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October 22, 2015

Robert Bersak, Esq.
Eversource Energy
P.O. Box 330
Manchester, NH 03105-0330

Re: DE 15-417; Public Service Company of New Hampshire d/b/a Eversource Energy
Civil Penalty Hearing

Dear Mr. Bersak:

In Order No. 25,818 (Sept. 25, 2015), the Commission imposed a \$250,000 civil penalty on Eversource Energy for its failure to repair a broken cross arm that it discovered in Keene during a January 15, 2014, inspection. The Commission found that the broken cross arm contributed to Nathan L. DeMond's death three months later. Order No. 25,818 also directed the Commission's Safety Division "to commence an additional investigation in this docket ... to review all issues raised by or related to the April 19, 2014, accident or similar hazardous conditions that it deems appropriate." The Commission set a deadline of October 12 for Eversource to accept the penalty and waive an October 30 hearing scheduled for Eversource to "show cause why the civil penalty should not be imposed."

The Commission received your letter of October 9, 2015, which states that Eversource Energy "will not dispute the penalty assessed" in Order No. 25,818, and which seeks permission to have "the penalty amount ... credited to the Electric Assistance Program ('EAP'), the low income electric assistance program authorized by RSA 374-F:4, VIII (c)." RSA 365:41 provides that civil penalties "shall be applied to the benefit of the utility's ratepayers through a credit to bills" unless the Commission determines that such a credit would be "insignificant on a per customer basis." In such a case the fine amount may be credited "to programs that benefit low income ratepayers." The Commission has determined that the penalty imposed in this docket is "insignificant on a per customer basis" because, spread over Eversource's approximately 500,000 distribution customers, it would result in a one-time per customer credit of about 50 cents. The Commission has thus authorized Eversource to pay the \$250,000 civil penalty to the EAP, a program that subsidizes the electricity bills of New Hampshire's low income citizens.

Finally, the Commission has acknowledged your statement that Eversource "shall fully cooperate with the Safety Division in its additional investigation" in this docket.

Sincerely,

A handwritten signature in black ink that reads "Debra A. Howland".

Debra A. Howland
Executive Director

cc: service list

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 15-417-1 Printed: October 22, 2015

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:** DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) Serve a written copy on each person on the service list not able to receive electronic mail.**