

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DG 13-226

ENERGYNORTH NATURAL GAS, INC. d/b/a LIBERTY UTILITIES

**Petition for a License to Construct and Maintain a
Natural Gas Pipeline Beneath the Soucook River**

Summary of Order *Nisi* Granting License

NOTICE OF ORDER NO. 25,572

September 19, 2013

On July 29, 2013, EnergyNorth Natural Gas, Inc., d/b/a Liberty Utilities (Liberty), filed a petition pursuant to RSA 371:17 requesting a license to construct and maintain a natural gas pipeline beneath the Soucook River in order to provide service to an asphalt plant in Pembroke that is owned and operated by Continental Paving, Inc. (Continental). 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/2013/13-226.html>.

Staff reviewed the petition and filed a memorandum stating that Continental obtained necessary approvals from the New Hampshire Department of Environmental Services (NHDES), that Continental has the necessary easements for the project, and confirmed that the proposed pipeline meets applicable construction and safety standards. Staff recommended approval of Liberty's petition subject to conditions that approval is limited to the natural gas pipeline under consideration in this docket, and that the pipeline is constructed, operated, maintained and - if applicable - altered, consistent with Puc 506.02 and 49 CFR Part 192, as amended.

Based on the information presented in Liberty's petition and Staff's memorandum, the Commission has found that the proposed crossing is necessary for Liberty 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 waters, as required for approval under RSA 371:20. The petition has been approved on a *nisi* basis, subject to public notice of the order and an opportunity for public comment or hearing, to be effective as of a specified later date unless otherwise ordered by the Commission.

Liberty is authorized by the Order *Nisi* to construct, maintain and operate a natural gas pipeline beneath the Soucook River as 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 October 4, 2013 for the Commission's consideration; and any party interested in responding to such comments or request for a hearing shall do so no later than October 11, 2013. The Order *Nisi* shall be effective October 18, 2013, unless the Commission orders otherwise.