

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DT 12-020

NEW HAMPSHIRE OPTICAL SYSTEMS, INC.

**Petition for a License to Construct and Maintain Fiber Optic Cables
Over and Across Public Water Bodies in Bartlett, Conway and Gorham**

NOTICE OF ORDER NO. 25,450

January 4, 2013

SUMMARY OF ORDER

On January 17, 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 public waters in Bartlett, Conway and Gorham, New Hampshire. According to the petition, the proposed crossings will be placed between existing utility poles in existing public rights-of-way.

The cables will cross the public water bodies indicated below at the following locations:

- Gorham: The Peabody River crossing parallels the westerly side of White Mountain Road (Route 16), between utility poles E30/48 – T17/48 and E30/47 – T17/47 (reference TID 157).
- Bartlett: The Ellis River crossing parallels the easterly side of White Mountain Highway (Route 16), between utility poles E8/466 – T3/41 and E8/465 – T3/42 (reference TID 162).
- Bartlett: The East Branch Saco River crossing parallels the easterly side of White Mountain Highway (Route 16), between utility poles E520/157 – T2/136 and E520/156 – T2/135 (reference TID 163).
- Conway: The Saco River crossing which runs between the dead end at the southeast-most section of Meeting House Hill Road and dead end at the northwest-most section Heath Road, between utility poles E333/486 – T not tagged and E333/485 – T not tagged (reference TID 166).

- Conway: The Saco River crossing parallels the northerly side of East Side Road, between utility poles E31/2 – T6/2 and E31/3 – T6/3 (reference TID 168).

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/2012/12-020.html>.

Staff reviewed the petition, obtained supplemental information from NHOS, and subsequently filed a memorandum finding the proposed construction and sagging designs to be in conformance with the applicable sections of the National Electrical Safety Code (NESC). 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 within NHOS'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, stating the reason and basis for a hearing, no later than January 21, 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 28, 2013. The Order *Nisi* shall be effective February 1, 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.