteen new wood single pole transmission structures and the stringing of new conductors, between existing 311 line structures #155 and #189, spanning a total distance of approximately 4,222 feet. PSNH has attested, and Staff agrees, that construction of the new section of the 311 line will be in accordance with the applicable standards and specifications of the C2-1997 National Electrical Safety Code (NESC). The minimum required water crossing clearance above maximum flood plain water surface elevation of 420 feet specified by the Army Corps is stipulated in the NESC, Rule 232 as seventeen (17) feet. The 311 line relocation plan and profile is shown on PSNH Drawing No. D-7649-403, entitled "34.5 KV - Line 311, Mile 10, Contoocook River Water Crossing, Henniker, New Hampshire", dated January 31, 2000, and updated in April, 2000, which is attached to the petition and labeled as Exhibit A2.

The installation methods to be used by PSNH in the construction of the new 311 line section will avoid any impacts to any wetlands in the areas of the water crossings, and therefore no wetlands permits are required.

The Commission finds such crossings necessary for PSNH to meet its obligation to provide reliable electric

service within its authorized franchise area. Accordingly, we find that the crossing is in the public good. Therefore, we 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 PSNH is authorized, pursuant to RSA 371:17 et seq., to construct, maintain, and operate the electric line over and across the Contoocook River in Henniker, New Hampshire depicted on drawings submitted March 30, 2000, and April 26, 2000, and on file with this Commission; and it is

FURTHER ORDERED, that all construction and future reconstruction to this approved crossing shall conform to the requirements of the NESC and all other applicable safety standards in existence at that time; 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, and shall send a copy of same to the Henniker Town Clerk, by first class mail, such actions to be no later than May 22, 2000 and to be documented by affidavit filed with this office on or

before May 30, 2000; and it is

FURTHER ORDERED, that all persons interested in responding to this petition be notified that they may submit their comments or file a written request for a hearing on this matter before the Commission no later than June 1, 2000; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than June 8, 2000; and it is

FURTHER ORDERED, that this Order Nisi shall be effective June 15, 2000, unless 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 fifteenth day of May, 2000.

Douglas L. Patch
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Thomas B. Getz
Executive Director and Secretary