

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DT 12-351

segTEL, INC.

**Petition for a License to Construct and Maintain a Fiber Optic Cable
Over and Across the Contoocook River in Penacook**

NOTICE OF ORDER NO. 25,443

December 21, 2012

SUMMARY OF ORDER

On October 17, 2012, segTEL, Inc. (segTEL) filed a petition pursuant to RSA 371:17 requesting a license to construct and maintain fiber optic cable over and across public waters of the Contoocook River in Penacook, New Hampshire. According to the petition, the proposed crossing will be placed between existing utility poles in existing public rights-of-way.

The cable will cross the Contoocook River alongside the Village Street Bridge between utility pole number UES 736/1 on the north side of the Contoocook River and pole number UES 554/1 CE 6 NET on the south side of the river.

The petition, subsequent docket filings, and a copy of the full Order are posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2011/11-136.html>.

Staff reviewed the petition, conducted discussions with segTEL, and subsequently filed a memorandum finding the proposed construction and sagging design to be in conformance with the applicable sections of the NESC. Staff recommended approval of segTEL's petition, subject to certain conditions related to ensuring the safe operation and maintenance of the proposed crossings.

Based on the information presented in segTEL's petition and Staff's memorandum, the Commission finds the proposed crossing necessary for segTEL to meet the reasonable requirements of reliable service to the public within segTEL's authorized service territory, and that the requested license may be exercised without substantially affecting 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 Order at the link referenced above.

All persons interested in responding to this Order *Nisi* may submit comments or file a written request for a hearing which states the reason and basis for a hearing no later than January 15, 2013 for the Commission's consideration; and any party interested in responding to such comments or request for hearing shall do so no later than January 18, 2013. The Order *Nisi* shall be effective January 22, 2013, 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.