

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 07-092

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

**Petition for License to Construct and Maintain Electric Lines Over and Across the Public
Waters of the Cocheco River in the City of Dover, New Hampshire**

Order *Nisi* Granting License

ORDER NO. 24,790

September 21, 2007

On August 29, 2007, Public Service Company of New Hampshire (PSNH) filed a petition pursuant to RSA 371:17 for a license to construct and maintain electric lines across the Cocheco River in Dover. PSNH states that the new crossing is required to accommodate proposed improvements to Washington Street as part of the Department of Transportation's (DOT's) Project #13495. According to the petition, the DOT project requires a change in the alignment of the existing river crossing to accommodate the construction of a new bridge across the Cocheco River at Washington Street. PSNH states that the existing facility is an integral part of PSNH's distribution system in the Dover area. The company asserts that if the existing 34.5kV circuit (399X8) river crossing is not replaced, reliable electric service could not be maintained in the Dover area if another contingency were to occur.

With its petition, PSNH submitted a location plan, a drawing depicting the location and projected elevations of the proposed crossing, a construction detail drawing, and a pole licence issued by the City of Dover. The petition notes that the Commission previously licensed the crossing in Order No. 6,668 (August 31, 1955). On September 19, 2007, Staff filed a memorandum with the Commission recommending that the Commission grant the license.

PSNH states that it will construct the structure on the west side of the river within the public highway of Washington Street, and the structure on the east side of the river on land owned by the City of Dover adjacent to River Street. PSNH further states that no other permits are required from the DOT, and no permits are required from the Department of Environmental Services.

PSNH investigated a multitude of weather and loading conditions for its design. The conditions investigated include the National Electrical Safety Code (NESC), American National Standards Institute (ANSI) C2-2007 Heavy Load Conditions (0 degrees F, 4 pounds per square foot wind loading, and ½ inch radial ice), minus 20 degrees F to 105 degrees F ambient temperatures for the neutral conductor, and minus 20 degrees F to 212 degrees F for the phase conductor temperature. PSNH used these design conditions and all possible combinations to determine the minimum clearance of the conductors to the water and land surfaces of the crossing and the minimum distances between the phase wires and the neutral conductor.

PSNH determined that the 100-year flood level at this location of the Cocheco River is 10.2 feet using the Federal Emergency Management Agency (FEMA) Strafford County Flood Insurance Study, dated May 17, 2005, and the National Geodetic Vertical Datum of 1929. PSNH stated that it used the 100-year flood for water elevations instead of the normal flood level or 10-year flood levels required by the NESC to be conservative in the construction of the crossing.

PSNH states 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 electric line crossing. PSNH further attests that the construction of the crossing will be constructed, maintained, and operated

in accordance with the requirements of the NESC, ANSI C2-2007.

Based on the information presented by PSNH and Staff's recommendation, we find this crossing necessary for PSNH to meet the reasonable requirements of reliable service to the public within PSNH's authorized franchise area pursuant to RSA 371:17 and that the requested license may be exercised without substantially affecting the public rights in the affected waters as specified by RSA 371:20. We find that the crossing is in the public good and we approve the petition on a *nisi* basis in order to provide any interested party the opportunity for a hearing pursuant to section 20.

Based upon the foregoing, it is hereby

ORDERED *NISI*, that subject to the effective date below, PSNH is authorized, pursuant to RSA 371:17 *et seq.*, to construct, maintain and operate electric lines over and across the public waters described in its petition and depicted in its exhibits submitted August 29, 2007 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 National Electrical Safety Code and all other applicable safety standards in existence at that time; and it is

FURTHER ORDERED, that PSNH maintains and operates this crossing in conformance with the National Electrical Safety Code; and it is

FURTHER ORDERED, that PSNH shall provide a copy of this order to the (i) City Clerks of Dover, (ii) New Hampshire Attorney General and the owners of the land bordering on said public waters at the location of the crossing, pursuant to RSA 371:19, and (iii) pursuant to RSA 422-B:13, New Hampshire Department of Transportation and the Office of Secretary, U.S.

Department of Commerce by first class mail, no later than October 1, 2007, and to be documented by affidavit filed with this office on or before October 22, 2007; and it is

FURTHER ORDERED, that PSNH 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 October 1, 2007 and to be documented by affidavit filed with this office on or before October 22, 2007; 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 October 8, 2007 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 October 15, 2007; and it is

FURTHER ORDERED, that this Order *Nisi* shall be effective October 22, 2007, unless PSNH 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 twenty-first day of
September, 2007.

Thomas B. Getz
Chairman

Graham J. Morrison
Commissioner

Clifton C. Below
Commissioner

Attested by:

Debra A. Howland
Executive Director & Secretary