

DE 05-128

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

Joint Petition to Transfer Service Territory in Claremont, New Hampshire

Order Granting Petition

ORDER NO. 24,525

September 30, 2005

I. PROCEDURAL BACKGROUND

On August 5, 2005, Public Service Company of New Hampshire (PSNH) and the New Hampshire Electric Cooperative, Inc. (NHEC) filed a joint petition (Petition) with the New Hampshire Public Utilities Commission pursuant to RSA 374:22 and RSA 374:26 to change the franchise border between PSNH and NHEC in a limited area of Claremont, New Hampshire. On January 1, 2004, PSNH assumed control of the franchise area formerly serviced by the Connecticut Valley Electric Company (CVEC). The City of Claremont is now served by both PSNH and NHEC in prescribed service territories.

Mr. Leo Roy owns three parcels of land located within the franchise territory of NHEC, from whom Mr. Roy has requested electric service. For NHEC to supply service, it would have to cross the property of a third party. NHEC has been unable to negotiate such an easement and, therefore, has been unable to provide Mr. Roy service. Because some of Mr. Roy's properties also border the PSNH franchise territory, PSNH would be able to serve Mr. Roy's property without having to cross other private land. PSNH, therefore, submitted on behalf of itself and NHEC, this Petition, including a map of the franchise area affected, to adjust the franchise territories to serve Mr. Roy. PSNH asserts that because NHEC and Mr. Roy all agree with the Petition, pursuant to New Hampshire RSA 374:26, a hearing is not required.

Commission Staff conducted a site review of the proposed transfer and the maps submitted with the Petition. Based on that review, Staff recommends that the Commission approve the transfer of the service territory. Staff also recommends that PSNH file a new official map illustrating this transfer as well as the PSNH service territory acquired from CVEC, once boundary confirmation with the New Hampshire utilities that bordered CVEC's territory are complete.

II. COMMISSION ANALYSIS

Pursuant to RSA 374:26, the Commission shall grant a franchise to provide utility service when it finds that such action would be in the public good. In addition, we are guided by RSA 374-F:3, V(a) which states that "electric service is essential and should be available to all customers." In this docket, Mr. Roy has requested electric service from NHEC and has not been able to obtain electric service because a third-party does not consent to the necessary easement across that third-party's land.

PSNH, NHEC, Mr. Roy and Commission Staff all agree that the best way to provide electric service to Mr. Roy is to transfer that portion of NHEC service territory which contains Mr. Roy's land to PSNH and to allow PSNH to provide electric service to Mr. Roy. As PSNH points out in its Petition, RSA 374:26 permits the Commission to make a finding without a hearing when all interested parties are in agreement. We find that such is the case in this instance and that the Petition and is for the public good.

Based upon the foregoing, it is hereby

ORDERED, that the Joint Petition of the New Hampshire Electric Cooperative, Inc. and Public Service Company of New Hampshire to Alter Their Franchise Area Border in the City of Claremont is hereby GRANTED, and it is

FURTHER ORDERED, that PSNH prepare and submit a revised service territory map with the Commission that illustrates this transfer as well as the PSNH service territory acquired from CVEC, as soon as the boundary confirmations are complete.

By order of the Public Utilities Commission of New Hampshire this thirtieth day of September, 2005.

Thomas B. Getz
Chairman

Graham J. Morrison
Commissioner

Michael D. Harrington
Commissioner

Attested by:

Debra A. Howland
Executive Director & Secretary