

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DT 12-089

KEARSARGE TELEPHONE COMPANY D/B/A TDS TELECOM

**Petition for Authorization to Construct and Maintain Telecommunications Lines
Over and Across the Merrimack River in the Town of Boscawen**

NOTICE OF ORDER NO. 25,421

October 8, 2012

SUMMARY OF ORDER

On April 9, 2012, TDS Telecom (TDS) filed a petition pursuant to RSA 371:17 requesting a license to construct and maintain fiber optic cables over and across public waters of the Merrimack River in the Town of Boscawen. According to the petition, the proposed crossing will be placed between existing utility poles.

The location of the crossing is as follows:

- The Merrimack River in Boscawen, between utility pole CE21 NET 27/18 on the western side of the river near Commercial Street and utility pole CE1 NET 27/19 on the eastern side of the river near Hannah Dustin Drive.

The petition, subsequent docket filings, and a copy of the entire Order are posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2012/12-089.html>.

Staff reviewed the petition and conducted discussions with TDS, then subsequently filed a memorandum finding the proposed construction and sagging design to be in conformance with the applicable sections of the National Electrical Safety Code. Staff recommended approval of TDS's petition, subject to certain conditions related to ensuring the safe operation and maintenance of the proposed crossings, and the resubmission of the petition with corrected pole information.

Based on the information presented in TDS's petition and Staff's memorandum, the Commission finds the proposed crossings necessary for TDS to meet the reasonable requirements of reliable service to the public within TDS's authorized service territory, and that the requested license may be exercised without substantially affecting the public rights in the affected public waters. The petition is therefore approved on a *nisi* basis, subject to the conditions recommended by Staff and contained in the full Order at the link referenced above.

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 October 25, 2012 for the Commission's consideration; and any party interested in responding to such comments or request for hearing shall do so no later than November 1, 2012. This Order *Nisi* shall be effective November 7, 2012, unless the Petitioner fails to satisfy the publication obligation set forth in the full order or the Commission provides otherwise in a supplemental order issued prior to the effective date.