

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DE 07-103**

**NEW HAMPSHIRE ELECTRIC COOPERATIVE and  
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE**

**Joint Petition to Alter Franchise Area Boundary in Gilford**

**Order on Petition**

**ORDER NO. 24,801**

**November 2, 2007**

On September 17, 2007, the New Hampshire Electric Cooperative (NHEC) and Public Service Company of New Hampshire (PSNH) filed a joint petition pursuant to RSA 374:22 and RSA 374:26 to change the franchise border between PSNH and NHEC in part of Gilford. Most of Gilford lies in the service territory of PSNH.

Mr. James Piscopo requested electrical service to be extended to Timber Island on Lake Winnepesaukee in Gilford where he has a seasonal dwelling. Currently there is no electric service on the island. According to the petition, there are two other seasonal dwellings on Timber Island; the island's real property is subject to conservation restrictions and, therefore, it is unlikely that there would be further growth in electric sales there.

Currently Timber Island is within PSNH's service area. The petition states that the closest PSNH service is on Governor's Island, several hundred feet northwest of Timber Island across Lake Winnepesaukee. NHEC currently provides electric service to Mark Island, which is directly east of Timber Island and is closer to Timber Island than Governor's Island. The existing franchise border between NHEC and PSNH lies within the channel between Timber

Island and Mark Island. PSNH supplied a copy of a franchise map with the petition to illustrate the area proposed for transfer and the existing franchise boundaries.

NHEC and PSNH are in agreement that Timber Island should be transferred to the service territory of the cooperative. Furthermore, Mr. Piscopo has agreed to pay for the cost of the line extension to the extent not already required by the applicable NHEC tariff.

Commission Staff reviewed the map submitted with the petition and recommended approval of the transfer of service territory. In the view of Staff, it would be more economical for NHEC to serve Timber Island because of NHEC's service proximity to the island. Staff also recommended that the Commission direct PSNH and NHEC to file a new official map illustrating this transfer. Staff noted that NHEC would also need to file a petition pursuant to RSA 371:17 for a license to cross public waters for purposes of extending service from Mark Island to Timber Island.

## **II. COMMISSION ANALYSIS**

RSA 374:26 authorizes the Commission to assign franchise territory to a public utility upon a determination that it is for the public good, without hearing when, as is presently the case, all interested parties are in agreement. We agree with Staff that it would be more economical for NHEC to serve Timber Island because of the closer proximity of NHEC's service lines. We note that the Commission has previously approved a change in franchise boundaries where proximity of service was a factor. *Exeter and Hampton Electric Co.*, 82 NH PUC 548 (1997).

As noted by Staff, NHEC will have to file a petition for a license to cross public waters for our review consistent with RSA 371:17 prior to beginning construction on the line between the two islands.

**Based upon the foregoing, it is hereby**

**ORDERED**, that the Joint Petition of New Hampshire Electric Cooperative, Inc. and Public Service Company of New Hampshire to alter their franchise boundary in Gilford is hereby GRANTED, and it is

**FURTHER ORDERED**, that PSNH and NHEC each prepare and file with the Commission a revised service territory map with the Commission that illustrates this transfer as soon as the boundary confirmations are complete.

By order of the Public Utilities Commission of New Hampshire this second day of November, 2007.

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Thomas B. Getz  
Chairman

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Graham J. Morrison  
Commissioner

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Clifton C. Below  
Commissioner

Attested by:

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Debra A. Howland  
Executive Director & Secretary