

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

IR 20-035

**NEW HAMPSHIRE
ELECTRIC, GAS, AND WATER COMPANIES**

Investigation into Requirements for Crossing Licenses under RSA 371:17, *et seq.*

ORDER OF NOTICE

On March 10, 2020, the Commission issued Order No. 26,338 in DE 19-094, approving a petition filed by Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) for licenses to amend certain existing crossings. In that order, the Commission stated that it would open an investigation to review licensing requirements and review procedures for crossing licenses under RSA 371, that is, petitions from utilities and others to obtain licenses pursuant to RSA 371:17, *et seq.*, for the construction and maintenance of cables, conduits, or wires and fixtures that cross public waters or State-owned land.

Specifically, the Commission noted that a number of recent petitions for crossing licenses have entailed the proposed alteration or modification of existing licensed crossings in the course of broader reliability projects to replace existing poles and/or wires. Based on that observation, the Commission stated its intent to open a general review of licensing requirements pursuant to RSA 371:17, *et seq.* The purpose of that review is to clarify expectations for crossing petitions and to consider potential ways to streamline the crossing license application and review process.

The review raises, *inter alia*, issues related to what alterations or modifications to existing crossings must be included in a petition under RSA 371:17; what information must be included in such petitions; what types of alterations or modifications trigger the requirement for a new or amended license; and any other issues regarding information or process requirements as

may be relevant to the submission of, and the Commission's review of, such petitions pursuant to RSA 371:17, *et seq.*

Eversource, Northern Utilities, Inc., Until Energy Systems, Inc., Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities, Inc., and Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities, Inc., New Hampshire Electric Cooperative, Inc., and Consolidated Communications of Northern New England Company, LLC d/b/a Consolidated Communications-NNE shall be mandatory participants to this investigation. Regulated water utilities, including, but not limited to, Pennichuck East Utility, Inc., Aquarion Water Company of New Hampshire, and Pennichuck Water Works, Inc., are strongly encouraged to participate in the investigation as well.

Accordingly, the Commission has scheduled a technical session for May 20, 2020, at 10:00 a.m., for the purpose of initiating a general review of the current process for licensing of crossings under RSA 371:17, *et seq.*

All filings in this docket, other than any information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commission's website at <https://www.puc.nh.gov/Regulatory/Docketbk/2020/20-035.html>.

Based upon the foregoing, it is hereby

ORDERED, that on May 20, 2020, at 10:00 a.m., at the Public Utilities Commission, 21 South Fruit Street, Suite 10, Concord, New Hampshire, the mandatory parties, the Staff of the Commission, and any other persons desiring to participate in the investigation, shall meet in a technical session to review the issues set forth hereinabove and to discuss and develop a procedural schedule for this investigative review; and it is

FURTHER ORDERED, that Staff shall make inquiries, as needed, of other stakeholders and persons with information that would benefit its investigation, with responses afforded protective treatment, as appropriate, pursuant to RSA 91-A; and it is

FURTHER ORDERED, that the Commission's Executive Director shall notify all persons of the opportunity to participate in this investigation by publishing a copy of this Order of Notice on the Commission's website no later than one day after the date that it has issued.

By order of the Public Utilities Commission of New Hampshire this sixteenth day of March, 2020.



Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

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