

DE 00-169

NEW HAMPSHIRE ELECTRIC COOPERATIVE, INC.

**Petition for License to Install and Maintain Submarine Power
Cables Under the Public Waters of Lake Waukewan in
Meredith and New Hampton, New Hampshire**

**Order NISI Granting License to Install and Maintain Power
Cable**

O R D E R N O. 23,565

October 2, 2000

On August 14, 2000, the Petitioner, New Hampshire Electric Cooperative, Inc. (NHEC), filed with the New Hampshire Public Utilities Commission (Commission) a petition, pursuant to RSA 371:17, to install and maintain a submarine electric supply cable under the public waters of Lake Waukewan in the Towns of Meredith and New Hampton, New Hampshire. The cable will supply electric power to Chapman Island as requested by Harold and Ute Stalford of Meredith and Scott Chekoulias of New Hampton.

Electric service will consist of a 7,200 volt radial supply circuit originating from existing pole #12201/40, located on property of the Lake Waukewan Association, New Hampton, New Hampshire; running through a 40 foot long trench within the banks and lake bottom; through pad mount transformer #12201.6/1 located on the Stalford property on Chapman Island; through a 20 foot long trench within the banks

and lake bottom; and terminating at pad mount transformer #12201.6/2 located on the Chekoulias property on Chapman Island.

In order to provide this service, NHEC must maintain this submarine cable through public waters, which are defined by RSA 371:17 as "all ponds of more than ten acres, tidewater bodies, and such streams or portions thereof as the Commission may prescribe." The Commission finds that Lake Waukegan, a lake of approximately 900 acres, falls within the definition of "public waters." NHEC's crossing of a portion of Lake Waukegan therefore involves crossing public waters.

NHEC has obtained and filed with the Commission copies of all applicable permits, licenses, easements, and right-of-ways including Permit No. 1999-00196, issued by the Wetlands Bureau, Department of Environmental Services. NHEC has attested, and Staff agrees, that the construction of the crossing must meet or exceed the requirements of the latest edition of the National Electric Safety Code, as well as all other applicable safety standards.

The Commission finds such a crossing necessary for NHEC to meet its obligation to provide electric service within its authorized franchise area. Accordingly, we find that the crossing is in the public good. Therefore, we will 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 NHEC is authorized, pursuant to RSA 371:17, et seq., to install, maintain, and operate a submarine electric supply cable beneath Lake Waukegan, as well as all associated plant depicted on NHEC staking sheets for Work Order No. 528739 and other documentation 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 Electric Safety Code and all other applicable safety standards in existence at that time; and it is

FURTHER ORDERED, that the Petitioner 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, and shall send a copy of same to the Town Clerks of Meredith and New Hampton, by first class mail, such actions to be no later than October 9, 2000 and to be documented by affidavit filed with this office on or before October 19, 2000; and it is

FURTHER ORDERED, that all persons interested in responding to this petition be notified that they may submit their comments or file a written request for a hearing on this matter before the Commission no later than October 19, 2000; 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 24, 2000; and it is

FURTHER ORDERED, that this Order Nisi shall be effective November 1, 2000, unless 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 second day of October, 2000.

Douglas L. Patch
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Thomas B. Getz
Executive Director and Secretary