



24 DEPOT SQUARE
UNIT 2
NORTHFIELD, VT 05663
www.tdstelecom.com



May 24, 2011

Debra A. Howland, Executive Director & Secretary
New Hampshire Public Utilities Commission
21 S. Fruit St., Ste. 10
Concord, NH 03301

Re: DT-10-280: Petition of Merrimack County Telephone Company d/b/a TDS Telecom for a license to construct and maintain telecommunications lines over and across the Public Waters of the North Branch River in the City of Antrim, New Hampshire.

Dear Ms. Howland:

Attached is my original affidavit and six copies regarding the notice requirements set forth by the Commission in Order No.: 25,223. We have compiled with the Commission's order.

Thank you for your assistance in this matter, please do not hesitate to contact me with any questions or further requirements.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Murray".

Thomas Murray
TDS Telecom
Manager-State Government Affairs (NY, VT, NH & ME)
802-485-9724

Enclosure:

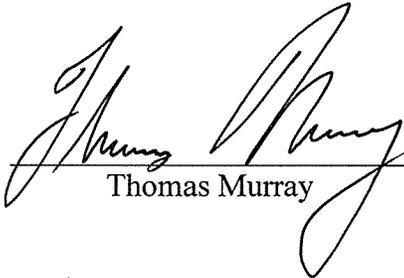
cc: Kate Bailey, Public Utilities Commission

Affidavit of Thomas Murray

I, Thomas Murray, do depose and state as follows under oath:

1. I am the Manager of State Government Affairs for Merrimack County Telephone Company (d.b.a. TDS Telecom).
2. I have compiled with the New Hampshire Public Utilities Commission Order No.: 25, 223 in Docket DT 10-280.
3. Specifically, I arranged for the order to be published in the *Concord Monitor* on May 20, 2010 (see Attachment 1).
4. In addition copies have been mailed to all parties referenced in the order (see Attachment 2).

Signed under pains and penalties of perjury.



Thomas Murray

STATE OF VERMONT

May 23, 2011

The personally appeared the above named Thomas Murray, who stated that the foregoing was his free act and deed, before me.



Notary Public
My Commission Expires: 10 February 2015

Attachment 1

ient:	1027564	TDS TELECOM (VT)	Phone:	(802) 485-9724
i #	736826	Requested By:	Fax:	
ales Rep.:	LEGA	CATHY VALLEY	Phone:	(603) 369-3210
		cathy@cmonitor.com	Fax:	(603) 228-8238
ass.:	C166	LEGALS		
art Date:	05/20/2011	End Date:	05/20/2011	Nb. of Inserts: 2
ublications:	CONCORD MONITOR, MONITOR ONLINE			
tal Price:	\$1192.50		Page 1 of 1	

PUBLIC NOTICE

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION
DT 10-280

MERRIMACK COUNTY TELEPHONE COMPANY
Petition for License to Construct and Maintain Cables Across the Public Waters of the
North Branch River in the Town of Antrim, New Hampshire
Order Nisi Granting License
O R D E R N O. 25,223

May 18, 2011

On October 19, 2010, Merrimack County Telephone Company (Merrimack) filed a petition with the Commission pursuant to RSA 371:17 for a license to construct and maintain two copper telecommunications lines across the North Branch River in Antrim, New Hampshire. Merrimack subsequently supplemented its filing on April 12, 2011, with additional information. The location of the crossing is on the easterly side of the Old North Branch Road Bridge and is approximately 0.1 miles north of the intersection of New Hampshire Routes 9 and 31. Merrimack states in its petition that new communication facilities are required to support service to existing customers and indicates that the facilities will accommodate service to customers as the Old North Branch Road Bridge is replaced under New Hampshire Department of Transportation ("NHDOT") State Project #14944 (Federal Project #X-A000 (927)).

In support of its petition, Merrimack submitted related exhibits as follows: a location plan depicting the geographic location of the proposed crossing; a detailed plan view of the crossing location; a plan and profile drawing depicting the location and projected elevations of the proposed crossing; pole construction details; and pole loading analysis reports for the poles at the crossing and sag calculations for the ambient and weather conditions analyzed.

Merrimack states that the new communications crossing will have the same alignment as the existing electrical crossing and will use the existing poles at the crossing location. Merrimack will add the new facilities to the existing poles. Additionally, Merrimack states that no New Hampshire Department of Environmental Services or NHDOT permits are necessary for the construction of this crossing.

Merrimack investigated a multitude of weather and loading conditions for its design. The conditions investigated included ANSI C2-2007 Heavy Load conditions and 120 degrees Fahrenheit. As designed by Merrimack, the maximum sag of the copper cables would occur when the copper cables are at NESC Heavy Load conditions. At this condition, Merrimack calculates that of minimum clearance, the copper cables would remain 31.4 feet above the 100-year flood level of 880 feet and 22.1 feet above the land or road. As designed, all clearances exceed NESC requirements.

The NESC further requires that the copper cables located in the communication space be separated by 40 inches from the electric company neutral conductor at the pole according to NESC Table 238-1.2. Merrimack exceeds this requirement with a separation of 52 inches.

Copper cables are required to have a minimum separation of 30 inches from the electric utility company neutral at any point under NESC Rule 235.C.2.b. Merrimack determined that the minimum clearance occurs when the copper cables are at 30 degrees Fahrenheit without ice and the PSNH neutral conductor is at NESC Heavy Load conditions. Under those conditions, the minimum separation is 42.6 inches. Merrimack states that Merrimack and PSNH are the only entities on the structures and that no other clearance requirements have been identified.

Merrimack asserts that the use and enjoyment of these waters by the public will not be diminished in any material respect as a result of the proposed crossing with copper communication cables. Merrimack further attests that the construction of the crossing will be built in accordance with the requirements of the NESC, ANSI C2-2007 for Grade B construction and that the crossing will be maintained and operated in accordance with the NESC.

RSA 371:17 provides in relevant part that:

Whenever it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a ...or a line of poles or towers and wires and fixtures thereon, over, under or across any of the public waters of this state...it shall petition the commission for a license to construct and maintain the same... "Public waters," are defined to be all ponds of more than 10 acres, tidewater bodies, and such streams or portions thereof as the Commission may prescribe.

We find that the portion of the North Branch River in Antrim covered by this petition is a public water under RSA 371:17.

On April 26, 2011, Staff of the Public Utilities Commission (Staff) filed its recommendation to approve of the petition. Staff indicated that the petition was reviewed by its engineering consultant, The Accion Group (Accion), and that according to Accion, Merrimack 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, Merrimack will be able to provide safe and reliable communications service to the public based on sound engineering standards and the 2007 National Electrical Safety Code.

Based on the information presented by Merrimack, the review and recommendation of Accion, and Staff's April 26, 2011 Memorandum recommending approval of the petition, we find this crossing necessary for Merrimack to meet the reasonable requirements of reliable service to the public within Merrimack's authorized franchise area 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, Merrimack is authorized, pursuant to RSA 371:17 et seq., to construct, maintain and operate two copper communications lines with a messenger cable over and across the public waters described in its petition and depicted in its exhibits submitted October 19, 2010, supplemented on April 12, 2011, and on file with this Commission; and it is

FURTHER ORDERED, that all construction and future reconstruction to this approved crossing shall conform to 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 Merrimack maintain and operate this crossing in conformance with the National Electrical Safety Code; and it is

FURTHER ORDERED, that Merrimack shall provide a copy of this Order to the (i) Town Clerk of Antrim, (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, (iii) Public Service Company of New Hampshire, and (iv) pursuant to RSA 422-B:13, the New Hampshire Department of Transportation and the Office of Secretary, U.S. Department of Commerce by first class mail, no later than May 23, 2011, and to be documented by affidavit filed with this office on or before May 31, 2011; and it is

FURTHER ORDERED, that Merrimack 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 May 23, 2011 and to be documented by affidavit filed with this office on or before May 31, 2011; 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 May 25, 2011 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 May 27, 2011; and it is

FURTHER ORDERED, that this Order Nisi shall be effective May 31, 2011, unless Merrimack 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 eighteenth day of May, 2011.

Thomas B. Getz, Chairman
Cliffon C. Below, Commissioner
Amy L. Ignatius, Commissioner

Attested by:
Debra A. Howland, Executive Director

May 20

Attachment 2



May 20, 2011

US Department of Commerce
Office of Secretary
1401 Constitution Ave
Washington, DC 20230

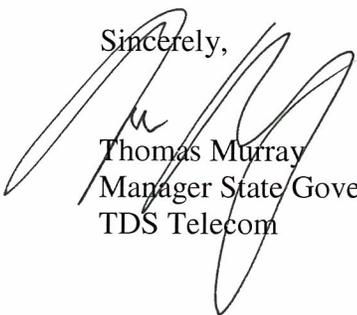
RE: Public Notice regarding Merrimack County Telephone Companies Cable Placement in Antrim NH.

Dear Sir/Madame,

The New Hampshire Public Service Commission has requested that we provide you with a copy of this order regarding our company's project to place cables across the river in Antrim, NH.

If you have any questions, please contact me at 802-793-6730.

Sincerely,



Thomas Murray
Manager State Government Affairs
TDS Telecom



May 20, 2011

Public Service Company of New Hampshire
PO Box 330
Manchester, NH 03105-0330

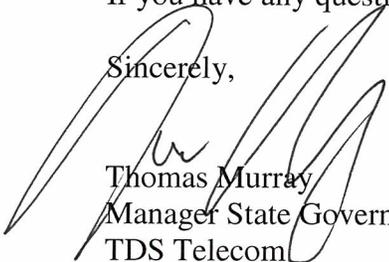
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Sincerely,



Thomas Murray
Manager State Government Affairs
TDS Telecom



May 20, 2011

New Hampshire Department of Transportation
PO Box 483
Concord, NH 03302-3734

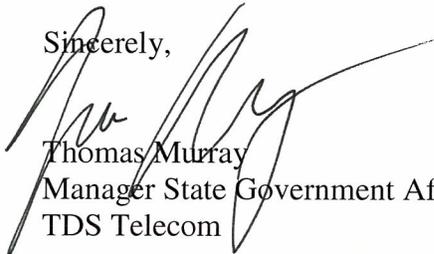
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Sincerely,



Thomas Murray
Manager State Government Affairs
TDS Telecom



May 20, 2011

New Hampshire Attorney General
33 Capitol Street
Concord, NH 03301

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Sincerely,

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Thomas Murray
Manager State Government Affairs
TDS Telecom



May 20, 2011

Antrim Town Clerk
PO Box 517
Antrim, NH 03440

RE: Public Notice regarding Merrimack County Telephone Companies Cable Placement in Antrim NH.

Dear Sir/Madame,

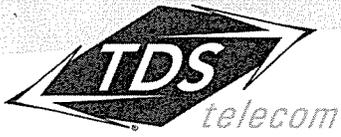
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Sincerely,



Thomas Murray
Manager State Government Affairs
TDS Telecom



May 20, 2011

Marharishi Academy of Knowledge
100 North Branch St
Antrim, NH 03440

RE: Public Notice regarding Merrimack County Telephone Companies Cable Placement in Antrim NH.

Dear Sir/Madame,

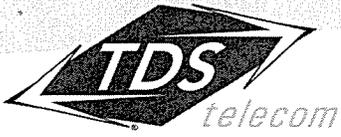
As an adjoining landowner, the New Hampshire Public Service Commission has requested that we provide you with a copy of this order regarding our company's project to place cables across the river in Antrim, NH.

If you have any questions, please contact me at 802-793-6730.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Murray". The signature is stylized and overlaps the printed name below it.

Thomas Murray
Manager State Government Affairs
TDS Telecom



May 20, 2011

Antrim Town Clerk
PO Box 517
Antrim, NH 03440

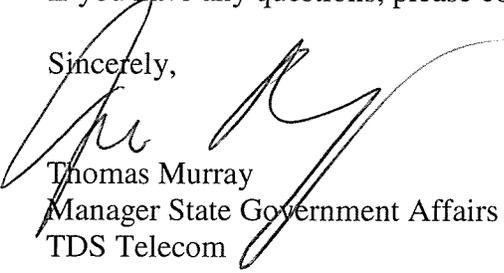
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