

STATE OF NEW HAMPSHIRE

Intra-Department Communication

DATE: April 5, 2023

AT (OFFICE): NH Dept. of Energy

FROM: Michael Soucy *MRS*
Administrator III – Division of Enforcement

SUBJECT: CRE 2023-007 Eversource Energy
Application for License to Construct and Maintain Electric Lines over State-owned land in Exeter, New Hampshire.

Staff Recommendation

TO: Jared Chicoine, Commissioner, Department of Energy
Christopher Ellms, Jr., Deputy Commissioner, Department of Energy

CC: Thomas Frantz, Director of Regulatory Support Division
Paul Kasper, Director, Enforcement Division
Elizabeth Nixon, Director-Electric Regulatory Support Division
Andrew Harmon, Hearings Examiner, Enforcement Division

Review by the Division of Enforcement (DOE) of the above application consisted of the following elements:

- Application contents, replacement application contents, and history;
- Applicable State statutes;
- Review of the existing crossing(s) previously licensed by the PUC, if any;
- Review of land ownership of existing pole structures;
- Review of NESC code requirements as described in Puc 300;
- Review of public need and public impact, including applicability of other State regulations; and
- Conclusions and Recommendations.

1. Application contents and history.

On April 3, 2023, Public Service New Hampshire d/b/a Eversource Energy (Eversource, ES or the Company) filed an application for a license pursuant to RSA 371:17 to construct and maintain the Eversource A126 Line, over state-owned land in Exeter, New Hampshire.

The Eversource A126 Line is a 115kV overhead transmission line which was originally built in 1975. The proposed project for the A126 Line encompasses the replacement of existing wooden structures in state-owned land in Exeter. Structures 184, 189 and 190 need to be replaced promptly to continue to function safely and reliably. Those structures will be replaced with weathering steel equivalents that will be located within 10’ of the original structure location. The A126’s existing three phase conductors and two static wires within the spans encompassing this application, will not be changed in the course of performing the structure replacements. Wire specifications are identified on Exhibit 2 submitted by ES.

The specifications and loading conditions to establish maximum sag for the crossing spans that are the subject of this application were indicated on the Profile View and Cable Schedule of Exhibit 2 submitted by ES. The conductor clearance requirements pursuant to the NESC based on the design conditions at 285 deg F and the minimum height requirements have been met. Staff verified the depicted sag clearances using Sag10 commercial software with the data inputs as stated in the application.

The location of the state-owned land that is the subject of this application are depicted on the Overview Map as Exhibit 1 submitted by ES, and the DOE Maps attached to this recommendation. Exact locations of the structures are expressed with Latitude and Longitude on Exhibit 2 submitted by ES.

The location of Structures 184 through 190 in this application creates a total span of 2702.1 feet with a span of 2356.8 feet crossing state-owned land in Town of Exeter.

The following table provides the summary of this application with the crossing to include structure numbers, types, spans, ES design criteria, and NESC compliance.

Department of Energy Enforcement Division Summary Table

Eversource A126 Line - State Land Crossing Details					
Structures	Type	Span Distance (feet)	Minimum NESC Table 232-1 Clearance (ft.)	ES Vertical Design Clearance (ft.)	Complies with NESC Table 232-1 (Y/N)
184-185	184 – Steel Type T Class H1 185 – Wood Type A Class 3	478.7	20.1	25.2	Y
185-186	186 – Wood Type C Class 3	425	20.1	22.4	Y
186-187	187 – Wood Type A Class 3	499.5	20.1	20.3	Y

187-188	188 - Wood Type A Class 3	270.4	20.1	24.4	Y
188-189	189 - Steel Type T Class H1	567.8	20.1	25.5	Y
189-190	190 - Steel Type T Class H1	420.7	20.1	26.3	Y

2. New Hampshire statute referenced in application (as modified by N.H. House Bill 1258 on August 22, 2022).

371:17 Licenses for New Poles – Whenever it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a pipeline, cable, or conduit, or a line of poles or towers and wires and fixtures thereon, over, under or across any of the public waters of this state, or over, under or across any of the land owned by this state, modify a previously licensed installation, or license a previously constructed installation, it shall apply to the department of energy for a license to construct and maintain the same. For the purposes of this section, “public waters” are defined to be all ponds of more than 10 acres, tidewater bodies, and such streams or portions thereof as the department of energy may prescribe. Every corporation and individual desiring to cross any public water or land for any purpose herein defined shall apply to the department of energy for a license in the same manner prescribed for a public utility. The department of energy may condition any license issued under this paragraph in any manner necessary to assure that the license may be exercised without substantially affecting the public rights in public waters or state-owned lands. Using a non-adjudicative process, the department of energy may reject incomplete or improperly filed applications, and shall, also using non-adjudicative process, issue or deny the license within 90 days of receiving a complete application and all information subsequently requested of an applicant. 371:17 Licenses for New Poles (eff. Aug. 20, 2022)

3. Review of existing license(s) and permissions previously granted by the PUC for this location over and state-owned land in Exeter, New Hampshire.

The span from structures 184 to 190 was not previously licensed due to the line being built prior to the State having ownership of this parcel of land. As a result of this application, the A126 line will be licensed in its entirety.

Eversource asserts that a New Hampshire Department of Environmental Services (NHDES) wetland statutory permit by notification (SPN) will be required for temporary impacts associated with structure replacements and will be obtained prior to commencement of construction.

4. Review of land ownership of proposed pole structures.

In its application, Eversource specifies that the structure replacement work will be accomplished within existing right-of-way easements, thereby mitigating impacts and concerns of property owners affected by the project scope.

5. Review of NESC code requirements as described in Puc 300.

The Enforcement Division staff reviewed the specifications related to the structure replacement work of this crossing project as described in the application, attachments, and all supplemental support documents filed by the Company and found them to be in conformance with N.H. Admin. Rule Puc 306 and applicable sections of NESC C2-2012.

6. Review of public need and public impact.

The A126 Line is an integral part of Eversource's existing electric transmission system in New Hampshire. The crossing location identified in the application is in the Town of Exeter. The Company asserts in its application that the existing crossing will be exercised without substantially affecting public rights in the identified state-owned land in New Hampshire.

The Enforcement Division staff verified that minimum safe line clearances above the State-owned land will be maintained at all times and determined that public use and enjoyment of the State-owned land will not be diminished in any material respect as a result of the proposed project.

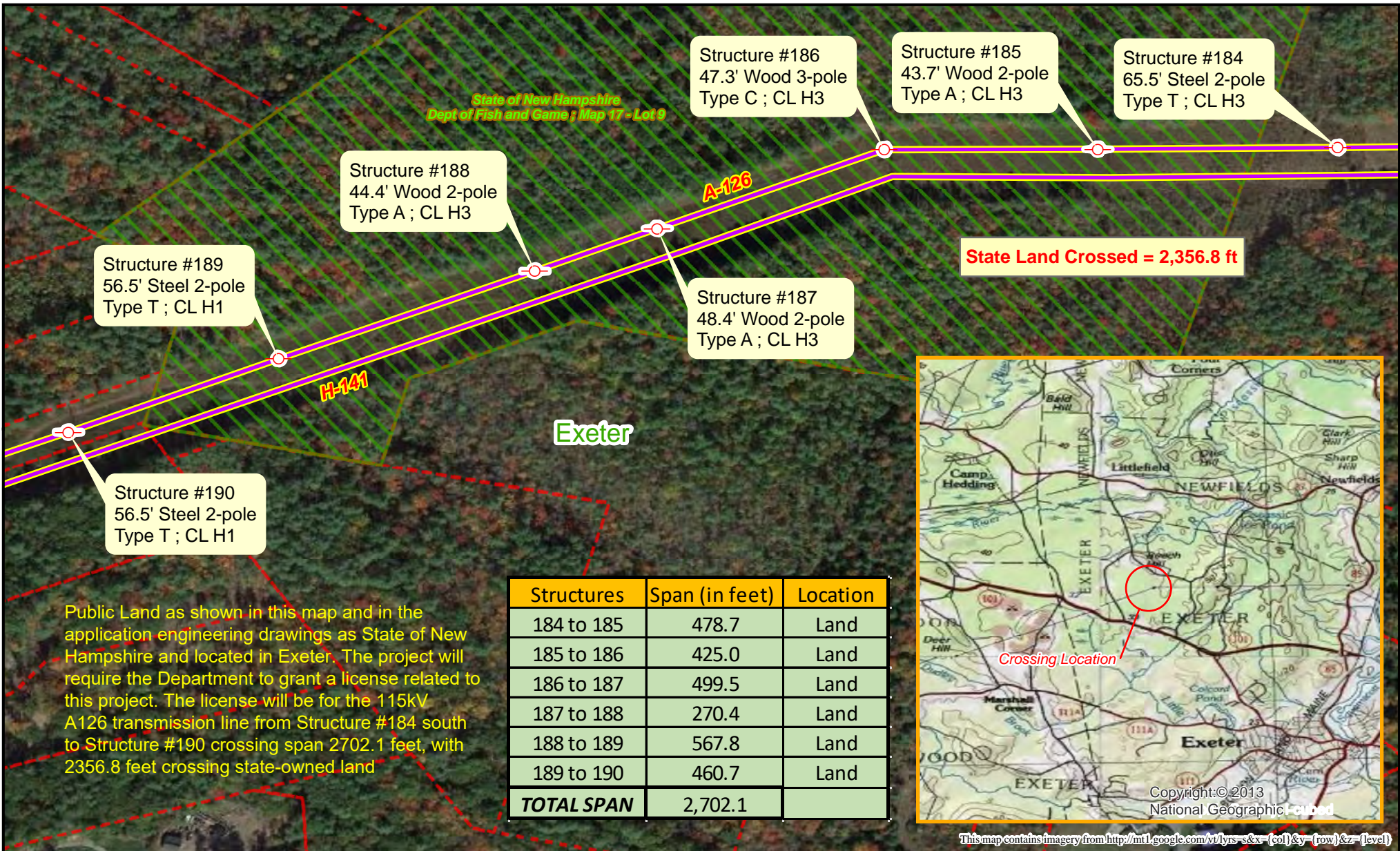
7. Enforcement Division Recommendation:

Based on the results of its review of the application, attachments, and all other supporting documents, the Enforcement Division recommends that the Department:

- 1) Find that the license Eversource requests in this application may be exercised without substantially affecting the public rights in the state-owned land; and
- 2) Grant Eversource a license to construct and maintain electric lines pursuant to RSA 371:17 and Puc 306.01, over and across state-owned land in Exeter, New Hampshire as specified in the application.

Attachment:

State Land (NH Fish & Game) - CRE 2023-007 Eversource Crossing



Utility Structure
 State Land Parcel
 115 kV Line
 Town Parcel



Prepared by:
NH Department of Energy
Enforcement Division

