

DE 02-102

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

Petition for License to Construct and Maintain Electric Lines
Over and Across the Public Waters of the Souhegan River in the
Towns of Amherst and Milford, New Hampshire

Order Nisi Granting License to Construct and Maintain Electric
Lines Over and Across Public Waters

O R D E R N O. 24,044

August 23, 2002

On May 22, 2002, Public Service Company of New Hampshire (PSNH or Petitioner) filed a petition under RSA 371:17 with the New Hampshire Public Utilities Commission (Commission) for a license to construct and maintain an aerial electric line and a neutral line over and across the Souhegan River in the Towns of Amherst and Milford, New Hampshire. This is a rebuild of an existing electric 34.5 kilovolt (kV) distribution line that serves the Milford Substation. The existing distribution line, the 378 distribution circuit, which was constructed in 1946, was never licensed, apparently due to oversight and inadvertence. The reconstruction is necessary due to load growth and distribution system switching requirements.

This 34.5 kV distribution line serves the Milford Substation from the South Milford Substation. The Milford Substation serves load primarily in the Milford/Amherst area with four distribution circuits. The Milford Substation also provides backup capabilities to other circuits in the Milford and Bedford

areas.

In support of its petition, PSNH submitted the location and a plan and profile drawing of the crossing. There will be one reconstructed crossing of the Souhegan River for this 34.5 kV distribution line, circuit 378. The reconstruction of the line will include replacing certain old (1946 vintage) poles and replacing the existing 4/0 ACSR 6/1 primary conductors with new 477 ACSR 18/1 conductors. The existing 266 ACSR 6/7 neutral conductor will be maintained. The present location of the crossing over the Souhegan River will not change, but will be rebuilt as part of the 378 line reconstruction. The rated voltage of the line (34.5 kV) will not change. Structure #7, on the North side of the crossing, is an existing 40 foot, class 3, 1946 vintage tangent structure that will be replaced with a new 45 foot, class 3, DX (double-arm tangent structure). Structure #8, on the South side of the crossing, is an existing 45 foot, class 2 tangent structure that will not need to be replaced. The span between the two structures is 342 feet. The minimum wire clearance over the river will be 24.5 feet with the river at the 100 year flood stage. PSNH stated that it owns permanent easements for the 378 line along the Souhegan River on each side of the crossing.

According to PSNH, all construction will be in upland areas and the installation methods to be used in the reconstruction of the 378 distribution line will avoid impacts to any wetlands in the areas of the crossing, and therefore no wetlands permits are required. PSNH has stated and Staff agrees, 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 aerial line crossing.

PSNH has attested, and Staff agrees, that the construction of the aerial electric lines will meet or exceed the requirements of the National Electrical Safety Code (NESC).

RSA 371:17 provides in 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 line of poles or towers and wires and fixtures thereon over 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 ten acres, tidewater bodies, and such streams or portions thereof as the Commission may prescribe." Based on the information presented, the Commission prescribes the part of the Souhegan River under the proposed aerial electric lines as being "public waters" under RSA 371:17.

Based on the information presented by PSNH and Staff's review, the Commission finds such crossing necessary for PSNH to meet the requirements of reliable service to the public within PSNH's authorized franchise area and the requested license may be exercised without substantially affecting the public rights in the waters of the Souhegan River. Therefore, we find that the crossing is in the public good. 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 subject to the effective date below, PSNH is authorized, pursuant to RSA 371:17 et seq., to construct, maintain and operate the aerial electric lines over and across the Souhegan River in Amherst and Milford, New Hampshire depicted on plans and drawings submitted May 22, 2002 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 NESC and all other applicable safety standards in existence at that time; and it is

FURTHER ORDERED, that the Petitioner shall provide a copy of this order to the (i) Town Clerks of Amherst and Milford,

(ii) New Hampshire Attorney General and the owners of the land bordering on said public waters at the location of the river 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 September 3, 2002, and to be documented by affidavit filed with this office on or before September 17, 2002; 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; such publication to be no later than September 3, 2002 and to be documented by affidavit filed with this office on or before September 17, 2002; 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 September 10, 2002; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than September 16, 2002; and it is

FURTHER ORDERED, that this Order Nisi shall be effective 30 days after the date of this Order, unless the Petitioner fails to satisfy the publication obligation set forth above or the Commission schedules a hearing or provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New Hampshire this twenty-third day of August, 2002.

Thomas B. Getz
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Claire D. DiCicco
Assistant Secretary