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STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

EXHIBIT
#13
DG 18-092

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November 21, 2018

Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 South Fruit St., Suite 10
Concord, NH 03301

Re: Docket # DG 18-092
Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities
Petition to Cross the Ashuelot River in Keene, New Hampshire
Safety Division Review of Crossing

Dear Ms. Howland:

Enclosed for filing in the above referenced proceeding is an original and six copies of the Safety Division Review of Crossing by Paul Kasper, Assistant Director of the Safety Division.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Paul B. Dexter".

Paul B. Dexter
Staff Attorney

Cc: Service List
Enclosures

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: November 21, 2018

AT (OFFICE): NHPUC

FROM: Paul Kasper, Assistant Director of Safety Division

SUBJECT: DG 18-092 Petition of Liberty Utilities, (Energy North Natural Gas) Corp. for a License to cross the Ashuelot River in Keene, New Hampshire

TO: Debra Howland, Executive Director
Randy Knepper, Director of Safety Division
Steve Frink, Assistant Director of Gas Division
Paul Dexter, Staff Attorney

Commission Safety Division's review of the above petition consisted of the following elements:

- Petition contents, project overview and history
- Review of land ownership on each side of the river crossing.
- Review of CFR Part 192 requirements, as described in Puc 500 rules
- Review of public need and public impact, including applicability of other State regulations
- Conclusions and Conditions

Petition Contents, Project Overview and History

On May 31, 2018, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities, (Liberty) filed a petition, pursuant to RSA 371:17 and RSA 371:20, to construct and maintain a distribution gas main under and across public waters of Ashuelot River in Keene, New Hampshire. The new gas distribution main crossing will provide an additional loop with the existing main that is contained within the Winchester Street area and will improve the existing system, and allow for the City of Keene's (City) future repair and upgrade to the West Street Bridge.

In its petition, Liberty asserts that the City's future plan is to reconstruct the West Street bridge structure that crosses the Ashuelot River in Keene. In the petition, Liberty states that the construction of the new gas distribution main underneath the Ashuelot River in connection to the City of Keene's West Street Bridge future repair and upgrade project is necessary in order to provide safe natural gas service to its customers in Keene, New Hampshire, as required in RSA 371:17.

The crossing also requires a Shoreland Permit through NHDES, which is in process and will be finalized before construction. A wetlands permit is not necessary because this project will not disturb any wetlands.

Liberty serves approximately 1,200 customers in the City of Keene. Liberty believes this crossing of public waters, as described in its petition, can be exercised without substantially affecting public rights in said waters, as required in RSA 371:20.

New gas distribution main at the Winchester Street crossing location in Keene

Liberty proposes to use a Horizontal Directional Drilling (“HDD”) process to install the new main underneath Ashuelot River. Liberty’s new gas distribution main will be located slightly north of the existing Winchester Street bridge support structures and will be constructed using the following engineering methodology and specifications:

- The Horizontal Directional Drilling process is a trenchless method allowing the Company to install the new main below the river bed without impacting the river
 - The total length of the HDD will be approximately 700 feet, with approximately 150 feet being directly below the river
 - The new gas main will consist of 8-inch nominal diameter High Density Polyethylene SDR-11 carrier pipe.
 - By using this pipe Liberty will be able to maintain the carrier pipe without disruption to the river
 - The carrier pipe will never be closer than 12 feet below the river bed throughout the proposed profile, which is 5 to 6 feet below existing grade.

Land Ownership

Liberty provided sufficient documentation to demonstrate that the gas distribution pipeline is to be located under the bed of the Ashuelot River as well as along the eastern and western shore of the Ashuelot River. During construction, the HDD process will utilize temporary entry and exit pits east and west of the Winchester Street Bridge on each side of the Ashuelot River. The temporary entry and exit pits used during the HDD construction of the proposed crossing will be located within the municipal right-of-way of the City of Keene. See Staff Attachment A.

Review of safety requirements as described in Puc 500

N.H. Code Admin. Rules Puc 506.01, Pipeline Safety Standards, provides that:

(a) All utilities shall comply with those pipeline safety regulations established by the United States Department of Transportation which are set forth in 49 C.F.R. Parts 191, 192, 193, 198 and 199, including future amendments thereto.

(b) Where Puc 500 or Puc 800 establishes more stringent requirements than those pipeline safety regulations adopted pursuant to (a) above, the more stringent requirement set forth in Puc 500 or Puc 800 shall apply.

Liberty's petition does not explicitly state that the administrative rules of Puc 500 will be met, but does provide engineering details that show overall compliance with CFR Part 192, which is referenced in Puc 506.01.

The Safety Division review of the petition and attachments submitted to date found the proposed crossings to be in conformance with the applicable requirements of Puc 500 and CFR Part 192.

Public Need and Public Impact

The Safety Division believes any impact to the public from this river crossing will be negligible, as a result of the directional bore and the prescribed depth below the river bottom. Liberty has stated that this replacement main is needed primarily to add increased reliability to the western portion (west of the Ashuelot River in Keene) of its existing gas distribution system. The second benefit is that the capacity of the existing system is increased although it is by a small amount. The Safety Division notes that without the proposed new gas distribution main, Liberty has fewer options available for existing Keene customers when an interruption occurs affecting the west side, whether it is for maintenance or it is unplanned. Staff notes that it is typical for gas distribution systems that traverse major rivers to have more than one feed. This occurs in Nashua, Manchester and Concord.

Safety Division Staff Review Conclusions and Conditions

The Safety Division approval of Liberty's petition under RSA 371:17 and RSA 371:20 with the following conditions:

- a. Approval shall be limited to Liberty's natural gas pipeline under consideration in this docket.
- b. Liberty shall construct, operate, and maintain the piping consistent with both Puc 506.02, 49 CFR Part 192 requirements, and the North American Society for Trenchless Technology's (NASTT's) Horizontal Directional Drilling Good Practices Guidelines (4th edition).
- c. Liberty shall be directed to operate and maintain the crossing in conformance with the latest 49 CFR Part 192 amendments. Any and all future alterations to the crossing that may impact the public shall conform to the most current CFR Part 192 amendments in effect at the time of submittal of the alteration.
- d. Liberty shall use above ground pipeline markers for identification of the pipeline with appropriate warning and company contact information on each bank of the Ashuelot River crossing. A method for detecting the pipeline for future locating purposes shall be installed such as using tracer wire or other suitable methods.
- e. Continuous monitoring for possible hydro fracture situations shall be provided during the HDD operation.
- f. Containment measures shall be implemented immediately during a hydro fracture situation that at a minimum include notifications to be made in the event a hydro fracture occurs to the NH PUC Safety Division and NH DES; and clean up procedures to be

implemented in the event a hydro fracture occurs shall be onsite prior to the beginning of the HDD operation.

If these conditions are met, the Safety Division is of the opinion that the proposed natural gas pipeline crossing will meet all current safety standards (Puc 506.02 and 49 CFR Part 192).

The Safety Division believes the construction of the new gas distribution main under the Ashuelot River, as proposed, may be exercised without substantially affecting the public rights in said waters and lands (RSA 371:20).

The Safety Division is also of the opinion that the proposed natural gas pipeline crossing is necessary to meet the reasonable requirements of service to the public (RSA 371:17).

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 18-092-1 Printed: November 21, 2018

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**

DEBRA A HOWLAND
EXECUTIVE DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429

- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) Serve a written copy on each person on the service list not able to receive electronic mail.**