



**Public Service
of New Hampshire**

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www.psnh.com

The Northeast Utilities System

August 1, 2008

Debra A. Howland
Executive Director and Secretary
State of New Hampshire
Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429



Re: **DE 08-083**
**Petition for License to Construct and Maintain Electric
Lines Over and Across the Public Waters of the Ashuelot
River in Swanzey**

Dear Ms. Howland:

As directed by the Commission's Order *Nisi* dated July 23, 2008, Public Service Company of New Hampshire has caused to be published a legal notice relative to the above-captioned docket. The legal notice appeared in The Union Leader on July 26, 2008.

As also directed by the Commission Order *Nisi*, on July 25, 2008, PSNH mailed a copy of the Order *Nisi* by first class U.S. mail to the Town of Swanzey, the Office of the Attorney General, the Office of the Secretary US Department of Commerce and the New Hampshire Department of Transportation. Please note that the Town of Swanzey is also the owner of the public street right-of-way where this crossing is located.

Enclosed is the required affidavit of publication with a copy of the legal notice attached. Also enclosed is the affidavit for the mailing to the Town of Swanzey, the Office of the Attorney General, the Office of the Secretary US Department of Commerce and the New Hampshire Department of Transportation.

Very truly yours,

Christopher J. Allwarden
Senior Counsel

CJA/acm
Enclosure

AFFIDAVIT

I hereby certify that the foregoing Order Nisi No. 24,874 was sent by first class U.S. Mail, to the Town Clerks Office of Swanzey, the New Hampshire Attorney General, NH Department of Transportation and the Office of Secretary, U. S. Department of Commerce and the following owners of land bordering said public waters:

..... Town of Swanzey (public street right-of-way)

(Signed) 

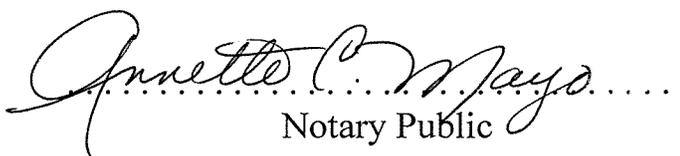
State of New Hampshire,

Hillsborough, SS

(Dated) August 1, 2008

Subscribed and sworn to by the said Christopher J. Allwarden.

Before me,



Notary Public

My Commission Expires August 31, 2010

Legal Notice

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION
DE 08-083**

**PUBLIC SERVICE COMPANY OF
NEW HAMPSHIRE**

**Petition for License to Construct and
Maintain Electric Lines Over and Across
the Public Waters of the Ashuelot River
in Swanzy**

**Order Nisi Granting License
ORDER NO. 24,874
July 23, 2008**

On June 6, 2008, Public Service Company of New Hampshire (PSNH) filed a petition pursuant to RSA 371:17 for a license to construct and maintain electric lines across the Ashuelot River in Swanzy. PSNH plans to replace the existing river crossing to meet growth in demand and to increase reliability in the Swanzy area. According to PSNH, if the river crossing for the existing 12.47 kilovolt (kV) distribution line, designated as the 4W2 circuit, is not replaced, reliable electric service could not be maintained in the Swanzy area if another contingency were to occur. On July 15, 2008, Staff filed a memorandum with the Commission recommending that the Commission grant the license.

PSNH stated that the new river crossing will be constructed in the current position of the existing line, just west of the Thompson Covered Bridge (Main and California Streets) using the existing structure on the northern side of the river and relocating the southern structure 17 feet further from the river. According to the petition, the new river crossing will be built within the public street right-of-way. PSNH indicates that the Town of Swanzy has issued pole licenses for both the existing structure (#944582, memo #255-88) and the new structure (#31-0739). PSNH also reported that it has no known Commission license for the existing crossing. Finally, PSNH confirmed that no permits from the departments of environmental services or transportation are required.

The weather and loading conditions investigated include the National Electrical Safety Code (NESC), American National Standards Institute (ANSI) C2-2007 Heavy Load Conditions (0 degrees Fahrenheit (F), 4 pounds per square foot wind loading, and 1/2 inch radial ice), minus 20 degrees F ambient temperature, and 105 degrees F ambient temperature for both the phase and neutral conductors. PSNH used these design condi-

tions to determine the minimum clearance of the conductors to the water and land surfaces of the crossing.

PSNH determined that the 100-year flood level at this location is 463 feet using the Federal Emergency Management Agency (FEMA) Cheshire County Flood Insurance Study dated May 23, 2006 and the National Geodetic Vertical Datum of 1929. PSNH used the 100-year flood elevation in its design instead of the normal flood level or 10-year flood levels required by the NESC for the purpose of conservatism. PSNH stated that the designed construction will exceed the NESC/ANSI standards for water crossings using the 100-year flood water elevations.

According to PSNH, the use and enjoyment by the public of these waters will not be diminished in any material respect as a result of the proposed replacement of the current electric line crossing. PSNH further attested that the construction of the crossing will be constructed, maintained and operated in accordance with the requirements of the NESC, ANSI C2-2007.

Based on the information presented by PSNH and Staff, we find this crossing necessary for PSNH to meet the reasonable requirements of reliable service to the public within PSNH's authorized franchise area as required by 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. We approve the petition as for 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, Public Service Company of New Hampshire petition for a license to construct, maintain and operate electric lines over the Ashuelot River in Swanzy, New Hampshire as described in its petition and depicted in its exhibits submitted June 6, 2008 and on file with this Commission is hereby GRANTED; and it is

FURTHER ORDERED, that all construction and future reconstruction to this approved crossing shall conform to the requirements of the National Electrical Safety Code and all other applicable safety standards in existence at that time; and it is

FURTHER ORDERED, that PSNH maintains and operates this crossing in conform-

ance with the National Electrical Safety Code; and it is

FURTHER ORDERED, that PSNH shall provide a copy of this order to the Town Clerk of Swanzy; New Hampshire Attorney General; and the owners of the land bordering on said public waters at the location of the crossing, pursuant to RSA 371:19, and, pursuant to RSA 422-B:13, the New Hampshire Department of Transportation and the Office of Secretary, U.S. Department of Commerce by first class mail, no later than July 28, 2008, to be documented by affidavit filed with this office on or before August 14, 2008; and it is

FURTHER ORDERED, that PSNH 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 28, 2008 and to be documented by affidavit filed with this office on or before August 14, 2008; 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 6, 2008 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 11, 2008; and it is

FURTHER ORDERED, that this Order Nisi shall be effective August 14, 2008, unless PSNH 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 twenty-third day of July, 2008.

Thomas B. Getz, Chairman
Graham J. Morrison, Commissioner
Clifton C. Below, Commissioner
Attested by: Debra A. Howland
Executive Director & Secretary
(UL - July 26)

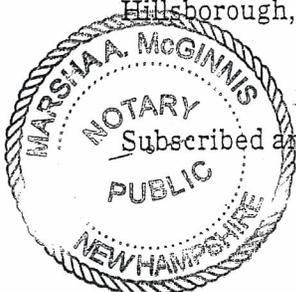
JUL 31 2008

I hereby certify that the foregoing notice was published in The Union Leader and/or New Hampshire Sunday News, newspapers printed at Manchester, N.H., by the Union Leader Corporation on the following dates, Viz: 7/26/08

(Signed) *Phyllis Gilbert*

UNION LEADER CORPORATION

State of New Hampshire,
Hillsborough, SS. (Dated) 7/30/08



Subscribed and sworn to by the said ... *Phyllis Gilbert*

Before me

Phyllis Gilbert
Marsha A McGinnis

**Marsha A McGinnis
Notary Public**

State of New Hampshire
My Commission Expires 04/19/2011