

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

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

DOCKET No. DE 21-

**PETITION OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE D/B/A
EVERSOURCE ENERGY FOR LICENSE TO CONSTRUCT AND MAINTAIN
ELECTRIC LINES OVER AND ACROSS PUBLIC WATERS IN NORTHFIELD AND
FRANKLIN AND STATE OWNED LAND IN FRANKLIN, 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 public waters in Northfield and Franklin and State owned land in Franklin, 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 F139 Line, originally constructed in 1966, over and across public waters encompassing the Merrimack River which includes the border between the towns of Northfield and Franklin and over State owned land in Franklin, New Hampshire encompassing a portion of the Northern Rail Trail and area between the easterly border of the Northern Rail Trail and westerly edge of the Merrimack River. This public water crossing was previously licensed under Order 12-219 (copy enclosed) in Docket 76-22, pursuant to a master petition that covered crossings at 52 appendix locations, with the subject span addressed by Appendix 17 thereto. The State land crossing was not previously licensed by the PUC, perhaps because the original construction of the line pre-dated the State acquiring title. However, a license was obtained from Western Union Telegraph Company in 1967 (copy enclosed) for the railroad corridor that now comprises the Northern Rail Trail.

2. Eversource is undertaking a maintenance project for the F139 Line which will entail replacement of original wood Structures 280 and 281 whose span encompasses both the subject public water crossing and State land crossing. The two steel replacement structures will have the same configuration as the original wood structure and will be located within 10' of the original structure location. The existing three conductors, and two static wires, whose specifications are identified on the Exhibit 2 Cable Schedule¹, will be unchanged in the course of relocation to the steel replacement structures.

3. The one span encompassing both the subject public water crossing and State land crossing that is the subject of this petition is depicted on Exhibit 1 as a high-level perspective of the locations. Additional site location description of that span is as follows.

Exhibit 2 – The F139 crosses the Merrimack River and State owned land in the towns of Northfield and City of Franklin between structures 280 and 281, which is located east of where the line crosses Route 3 in Franklin, approximately 1.05 miles north of the intersection of Route 3 and Stirrup Iron Road in Boscaawen. The first State owned land boundary (Map 126, Lot 401) commences along the west bank of the Merrimack River and extends west approximately 195.1' where it abuts another State owned land, identified as the Northern Rail Trail. The span crosses the second State owned property, encompassing the Northern Rail Trail corridor which has a width of 35.9'. The Merrimack River crossing occurs within the same span as described above, between Structure 280 and 281. The east bank of the river crossing occurs approximately 0.65 miles west from where the line crosses Fiddlers Choice Road in Northfield.

4. Wire specifications and loading condition to establish maximum sag for the crossing span that is the subject of this petition are as indicated on Profile View and Cable Schedule of Exhibit 2.

5. The location of structures and max sag conditions creates the following crossing spans:

¹ Exhibit 17B3 supporting the master petition for Order 12-219 17B3 identifies a #6 Copper Wire Static Wire. The existing static wire is 7#8 Alumoweld. This 7#8 Alumoweld static wire was either originally installed in 1966 and was represented as an error on the 1967 Appendix, or it was later replaced with 7#8 Alumoweld without amending the license.

Public Water Crossing: Northfield & Franklin (Exhibit 2)

- i. Structures: Str. 280 to 281
- ii. Structure Span (ft): 737.9'
- iii. Public Water Span (ft): 226.1

State Owned Land: Franklin Map 126, Lot 401 (Exhibit 2)

- i. Structures: Str. 280 to 281
- ii. Structure Span (ft): 737.9'
- iii. State Owned Land Span (ft): 195.1'

State Owned Land: Franklin, Northern Rail Trail (Exhibit 2)

- i. Structures: Str. 280 to 281
- ii. Structure Span (ft): 737.9'
- iii. State Owned Land Span (ft): 35.9'

6. All conductors and static wires have been drawn on Exhibit 2 to show the minimum clearance at maximum sag conditions in reference to the public water and State owned land crossings.

7. Eversource will maintain and operate the clearances of the crossing at a height no less than what is required by the 2012 National Electrical Safety Code (NESC, Table 232-1) which is 30.1 for water areas suitable for sailing 20 to 200 acres in respect to the crossing of the Merrimack River; which is 28.1 to the top of railroad track in respect to the crossing of the Northern Rail Trail; and which is 16.1' for spaces and ways subject to Pedestrians or restricted traffic in respect to the crossing of Map 126 Lot 401. The actual minimum height over State owned land and public waters utilizing floodline elevation as described in Note 5 of Exhibit 2, is depicted on the attached Exhibit 2 and exceeds the minimum requirements.

8. A New Hampshire Department of Environmental Services (NHDES) wetland statutory permit by notification (SPN) will be obtained prior to commencement of the maintenance project for temporary wetland impacts associated with the replacement of Structure 280. No other environmental permits are required.

9. The structure replacement work will be accomplished within existing ROW easements in respect to the parcels on which Structures 280 and 281 are located and within area subject to a railroad crossing license in respect to the Northern Rail Trail corridor, thereby mitigating impacts and concerns of property owners affected by the project scope².

10. Eversource submits that the license petitioned for herein may be exercised without substantially affecting the use and enjoyment of the public in the public waters and State owned land since safe clearances to ground will be maintained at all times. Additionally, the rail trail will not be utilized for access in support of the maintenance project. When the wires are relocated to the replacement structure over the trail in coordination with the Department of Transportation, the trail will be temporarily blocked from use utilizing appropriate signage to ensure the safety of the public.

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 owned land which is 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 described in this petition;
3. Issue an order *Nisi* and orders for its publication.

Dated at Manchester, New Hampshire this 24th day of March, 2021.

² An underlying easement for Map 126, Lot 401, owned by the State of New Hampshire through the Department of Transportation, was not identified in the course of preparing this petition. The scope of work that is the subject of this petition should proceed under the statutory authority of RSA 371:17 which allows a utility to be granted a license to construct poles and wires "over, under or across any of the land owned by this state", without additionally requiring an easement from the State.

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

A handwritten signature in black ink, appearing to read "Erik R. Newman".

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