

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

Docket No. DE 25-xxx

LIBERTY UTILITIES (GRANITE STATE ELECTRIC) CORP. d/b/a LIBERTY

and

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

Joint Petition to Alter Franchise Areas in the Town of Windham

Liberty Utilities (Granite State Electric) Corp., d/b/a Liberty (“Liberty”), and Public Service Company of New Hampshire, d/b/a Eversource Energy (“Eversource”) jointly request that the New Hampshire Public Utilities Commission issue an order approving a change in the franchise areas served by the two companies to accommodate a request to have Liberty provide electric service to a customer on Ryan Farm Road in Windham, a location that is currently within Eversource’s franchise area.

In support of this petition, Liberty and Eversource state the following:

1. Liberty and Eversource, both public utilities as defined in RSA 362:2, I, each provide electric distribution service to portions of the Town of Windham.
2. A potential customer (“Customer”) is seeking electric service to a parcel of land on Ryan Farm Road in Windham (the “Property”).
3. Attached as Exhibit A is a map of a portion of the Town of Windham with a line demarcating Liberty’s and Eversource’s existing service territories.
4. Exhibit A also shows the location of the Property, outlined in yellow, which is currently within Eversource’s franchise area and adjacent to Liberty’s service area.

5. The Customer asked Eversource to provide service to the Property. However, for Eversource to reach the Property, the new facilities would have to cross a transmission line corridor operated by National Grid and thus Eversource would need an easement or similar rights from National Grid to reach the Property. National Grid has not agreed to grant the necessary rights for Eversource to construct a new line across National Grid's transmission corridor.
6. Attached as Exhibit B is a map that shows the location of the Property, the National Grid corridor, the location of Liberty's existing distribution lines, and the location of Eversource's existing distribution lines. As can be seen from Exhibit B, Liberty can provide service to the Property without having to cross the National Grid transmission corridor.
7. Liberty has agreed to provide service to the Customer and the Customer has agreed to contribute the appropriate amount toward Liberty's cost of extending service as calculated under Liberty's tariff. Thus, this request complies with Liberty's applicable tariff for new service connections and will not burden Liberty's existing customers.
8. Eversource has agreed to allow Liberty to serve the Property, given the circumstances described above.
9. Exhibit A shows the proposed change to the franchise map.
10. Due to the specific physical location of the Property and the third-party constraint on Eversource's ability to extend service to the Property, Liberty and Eversource agree that

only Liberty can provide electric service to the Property. Absent approval of this request, the Customer will not be able to obtain electric service for the Property.

11. In light of the specific circumstances described above, Liberty and Eversource agree to adjust their respective franchise areas in Windham as shown in Exhibit A.
12. The Commission may adjust a franchise border if it finds the change “would be for the public good.” RSA 374:26. In *Public Serv. Co. of N.H.*, Order No. 24,525 (Sept. 30, 2005), the Commission approved a similar franchise border adjustment where the customer would otherwise be without electric service. “[G]uided by RSA 374-F:3, V(a) which states that ‘electric service is essential and should be available to all customers’,” and since the customer “has not been able to obtain electric service from [the incumbent utility] because a third-party does not consent to the necessary easement across that third-party’s land,” the Commission found that the franchise boundary adjustment was “for the public good.” *Id.* at 2.
13. Amending the franchise border between Liberty and Eversource to enable Liberty to serve the Customer as described above serves the public interest and meets that public good standard.
14. Finally, the franchise statute expressly authorizes the Commission to grant this petition without hearing, as was done in the *PSNH* case cited above, when all interested parties agree to the request. “Such permission may be granted without hearing when all interested parties are in agreement.” RSA 374:26. In this instance, the Customer, Liberty, and Eversource all support and request Commission approval of this petition without hearing.

WHEREFORE, Liberty and Eversource respectfully request that the Commission:

- A. Grant this petition to amend the two utilities' franchise areas in Windham as depicted on Exhibit A; and
- B. Grant such further relief as is just and equitable.

Respectfully submitted,

Liberty Utilities (Granite State Electric) Corp., d/b/a
Liberty
By its Attorney,



Date: January 30, 2025

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Public Service Company of New Hampshire, d/b/a
Eversource Energy

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Certificate of Service

I hereby certify that on January 30, 2025, a copy of this petition has been forwarded to the Department of Energy and the Office of the Consumer Advocate.



Michael J. Sheehan