

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 10-223

**NEW ENGLAND POWER COMPANY
d/b/a NATIONAL GRID**

**Petition for License to Construct and Maintain Electric Lines Over and Across the Public
Waters of the Connecticut River in the Town of Walpole, New Hampshire**

Order *Nisi* Granting License

ORDER NO. 25,155

October 15, 2010

On August 26, 2010, New England Power Company d/b/a National Grid (National Grid or Company) filed a petition pursuant to RSA 371:17 for a license to construct and maintain the J-136N 115kV electric line across the Connecticut River in Walpole, New Hampshire. The Company filed supplemental information on September 30 and October 1, 2010. The J-136N line was constructed in 1927 and was not previously licensed.

According to the Company, the J-136N re-conductor project proposed in the instant filing is a high priority because increased loading conditions associated with winter weather could cause the composite conductor across the Connecticut River to fail. Given the degraded condition of a similar line, the 1-135N, which was re-built in 2009, National Grid anticipates that the J-136N needs to be replaced. National Grid stated that rebuilding the J-136N line¹ crossing is necessary to provide reasonable and reliable service to its customers in the area, to provide reliable transmission service, and to assure against conductor failure. National Grid intends to take advantage of an ISO New England, Inc. outage opportunity commencing on November 1, 2010, causing the project to have a very tight construction schedule.

¹ The J-136N 115kV line connects the Flagg Pond Substation in Fitchburg, Massachusetts and the Bellows Falls No. 14 Substation in Rockingham, Vermont.

In support of its petition, National Grid submitted the following exhibits: 1-1) a location plan depicting the geographic location of the proposed crossing with a plan and profile drawing depicting the location and projected elevations of the proposed crossing; 2-1) a construction detail drawing (New England Power Company drawing of Type N-48 Dead-End Tower) depicting the construction specifications of the existing structure on the southern side of the crossing; and 3-1) an elevation drawing of the take-off structure at Bellows Falls.

National Grid said that, due to access issues at the affected southern structure, the Company will re-conductor a total of one mile of the J-136N 115kV line between the Bellows Falls Substation and Structure 6 on the J-136N 115kV. As designed, the new J-136N 115kV crossing will have the same alignment as the existing unlicensed crossing and utilize the two structures presently located at the crossing. National Grid owns permanent easements for its lines and facilities on both sides of the Connecticut River at the crossing location and all work will be conducted within the scope of those easements. Additionally, National Grid stated that only the licence petitioned for in this proceeding is required for the construction of this crossing.

National Grid investigated a multitude of weather and loading conditions for its design, and used these design conditions to determine the minimum clearance of the conductors to the water and land surfaces, and between the phase and shield wire conductors. According to National Grid, all phase and shield wire conductors will be sagged to maintain or exceed National Electrical Safety Code (NESC), American National Standards Institute (ANSI) C2-2007 required clearances under the most adverse conditions investigated.

National Grid obtained the flood level data at this location of the Connecticut River from the Cheshire County Flood Insurance Rate Map issued by the Federal Emergency Management Agency. National Grid used the 10-year flood elevation to design the elevation of the crossing.

National Grid attested that the use and enjoyment by the public of these waters will not be diminished in any material respect as a result of the proposed electric line crossing. National Grid further said that the crossing will be constructed in accordance with the requirements of the NESC, ANSI C2-2007 and maintained and operated in accordance with the NESC.

RSA 371:17 provides in relevant part that “[w]henver it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a line of poles or towers and wires and fixtures thereon, over, under or across any of the public waters of” New Hampshire, “it shall petition the Commission for a license to construct and maintain the same.” “Public waters,” as defined in RSA 371:17, means “all ponds of more than 10 acres, tidewater bodies, and such streams or portions thereof as the Commission may prescribe,” and includes the portions of the water bodies covered by the present petition.

Commission Staff filed a memorandum on October 13, 2010 recommending approval of the license. Staff indicated that the petition was reviewed by its engineering consultant, Accion Group (Accion) and that, according to Accion, Grid provided sufficient information to justify construction of the proposed water crossing. Accion further stated that, if the proposed facilities are constructed, operated, and maintained as proposed in its filing, National Grid will be able to provide safe and reliable electric service to the public based on sound engineering standards and the 2007 NESC.

Based on the information presented by National Grid, the review and recommendation of Accion, and Staff’s memorandum recommending approval of the petition, we find this crossing necessary for Grid to meet the reasonable requirements of reliable service to the public in this area of its system as required by RSA 371:17, and that the requested license may be exercised without substantially affecting the public rights in the affected public waters, as required for

approval under RSA 371:20. We find that the crossing is in the public good and we approve the petition on a *nisi* basis in order to provide any interested party the opportunity to submit comments on said petition or to request a hearing.

Based upon the foregoing, it is hereby

ORDERED *NISI*, that subject to the effective date below, New England Power Company d/b/a National Grid is authorized, pursuant to RSA 371:17 *et seq.*, to construct, maintain and operate electric lines over and across the public waters of the Connecticut River in Walpole as described in its petition and depicted in its exhibits submitted August 26, 2010 and supplemented on September 30 and October 1, 2010, and on file with this Commission; and it is

FURTHER ORDERED, that National Grid shall perform all construction and future reconstruction to this approved crossing in conformance with the requirements of the National Electrical Safety Code and all other applicable safety standards in existence at that time; and it is

FURTHER ORDERED, that National Grid shall maintain and operate this crossing in conformance with the National Electrical Safety Code; and it is

FURTHER ORDERED, that National Grid shall provide a copy of this order to the (i) Town Clerks of Walpole, New Hampshire and Rockingham, Vermont, (ii) New Hampshire Attorney General and the owners of the land bordering on said public waters at the location of the crossing, pursuant to RSA 371:19, and (iii) pursuant to RSA 422-B:13, New Hampshire Department of Transportation and the Office of Secretary, U.S. Department of Commerce by first class mail, no later than October 19, 2010, and to be documented by affidavit filed with this office on or before October 29, 2010; and it is

FURTHER ORDERED, that National Grid shall cause a copy of this Order *Nisi* to be published once in a statewide newspaper of general circulation or of circulation in those portions

of the state where operations are conducted, such publication to be no later than October 20, 2010 and to be documented by affidavit filed with this office on or before October 29, 2010; and it is

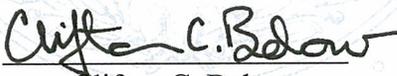
FURTHER ORDERED, that all persons interested in responding to this Order *Nisi* be notified that they may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than October 25, 2010 for the Commission's consideration; and it is

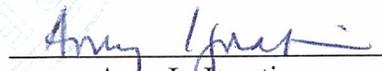
FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than October 27, 2010; and it is

FURTHER ORDERED, that this Order *Nisi* shall be effective October 29, 2010, unless National Grid fails to satisfy the publication obligation set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date.

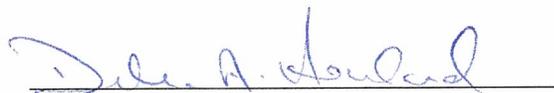
By order of the Public Utilities Commission of New Hampshire this fifteenth day of October, 2010.


Thomas B. Getz
Chairman


Clifton C. Below
Commissioner


Amy L. Ignatius
Commissioner

Attested by:


Debra A. Howland
Executive Director

DONALD PFUNDSTEIN
GALLAGHER CALLAHAN & GARTREL
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10-15-10 Order No. 25,155 issued and forwarded to all parties.
Copies given to PUC Staff.

Docket #: 10-223 Printed: October 14, 2010

FILING INSTRUCTIONS: PURSUANT TO N.H. ADMIN RULE PUC 203.02(a),
WITH THE EXCEPTION OF DISCOVERY, FILE 7 COPIES (INCLUDING COVER LETTER) TO:
DEBRA A HOWLAND
EXEC DIRECTOR & SECRETARY
NHPUC
21 SOUTH FRUIT STREET, SUITE 10
CONCORD NH 03301-2429