

THE STATE OF NEW HAMPSHIRE

BEFORE THE

PUBLIC UTILITIES COMMISSION

DOCKET NO. \_\_\_\_

**PETITION OF GRANITE STATE GAS TRANSMISSION COMPANY, INC. FOR  
LICENSE TO CONSTRUCT AND MAINTAIN INTERSTATE GAS PIPELINE ACROSS  
PUBLIC WATERS AND LANDS**

TO THE PUBLIC UTILITIES COMMISSION:

Granite State Gas Transmission Company, Inc. ("GSGT") respectfully petitions the New Hampshire Public Utilities Commission ("Commission") pursuant to RSA 371:17 for a license to construct and maintain a replacement water crossing segment of an interstate natural gas transmission pipeline that must be removed from its current location on Little Bay Bridge. In support of this Petition, GSGT states as follows:

1. GSGT is a New Hampshire corporation having its principal place of business in Portsmouth, New Hampshire. GSGT owns and operates natural gas transmission pipelines and is a "natural gas company" under the Natural Gas Act, subject to regulations and orders issued by the Federal Energy Regulatory Commission ("FERC"). GSGT owns and operates a bidirectional 87 mile long high pressure gas transmission pipeline rated at 492 psig MAOP that transports natural gas between Haverhill, Massachusetts and Portland, Maine.

2. The pipeline currently crosses Little Bay between Newington and Dover, New Hampshire by way of the Little Bay Bridge, from which approximately 1500 feet of 10-inch pipeline has been suspended since a federal certificate of public convenience and necessity was issued in 1968. *See* 40 F.P.C. 457, 1968 WL 4590 (F.P.C., September 16, 1968). The New Hampshire Department of Transportation ("NHDOT") plans to remove Little Bay Bridge in mid-

2013 as part of a roadway project (Newington-Dover Project # 11238) and has requested removal of the interstate pipeline segment currently located on the bridge. In order to meet NHDOT's construction schedule and to maintain service to the public, GSGT must begin construction of the replacement water crossing by January 2013.

3. GSGT has determined, in consultation with NHDOT and other regulatory agencies, that rearrangement of the 1500 ft. water crossing should be accomplished by way of Horizontal Direct Drill (HDD) under Little Bay. The HDD project is covered by a FERC-issued blanket certificate. *See* 21 FERC P 62238, 1982 WL 39567 (F.E.R.C.). In addition, this Commission joined with GSGT in seeking FERC approval of certain mechanisms for review of capital expenditures for this project, which approval was granted. *See* 136 FERC 61153 (August 31, 2011):

4. GSGT is in the process of acquiring necessary property interests for the project pursuant to RSA 4:40, in consultation with the Attorney General and the Office of Energy and Planning. *See* Exhibit A.

5. The HDD project would involve construction and installation of approximately 2,500 linear ft. of 10-inch coated steel pipeline approximately 30 ft. below the bed of Little Bay River. The HDD would parallel the existing route across Little Bay. The Permitting Plans attached as Exhibit B depict the proposed location, design and construction of the crossing under Little Bay and associated tie-in construction to existing pipeline on either side of Little Bay. All material and construction specifications would comply with applicable federal and state regulations, including federal and state safety regulations issued under the Natural Gas Pipeline Safety Act, this Commission's rules and other applicable authorities.

6. GSGT submits that it is necessary, in order to meet the reasonable requirements of service to the public, for the Commission to issue a license to construct and maintain a replacement segment of the interstate gas transmission pipeline under public waters and lands of the state. In order for uninterrupted interstate gas transmission service to occur upon NHDOT removal of the Little Bay Bridge in mid-2013, GSGT must commence construction of the HDD project by January 2013.

7. GSGT also submits that the Commission license may be exercised without substantially affecting public rights in affected waters and lands. Excavation activities on State land in Newington and Dover during initial construction activities will be temporary and limited in scope. The pipeline to be inserted into the HDD would be located entirely underground and well below the bed of Little Bay, thereby avoiding any impact on public rights to use and enjoyment of Little Bay and surrounding areas.

WHEREFORE, GSGT respectfully requests that the Commission:

- A. Find that the license for construction and maintenance of a replacement segment of the gas transmission pipeline under Little Bay may be exercised without substantially affecting public rights in State waters and lands;
- B. Grant GSGT a license to construct and maintain a segment of interstate gas transmission pipeline under Little Bay between Newington and Dover, New Hampshire; and
- C. Issue an order *nisi* and orders for its publication.

Dated at Concord, NH on this 9<sup>th</sup> day of April, 2012.

Respectfully submitted,

Granite State Gas Transmission Co., Inc.

By Its Attorneys,



Maureen D. Smith, NH Bar # 4857

Orr & Reno, P.A.

One Eagle Square

P.O. Box 3550

Concord, NH 03302-3550

Telephone: (603) 223-9166

Email: [msmith@orr-reno.com](mailto:msmith@orr-reno.com)

Gary Epler, NH Bar # 15271

Chief Regulatory Counsel

Unitil Service Corp

6 Liberty Lane

Hampton, NH 03842-1720

Telephone: (603) 773-6440

Email: [Epler@unitil.com](mailto:Epler@unitil.com)