

**THE STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION**

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
d/b/a EVERSOURCE ENERGY**

DOCKET No. DE 19-172

**PETITION OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE D/B/A
EVERSOURCE ENERGY FOR LICENSE TO CONSTRUCT AND MAINTAIN
ELECTRIC LINES OVER AND ACROSS OTTER BROOK, NORTH BRANCH RIVER,
AN UNNAMED OUTFLOW STREAM OF ISLAND POND, AND THE ASHUELOT
RIVER IN THE CITY OF KEENE AND TOWNS OF STODDARD AND SULLIVAN.**

Pursuant to RSA 371:17, Public Service Company of New Hampshire d/b/a Eversource Energy (“Eversource” or “the Company”) a public utility engaged in the transmission, distribution and sale of electricity in the State of New Hampshire, hereby petitions the Public Utilities Commission (“Commission”) for a license to construct and maintain electric lines over and across certain waters owned by the State of New Hampshire (“State”) in the City of Keene, and Towns of Stoddard and Sullivan, New Hampshire. In support of this supplemental petition Eversource states as follows:

1. In order to meet the reasonable requirements of service to the public, Eversource has previously constructed and currently operates and maintains an overhead 115 kV electrical transmission line, designated as the Eversource L163 Line, over and across the public waters of: the Ashuelot River in the City of Keene; Otter Brook in the Town of Sullivan; unnamed outflow stream of Island Pond in Stoddard and the North Branch River in the Town of Stoddard. The existing crossing of the Ashuelot River was licensed under PUC Order 21,817, dated September 06, 1995. The North Branch River crossing, Unnamed outflow stream of Island Pond and Otter Brook public waters crossings by the L163 line have not been previously licensed by the Commission. The locations of the four (4) public waters crossings which are the subject of this supplemental petition are depicted on the Overview Map attached hereto as Exhibit #1.

2. Eversource is commencing a project to modify or rebuild a number of the structures on its existing L163 Transmission Line, which will require transfer of existing wires at the four public waters crossings which are the subject of this supplemental petition. Certain of the L163 Line wood transmission structures are approximately 65 years old and have been subjected to

environmental damage and require replacement or modification for the Line to continue to function safely and reliably. This structure replacement and repair project is part of a reliability project for the L163 Line to continue to meet current as well as future projected electricity demands. No conductor, static wire or ADSS fiber cable will be replaced as part of this project; instead, existing conductors, static wire, and ADSS fiber cables will be transferred to the new structures, which will be a steel replacement of the existing wood structures.

3. Between 2015 and 2017, Eversource replaced (2) wooden structures (Str. 49 and 132) along the existing L163 transmission line, which impacted Otter Brook and the Unnamed outflow stream of Island Pond spans, which are the subject of this supplemental petition. A petition was not submitted prior to this work being completed, and as such, this portion of the petition is after-the-fact. No conductor, static wire, or ADSS fiber cable was replaced as part of the project; instead, existing conductors, static wires, ADSS fiber cables were transferred to the new, steel structures.

4. The attached Exhibit #1 – Overview Map, dated June 25, 2019, shows the general location of the four L163 Line public water crossing spans which are the subject of this supplemental petition, where the existing conductor and wire transfers to replacement structures will occur as part of Eversource’s project. The design and proposed construction of the replacement crossings for the L163 Line over the Ashuelot River, Otter Brook, the North Branch River and Unnamed outflow stream of Island Pond will be in accordance with the National Electrical Safety Code (NESC), as shown on the Eversource Plan and Profile Drawings, attached as Exhibit #2 through #5.

5. Wire and structure specifications for Otter Brook, the North Branch River and the Ashuelot River crossings are as depicted and noted on Exhibits 2 through 5.

6. The location of the structures creates the following crossing span:

- a. North Branch River: Stoddard (Exhibit 2)
 - a. Structures: 30 to 31
 - b. Structure Span (ft): 353
 - c. Public Waters Span (ft): 56.4
- b. Unnamed outflow stream of Island Pond: Stoddard (Exhibit 3)
 - a. Structures: 48 to 49
 - b. Structure Span (ft): 608
 - c. Public Waters Span (ft) 70.2

- c. Otter Brook: Sullivan (Exhibit 4)
 - a. Structures: 132-133
 - b. Structure Span: 621
 - c. Public Waters Span: 45.9
- d. Ashuelot River: Keene (Exhibit 5)
 - a. Structures (207 to 208)
 - b. Structure Span (ft): 446
 - c. Public Waters Span (ft): 45.9

7. All conductors and wires have been drawn in Exhibit #2 through Exhibit #5 to show the maximum sag conditions in reference to the water bodies.

8. Eversource will maintain and operate the clearances of the crossings over Otter Brook, Ashuelot River, and the North Branch River at a height no less than what is required by the 2017 National Electrical Safety Code (NESC, Table 232-1). The Ashuelot River, Otter Brook, and the North Branch River crossings require at least 18.6 feet for 115kV open supply conductors over water not suitable for sail boating. The actual minimum height over the public waters in these four crossing locations are depicted on the attached Exhibit #2 through Exhibit #5 and exceed the minimum requirements.

9. For the Ashuelot River crossing, the 100-year flood level was established based upon FEMA flood zone maps for that area, effective date: May 23, 2006. For the unnamed outflow stream of Island Pond, North Branch River, and Otter Brook crossing locations, FEMA has not determined base flood elevations and the elevations indicated on Exhibits 2, 3 and 4 are based on a comparison of surrounding elevations with the FEMA delineated 100-year flood zone boundaries. This is higher than the 10-year flood elevation required by NESC and provides a conservative clearance requirement.

10. A New Hampshire Department of Environmental Services statutory permit by notification (SPN) is required for construction access and work activities which involve the temporary minor alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters and is applicable to the public water crossings. SPN's were obtained for the Town of Stoddard (#2020-602) and the City of Keene (#2020-563). No SPN was required for proposed work in Sullivan. Additionally, New Hampshire Department of Environmental Services shoreland

permits by notification (PBN) were obtained for grading activity within the 250' protected shoreland buffer in the Town of Sullivan (2019-2042, Strs. 132-133), the Town of Stoddard (2020-108, Strs. 30-31) and the City of Keene (2020-320, Strs. 206-207).

11. The U.S. Army Corps of Engineers (ACOE) does not regulate the subject portions of the Ashuelot River, Otter Brook, Unnamed outflow stream of Island Pond or the North Branch River as navigable waters. As a result, a crossing permit from the ACOE is not required.

12. It is not anticipated that abutters on either side of the Ashuelot River, Otter Brook, Unnamed outflow stream of Island Pond or the North Branch River crossings will be affected by this supplemental petition, as the L163 Line is an existing line, and the crossing structures are being replaced and rebuilt within Eversource's existing utility easements.

13. Eversource submits that the license petitioned for herein may be exercised without substantially affecting the rights of the public in the public waters of Ashuelot River, Otter Brook Unnamed outflow stream of Island Pond, or the North Branch River. Minimum safe clearances above the water surfaces will be maintained at all times. The use and enjoyment by the public of the public waters will not be diminished in any material respect as a result of the replacement of the overhead line crossing.

WHEREFORE, Eversource respectfully requests that the Commission:

1. Find that the license petitioned for herein may be exercised without substantially affecting the public rights in the public waters which are the subject of this supplemental petition;
2. Grant Eversource a license to construct and maintain electric lines over and across the public waters as identified and described in this supplemental petition;
3. Authorize Eversource to submit any future proposed alteration(s) to the amended licenses granted herein at least 60 days prior to undertaking any such alteration(s); and

4. Issue an order *Nisi* and orders for its publication.

Dated at Manchester, New Hampshire, this ²⁴27 day of April, 2020

Respectfully submitted,
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D/B/A EVERSOURCE ENERGY
By its Attorney



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