

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DG 14-241

NORTHERN UTILITIES, INC.

Petition for License to Cross the Cocheco River

Order *Nisi* Affirming Approval of License

ORDER NO. 25,839

November 13, 2015

In this Order *nisi*, the Commission affirms its approval of the request of Northern Utilities, Inc. (Northern), for a license to construct and maintain a natural gas distribution pipeline over the public waters of the Cocheco River in Dover, New Hampshire. This Order *nisi* is necessary due to the prior order *nisi* not taking effect because Northern failed to satisfy the required notice publication. This Order is being issued on a *nisi* basis to ensure that all interested persons receive notice of the Commission's determination and have the opportunity to request a hearing prior to the order taking effect.

On January 22, 2015, the Commission issued Order *nisi* 25,759, approving Northern's request to construct and maintain a single natural gas pipeline over and across the Cocheco River in Dover, New Hampshire. The Commission set the effective date of February 20, 2015, with conditions precedent. As relevant here, one condition required Northern to publish a summary of the order *nisi* "once in a statewide newspaper of general circulation or of circulation in those portions of the state where operations are conducted" on or before February 2, 2015. Northern was required to document such notice by affidavit filed with the Commission on or before February 17, 2015.

On September 29, 2015, Northern notified the Commission that, due to administrative oversight, Northern did not comply with the notice provisions of the order. According to Northern, it belatedly caused the publication of the notice in the Union Leader on July 23, 2015. The Company acknowledged that the publication did not meet the requirements of the Order *nisi*. The pipeline was completed during October 2014.

As a result of Northern's failure to timely comply with notice provisions, Order *nisi* 25,759, by its terms, did not take effect. In this order, the Commission affirms and incorporates Order *nisi* No. 25,759, by reference. Order No. 25,759, and all filings in this docket, 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/2014/14-241.html>.

Based upon the foregoing, it is hereby

ORDERED NISI, that the Commission affirms Order *nisi* 25,759 granting a license to Northern Utilities to construct and maintain a natural gas distribution pipeline across the Coheco River in Dover, NH, subject to the effective date and notice provisions below; and it is

FURTHER ORDERED, that Northern 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 November 23, 2015, and to be documented by affidavit filed with this office on or before December 9, 2015; 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

the reason for a hearing no later than November 30, 2015, for the Commission's consideration; and it is


FURTHER ORDERED, that any party interested in responding to such comments or request for a hearing shall do so no later than December 7, 2015; and it is

FURTHER ORDERED, that this Order *nisi* shall be effective December 14, 2015, unless the Petitioner fails to satisfy the publication obligation set forth above, or the Commission provides otherwise in a supplemental order issued prior to the effective date.

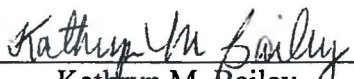
By order of the Public Utilities Commission of New Hampshire this thirteenth day of November, 2015.



Martin P. Honigberg
Chairman



Robert R. Scott
Commissioner



Kathryn M. Bailey
Commissioner

Attested by:



Debra A. Howland
Executive Director