

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 13-303

**NEW HAMPSHIRE ELECTRIC COOPERATIVE, INC. AND PUBLIC SERVICE
COMPANY OF NEW HAMPSHIRE**

Joint Petition to Alter Franchise Areas in Sunapee, New Hampshire

Order *Nisi* Approving Franchise Boundary Changes

ORDER NO. 25,617

January 6, 2014

On October 18, 2013, New Hampshire Electric Cooperative, Inc. (NHEC) and Public Service Company of New Hampshire (PSNH) filed a joint petition to alter their franchises areas in Sunapee, New Hampshire. The joint petitioners propose to modify their franchise areas to accommodate the request of Ms. Debbie Samalis to have NHEC provide electric service to her newly constructed home located on West Court Road in Sunapee (Site). The joint petition was filed pursuant to RSA 374:22 and RSA 374:26, although it notes that RSA 374:22 does not apply to NHEC pursuant to RSA 362:2. With the joint petition, NHEC and PSNH filed the Sunapee portion of NHEC's current franchise map, showing the location of the Samalis home (Exhibit A) and a satellite photograph of the relevant area with the approximate location of the existing franchise lines, the Site location and NHEC's express line (Exhibit B).

The joint petition, including the Exhibits, and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, is posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2013/13-303.html>.

The joint petition states that NHEC and PSNH each provide electric service to portions of Sunapee. NHEC's service territory within Sunapee consists of two non-contiguous areas that are separated by a narrow portion of PSNH's service territory. According to the petition, the Site is located in what would otherwise be PSNH's service territory in a rural, heavily-wooded and topographically challenging area. Although PSNH serves customers on West Court Road and other nearby streets and maintains higher voltage transmission lines in the vicinity, PSNH's facilities are located far from the Site and an extension would be complicated by the challenges of the local topography and PSNH's need to obtain specific easements associated with the extension.

The joint petition attests that although NHEC does not serve members in the immediate vicinity of the Site, there is a NHEC express line which connects the northern and southern segments of NHEC's Sunapee service territory and passes near the Site. It operates at distribution voltage. The joint petitioners state that the NHEC express line is substantially closer to the Site than any existing PSNH distribution facilities and the extension of NHEC's line to the Site is not complicated by the same topographical and easement challenges that are presented by the PSNH route. Consequently, the extension of electric service to the Site from NHEC's facilities is substantially less expensive than if such service were provided from PSNH's distribution facilities.

The joint petition states that while future development near the Site is uncertain, in light of the specific circumstances in this instance, NHEC and PSNH agree to adjust their respective franchise areas in Sunapee in order to place the Site within NHEC's franchise area and that Ms. Samalis agrees with this arrangement. The joint petitioners concluded by asserting that when all

parties agree, the Commission may grant the requested relief without a hearing pursuant to RSA 374:26.

Staff filed its recommendation on January 2, 2014. Staff stated that it had reviewed the petition and recommended that the Commission approve the alteration to NHEC's franchise territory to allow it to provide service to Ms. Samalis's home.

We have reviewed the joint petition of NHEC and PSNH and Staff's recommendation. Pursuant to RSA 374:22 and RSA 374:26, and based on our review, we find that it is in the public interest to approve the change to PSNH's and NHEC's franchise areas to allow Ms. Samalis's residence to receive electric service from NHEC. We approve the change on a *nisi* basis in order to provide any interested party the opportunity to submit comments or request a hearing. We also direct NHEC and PSNH to file updated franchise maps noting this approved change.

Based upon the foregoing, it is hereby

ORDERED *NISI*, that subject to the effective date below, the joint petition of NHEC and PSNH to adjust their franchise territories in Sunapee, New Hampshire is hereby GRANTED; and it is

FURTHER ORDERED, that NHEC shall cause a summary of this Order *Nisi* to be published once in a statewide newspaper of general circulation or of circulation in those portions of the state where operations are conducted, such publication to be no later than January 16, 2014 and to be documented by affidavit filed with this office on or before February 6, 2014; and it is

FURTHER ORDERED, that all persons interested in responding to this Order *Nisi* be notified that they may submit their comments or file a written request for a hearing which states

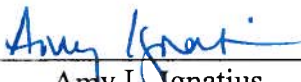
FURTHER ORDERED, that all persons interested in responding to this Order *Nisi* be notified that they may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than January 23, 2014 for the Commission's consideration; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than January 30, 2014; and it is

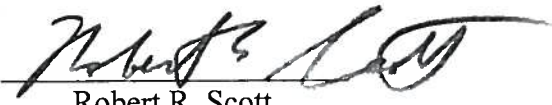
FURTHER ORDERED, that this Order *Nisi* shall be effective February 6, 2014, unless NHEC fails to satisfy the publication obligation set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date; and it is

FURTHER ORDERED, that NHEC and PSNH shall file updated franchise maps within 30 days of the effective date of this order *nisi*.

By order of the Public Utilities Commission of New Hampshire this sixth day of January, 2014.




Amy L. Ignatius
Chairman



Robert R. Scott
Commissioner

Attested by:



Debra A. Howland
Executive Director