

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DE 19-073**

**NEW HAMPSHIRE ELECTRIC COOPERATIVE, INC. AND  
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE d/b/a EVERSOURCE ENERGY**

**Joint Petition to Alter Franchise Areas in Laconia, New Hampshire**

**Order *Nisi* Approving Franchise Boundary Change**

**ORDER NO. 26,259**

**June 13, 2019**

This order authorizes the New Hampshire Electric Cooperative and Eversource to modify their franchise area boundary in Laconia. The boundary modification will allow Eversource to provide electric service to properties currently outside of its territory. This order is being issued on a *nisi* basis to ensure that all interested parties receive notice and have the opportunity to comment or request a hearing before the order becomes effective.

**I. PROCEDURAL HISTORY**

On April 2, 2019, Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) and the New Hampshire Electric Cooperative, Inc. (NHEC), filed a joint petition to alter their franchise areas in the City of Laconia. The joint petition included four maps delineating current and proposed service territory boundaries of Eversource and NHEC.

Commission Staff (Staff) recommended approval by memorandum dated April 30, 2019. The joint petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are posted on the Commission's website at <http://puc.nh.gov/Regulatory/Docketbk/2019/19-073.html>.

## II. SUMMARY OF PETITION AND STAFF RECOMMENDATION

Eversource and NHEC each provide service to portions of Laconia. Their joint petition asks the Commission to approve a change to the boundary line delineating franchise service areas to allow Eversource to provide electric service to the Cantin residence off Tyler Shore Road, Tax Lot 37-260-4.3 (hereinafter “the Site”) pursuant to RSA 374:22 and RSA 374:26.<sup>1</sup>

According to Staff, NHEC’s lines are physically closer to the Site than are Eversource’s lines, but NHEC’s most direct route would be to extend lines across the adjacent Longo property. Such a line extension would effectively bisect the Longo property and would affect Mr. Longo’s current efforts to sell the property. Further, were NHEC to construct a line to the Site from a different point, additional easements would be required, and the increased footage would increase costs to the Site owner. Accordingly, Staff recommended that the Commission find the proposed franchise alteration to be in the public good and grant the relief requested.

Staff also recommended the franchise boundary be adjusted to reflect the actual status of service in the area with regard to four additional lots in NHEC’s territory. According to the joint petition, Eversource has served those four lots for many years. The four lots and current property owners are Tax Lots 35-153-6 (Schoenbrun), 35-153-5 (Fortier), 35-153-4 (Paquette), and 34-153-1 (MacKinnon). *See* Petition, Attachment B. Accordingly, Staff recommended that the Commission find that, for all five identified lots, franchise alteration is in the public good and grant the relief requested in the petition.

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<sup>1</sup> The joint petition notes that RSA 374:22 does not apply to NHEC pursuant to RSA 362:2.

### III. COMMISSION ANALYSIS

RSA 374:22, I, provides that no person or business entity may commence business as a public utility in New Hampshire or exercise any right or privilege under any franchise without first obtaining the Commission's approval. The Commission may approve a franchise request after due hearing, or without a hearing when all interested parties are in agreement, if the Commission finds the franchise would be for the public good. RSA 374:26.

We have reviewed the joint petition, as well as Staff's recommendation. For the reasons Staff described, the extension of electric utility distribution services from Eversource's facilities to the Site is less disruptive than the construction required to bring service to the Site from NHEC's existing facilities. In addition, Mr. Cantin, Eversource, and NHEC all agree to the proposed franchise area adjustment. We find that it is in the public good to include the Site within Eversource's service territory.

The Commission also finds that adjustment of the franchise boundary to reflect the actual status of service is for the public good. We note that tariffs and boundary lines need to be accurate for several reasons, including but not limited to public safety. Utilities should promptly seek boundary adjustments when necessary to provide new service cost effectively to customers outside authorized franchise areas.

In sum, the Commission finds reassignment of all five lots is for the public good. We approve the joint petition on a *nisi* basis to provide any interested party the opportunity to submit comments or request a hearing. We also direct Eversource and NHEC to file updated franchise maps noting the approved changes.

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

**ORDERED *NISI***, that subject to the effective date below, the joint petition of Eversource and NHEC to adjust their franchise territories in Laconia, New Hampshire, is hereby GRANTED; and it is

**FURTHER ORDERED**, that Eversource shall cause a summary of this Order *Nisi*, issued concurrently with this order, to be published 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 June 24, 2019, and to be documented by affidavit filed with the Commission on or before July 8, 2019; and it is

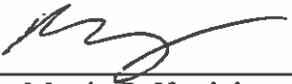
**FURTHER ORDERED**, that all persons interested in responding to this Order *Nisi* be notified that they may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than July 1, 2019, for the Commission's consideration; and it is

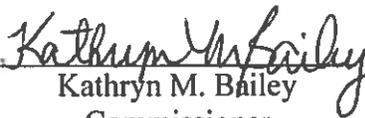
**FURTHER ORDERED**, that any party interested in responding to such comments or request for hearing shall do so no later than July 8, 2019; and it is

**FURTHER ORDERED**, that this Order *Nisi* shall be effective July 13, 2019, unless Eversource 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 Eversource and NHEC shall file updated franchise maps with the Commission, in accordance with N.H. Code Admin. Rules Puc 1603, noting the approved change, annotated with this order and the effective date herein, within 30 days of the effective date of this order, unless a supplemental order is issued prior to the effective date.

By order of the Public Utilities Commission of New Hampshire this thirteenth day of  
June, 2019.

  
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Martin P. Honigberg  
Chairman

  
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Kathryn M. Bailey  
Commissioner

  
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Michael S. Giaimo  
Commissioner

Attested by:

  
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Debra A. Howland  
Executive Director

