

APPENDIX 15

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
PETITION TO CROSS LAND OWNED BY THE STATE**

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

DOCKET NO. DE 15- _____

**PETITION OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, D/B/A
EVERSOURCE ENERGY, FOR LICENSES TO CONSTRUCT AND MAINTAIN
ELECTRIC LINES OVER AND ACROSS LANDS OWNED BY THE STATE**

TO THE PUBLIC UTILITIES COMMISSION:

Public Service Company of New Hampshire, d/b/a Eversource Energy (“PSNH”), a public utility engaged in the generation, transmission, distribution and sale of electricity in the State of New Hampshire, requests, pursuant to RSA 371:17, that the New Hampshire Public Utilities Commission (“Commission”) grant PSNH licenses to construct and maintain electric lines at thirteen (13) locations over and across lands owned by the State of New Hampshire (“State”) in the Towns of Stark, Northumberland, Lancaster, Dalton, New Hampton, Canterbury and Pembroke, and the City of Franklin, New Hampshire, and in support of its petition states as follows:

1. In order to meet the reasonable requirements of service to the public, PSNH has previously constructed and currently operates and maintains seven (7) 115 kV and one (1) 34.5 kV electric lines constituting part of its electric system which cross over and across certain lands owned by the State at 13 locations in the Towns of Stark, Northumberland, Lancaster, Dalton, New Hampton, Canterbury and Pembroke, and in the City of Franklin, New Hampshire. The PSNH lines and State land crossings which are the subject of this petition are listed in Table 1 attached to this petition.¹

¹ These State land crossings have not been previously licensed by the Commission. This is because the PSNH lines either exist within existing PSNH rights-of-way comprised of PSNH easements acquired from private landowners

2. PSNH files this petition, pursuant to RSA 162-H:7, VII, with its joint application with Northern Pass Transmission LLC (“NPT”) to the New Hampshire Site Evaluation Committee (“SEC”) for a Certificate of Site and Facility to construct and operate a 320 kV high voltage direct current transmission line from the Canadian border at Pittsburg to Franklin (DC Line) and a 345kV alternating current line from Franklin to Deerfield (AC Line), with related infrastructure (collectively, the “Project”). PSNH understands that the petition will be forwarded to the Commission pursuant to RSA 162-H:7, IV, and that the Commission may then docket the petition for its own administrative purposes.

3. The Project’s proposed DC Line intersects with existing PSNH right-of-way at the Dummer Substation. The overhead portions of the DC Line located between Dummer and Bethlehem, and between Bridgewater and Franklin, as well as the entirety of the AC Line, will be located within PSNH right-of-way (“Existing ROW”). NPT’s use of the Existing ROW for the Project, pursuant to a lease agreement between NPT and PSNH, is the subject of another petition that has been contemporaneously filed with the Commission. Each of the existing PSNH line crossings which are the subject of this petition are situated within the Existing ROW to be used by NPT for the Project.

4. At the time NPT is authorized to engage in business in New Hampshire as a utility (by virtue of owning, operating and managing plant and equipment used in the transmission of electricity ultimately sold to the public) and it is granted a Certificate of Site and Facility by the SEC for the Project, it will be necessary for the Project’s DC Line or AC Line to be constructed within the Existing ROW to cross over and across the same State lands as listed in

prior to the State’s ownership, and are believed to have been originally constructed, operated and maintained within the PSNH rights-of-way prior to the State’s ownership, or, in the case of the railroad crossings, were constructed, operated and maintained under permissive pole and wire crossing agreements with the private railroad owners prior to the State’s ownership. State ownership was acquired in these locations subject to the existing PSNH easements and line crossings. The rebuild of these crossings will, however, be fully licensed by PSNH under this petition.

Table 1. In order to accommodate the construction and operation of the Project's DC Line or AC Line in these locations, the existing PSNH line crossings listed in Table 1 will be relocated and rebuilt within the Existing ROW to assure adequate and safe line clearances, and the continued reliable operation of the PSNH electric system. The rebuild of PSNH's overhead lines at these State land crossing locations is the subject of this petition.²

5. The State lands to be crossed by the rebuilt PSNH lines include the Nash Stream Forest and the Percy State Forest in Stark, the Cape Horn State Forest in Northumberland, the Groveton Branch of State-owned railroad at two locations in Lancaster and Dalton, the State Police firing range on land of the State Department of Transportation ("DOT") in New Hampton, two State rail trail locations, the Concord-Lincoln line of State-owned railroad at one location, and a vacant DOT land parcel in Franklin, the Concord-Lincoln line of State-owned railroad at one location in Canterbury, and two parcels of land owned by the State Adjutant General in Pembroke.

6. The location map, design and proposed construction plan and profile drawing, and required clearance calculations (including material specifications and construction details) for each of the new crossings is attached to this petition as Appendices 1 through 13, respectively.

7. The required technical information provided in this petition and attached Appendices is based on the 2012 National Electrical Safety Code (NEESC) C2-2012.

8. PSNH has filed for all the necessary New Hampshire Department of Environmental Services permits to construct at each proposed crossing, where required, as part of the joint application to the SEC for a Certificate of Site and Facility for the Project.

² The Project's DC Line or AC Line will also cross State lands at other locations at which existing PSNH line crossings will not be rebuilt. These additional crossing locations are detailed in NPT's separate petition to cross lands owned by the State.

9. The proposed crossings which are the subject of this petition have been designed and will be constructed, operated and maintained by PSNH in accordance with the applicable requirements of the NESC.

10. PSNH owns either the fee ownership or permanent easement rights within the Existing ROW at all locations of the State land crossings, and adjacent to each side of the State-owned rail crossing locations, which are the subjects of this petition.³ The new crossings will be rebuilt entirely within the limits of the Existing ROW. No new or additional real property rights are required to construct these crossings.

11. PSNH submits that the licenses petitioned for herein can be exercised by without substantially affecting the rights of the public in the State lands listed in this petition. Minimum safe line clearances above all State lands will be maintained at all times. The use and enjoyment by the public will not be diminished as a result of PSNH's overhead line crossings as proposed.

WHEREFORE, PSNH respectfully requests that the Commission:

- A. Find that the licenses petitioned for herein may be exercised without substantially affecting the public rights in the State lands which are the subject of this petition;
- B. Grant PSNH licenses to construct and maintain electric lines over and across the State lands as specified in the petition;
- C. Issue an Order Nisi and orders for its publication; and,
- D. Grant such other and further relief as may be just and equitable.

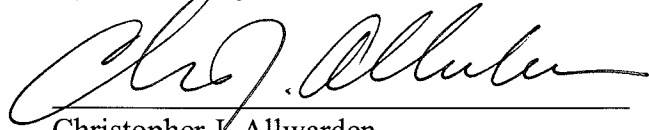
[SIGNATURE PAGE FOLLOWS]

³ PSNH and the State Department of Resources and Economic Development are working to address an apparent scrivener's error in a 1947 PSNH easement grant over a former range lot situated within the Cape Horn State Forest, in order to clarify PSNH's easement rights within the Forest.

Respectfully submitted,

PUBLIC SERVICE COMPANY OF NEW
HAMPSHIRE, D/B/A EVERSOURCE ENERGY

By its Attorney,



Christopher J. Allwarden
Senior Counsel, Legal Department
Eversource Energy Service Company
780 North Commercial Street
Manchester, NH 03101
603-634-2459
christopher.allwarden@eversource.com

Dated: October 16, 2015