

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DT 12-215

SOVERNET FIBER CORP.

**Petition for Authority to Construct and Maintain Fiber Optic Communications Cable
Over and Across Two Different New Hampshire Public Waters**

Summary of Order *Nisi* Granting License

NOTICE OF ORDER NO. 25,548

July 18, 2013

SUMMARY OF ORDER

On July 17, 2012, Sovernet Fiber Corp. d/b/a Vermont FiberConnect (Sovernet) filed a petition pursuant to RSA 371:17 requesting a license to construct and maintain fiber optic communications cables over and across the public waters of the Mascoma River and the Connecticut River in the City of Lebanon, New Hampshire. According to the petition, the proposed crossings will be placed between existing utility poles in existing public rights-of-way.

The proposed crossings are located as follows:

- the Mascoma River along Route 4 opposite Glen Road;
- the Mascoma River across Buckingham Place at Route 4;
- the Mascoma River along Route 4 easterly of High Street; and
- the Connecticut River along Bridge Street.

The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2012/12-215.html>.

Staff reviewed the petition and subsequently filed a memorandum stating that the proposed construction and designs conform to applicable sections of the National Electrical Safety Code (NESC). Staff recommended approval of Sovernet's petition, subject to certain

conditions related to ensuring the safe construction, installation, operation and maintenance of the proposed crossings.

Based on the information presented in Sovernet's petition and Staff's memorandum, the Commission finds the proposed crossings necessary for Sovernet to meet the reasonable requirements of reliable service to the public pursuant to RSA 371:17 and that the requested license may be exercised without substantially affecting the public rights in the affected public waters, as required for approval under RSA 371:20. The petition is therefore approved on a *nisi* basis, subject to the conditions recommended by Staff.

Sovernet is authorized by order *nisi* to construct, install, operate and maintain fiber optic and other lines over and across the public waters described in its petition and depicted in its filings. 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 August 2, 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 August 9, 2013. This Order *Nisi* shall be effective August 16, 2013, unless the Commission orders otherwise.