

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 12-137

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

Joint Petition for Adjustment to Service Territory Boundaries in Conway, New Hampshire

Order *Nisi* Granting Joint Petition

ORDER NO. 25,392

July 17, 2012

On May 22, 2012, the New Hampshire Electric Cooperative, Inc. (NHEC) and Public Service Company of New Hampshire (PSNH) (collectively, the Joint Petitioners) filed a petition requesting an adjustment to their respective franchise area boundaries in the Town of Conway, New Hampshire. The petition included a description of the proposed boundary alternations and a map of the adjoining service territories including the proposed revisions. The petition 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/2012/12-137.html>.

According to the joint petition, under existing franchise boundaries, PSNH serves most of Conway while NHEC serves the North Conway area, including Cranmore Mountain Resort, a ski area located in North Conway. The Joint Petitioners stated that the Cranmore Mountain Resort and NHEC would like to extend electric service equipment, to be owned by NHEC, to the summit of the mountain along the Cranmore Mountain Resort service road to provide electric service to one or more communication towers located or to be located at the summit of Cranmore

Mountain. According to the Joint Petitioners, although the summit of Cranmore Mountain is currently located in PSNH's service territory, PSNH has no existing facilities that would allow it to serve the summit of the mountain.

As stated in the petition, the Joint Petitioners proposed to adjust the franchise border to include the summit of Cranmore Mountain in the NHEC franchise territory, consistent with the following description:

The eastern border of the PSNH/NHEC franchise territories in North Conway runs roughly in a north-south direction and crosses Cranmore Mountain approximately halfway up the main chairlift line. PSNH and NHEC would adjust the franchise border as follows:

Approximately one mile south of the junction of the eastern franchise border with the Bartlett town line, the franchise border would turn roughly ninety degrees (90°) to the east and run for three eighths ($3/8$) of a mile. The border would then turn roughly ninety degrees (90°) to the south, running parallel to the existing franchise border, for five eighths ($5/8$) of a mile. The border would then turn roughly ninety degrees (90°) to the west for three eighths ($3/8$) of a mile until it joins the existing franchise border.

The Joint Petitioners represented that the Cranmore Mountain Resort, the customer affected by the franchise boundary adjustment, is in agreement with the proposed arrangements.

On June 8, 2012, Staff filed a memorandum with the Commission recommending that the Commission approve the joint petition based on its review of the petition and the accompanying information. Staff said that because PSNH has no electric facilities in close proximity to Cranmore Mountain, extension of service by PSNH would appear to be cost prohibitive. Further, because Cranmore Mountain Resort is currently a NHEC customer, Staff concluded that it is more logical for the Resort to be served by a single electric distribution utility, particularly given the circumstances described in the joint petition. Staff said that, in accordance with RSA 374:26, the Commission may grant permission for a utility to engage in business in a particular

area without hearing when all interested parties are in agreement, and recommended that the Commission approve the adjustment to the service territories of NHEC and PSNH via order *nisi*.

Pursuant to RSA 374:22 and RSA 374:26 and based on the information contained in the filing, Staff's recommendation, and the concurrence of the customer, Cranmore Mountain Resort, we approve the petition as in the public good on a *nisi* basis in order to provide any interested party the opportunity to submit comments or to request a hearing.

Based upon the foregoing, it is hereby

ORDERED *NISI*, that subject to the effective date below, the joint petition of Public Service Company of New Hampshire and the New Hampshire Electric Cooperative, Inc. to adjust their franchise territories in the Town of North Conway as described in the petition is hereby GRANTED: and it is

FURTHER ORDERED, that the Joint Petitioners shall cause a copy 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 July 27, 2012 and to be documented by affidavit filed with this office on or before August 17, 2012; 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 and basis for a hearing no later than August 3, 2012 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 August 10, 2012; and it is

FURTHER ORDERED, that this Order *Nisi* shall be effective August 17, 2012, 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; and it is

FURTHER ORDERED, that the Petitioner shall file a compliance tariff with the Commission on or before August 31, 2012, in accordance with N.H. Code Admin. Rules Puc 1603.02(b).

By order of the Public Utilities Commission of New Hampshire this seventeenth day of July, 2012.



Amy L. Ignatius
Chairman

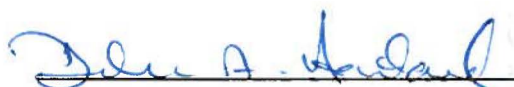


Michael D. Harrington
Commissioner



Robert R. Scott
Commissioner

Attested by:



Debra A. Howland
Executive Director

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

Executive.Director@puc.nh.gov
amanda.noonan@puc.nh.gov
Christina.Martin@oca.nh.gov
gerald.eaton@nu.com
rdunn@devinemillimet.com
Rorie.E.P.Hollenberg@oca.nh.gov
sarah.knowlton@libertyutilities.com
steve.mullen@puc.nh.gov
suzanne.amidon@puc.nh.gov
tom.frantz@puc.nh.gov