

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DT 12-111

NEW HAMPSHIRE OPTICAL SYSTEMS, INC.

**Request to Construct and Maintain Fiber Optic Cable
Over and Across Public Water Bodies (Warner River, Warner, and
Contoocook River, Hopkinton)**

Order *Nisi* Granting License

NOTICE OF ORDER NO. 25,428

October 23, 2012

SUMMARY OF ORDER

On April 27, 2012, New Hampshire Optical Systems, Inc. (NHOS) filed a petition pursuant to RSA 371:17 requesting a license to construct and maintain fiber optic cables over and across the public waters of the Warner River in Warner, New Hampshire, and the Contoocook River in Hopkinton, New Hampshire. According to the petition, all of the proposed crossings will be placed between existing utility poles in existing public rights-of-way.

The water crossings are located as follows:

- Warner: Across the Warner River, adjacent to Route 127 near Dustin Road, between utility poles E 6/11X, T-8/68 and E-not tagged, T-8/67.
- Hopkinton: Across the Contoocook River crossing Main Street near Park Avenue, between utility poles E-6H/90, T-1/5 and E-6H/91, T-8/.5.

The petition and 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/2012/12-111.html>

Staff reviewed the petition and filed a memorandum finding the proposed construction and designs to be in conformance with applicable sections of the National Electrical Safety Code. Staff recommended approval of NHOS's petition, subject to certain conditions related to ensuring the safe operation and maintenance of the proposed crossings.

Based on the information presented in NHOS's petition and Staff's memorandum, the Commission finds the proposed crossings necessary for NHOS to meet the reasonable requirements of reliable service to the public, 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 contained in the full Order at the link referenced above.

All persons interested in responding to the Order *Nisi* may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than November 9, 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 16, 2012. The Order *Nisi* shall be effective November 22, 2012, unless the Petitioner fails to satisfy the publication obligation set forth in the Order or the Commission provides otherwise in a supplemental order issued prior to the effective date.