

**STATE OF NEW HAMPSHIRE DEPARTMENT OF ENERGY**

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE  
D/B/A EVERSOURCE ENERGY**

**LICENSE NO. CRE 2023-006**

**March 7, 2023**

**Application for License to Construct and Maintain Electric Lines  
Over and Across Public Waters and State-Owned Land  
in Concord, Bow and Pembroke**

This license is granted to Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) to construct and maintain its M108 Line, an existing electric transmission line that extends over and across public waters of the Merrimack River in Bow and Concord, the Soucook River in Concord and Pembroke, and land owned by the State of New Hampshire in Pembroke. The M108 Line public water crossing at the Merrimack River between Structures 2 and 3 was previously licensed in 2022 under CRE 2022-009. The public water crossings at the Soucook River in Concord, between Structures 11 and 12, and 31 and 32, were previously licensed in 2008 under DE 08-064 (Order No. 24,859). The State-owned land between Structures 25 and 29 was licensed in 2022 under CRE 2022-009, which accounted for a subset of total structures within the continuous state land span between Structures 25 and 32. As a result of this application, the M108 line will be licensed in its entirety.

**I. BACKGROUND**

On February 24, 2023, Eversource filed an application with the N.H. Department of Energy (Department), pursuant to RSA 371:17, requesting a license to construct and maintain its M108 Line, an electric transmission line that extends over and across public waters and State-owned land in Concord, Bow, and Pembroke. On March 3, 2023, the Department's

Enforcement Division Staff filed a recommendation that the application be approved, and a license granted, based on the application filings, applicable statutes, rules, NESC requirements, and land ownership, as well as public need, safety, and impact.

## **II. SUMMARY OF LICENSE**

### **A. Crossing Locations and Construction**

This license pertains to Eversource's M108 Line, an electric transmission line that extends over and across public waters and State-owned land in Concord, Bow, and Pembroke. The proposed project for the M108 Line encompasses the replacement of existing wooden structures at the Merrimack River in Bow and Concord, the Soucook River in Concord and Pembroke, and State-owned land in Pembroke. Structures 2, 11, 12, 27, and 29 through 32 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 M108's existing three phase conductors, single OPGW wire, and single static wire within the spans encompassing Structures 2 to 3, Structures 11 to 12, and Structures 25 through 32, will not be changed in the course of performing the steel structure replacements. Wire specifications are identified on Exhibits 2 through 7 submitted by ES.

The location of Structures 2 to 3 in this application creates a total span of 818.2 feet with a span of 535.6 feet crossing the Merrimack River in the Town of Bow.

The location of Structures 11 to 12 in this application creates a total span of 401.3 feet with a span of 50.2 feet crossing the Soucook River in the City of Concord and Town of Pembroke.

The location of Structures 25 and 32 in this application creates a total span of 4239.5 feet with a span of 2966.7 crossing State-owned land in the Town of Pembroke.

The location of Structures 31 and 32 in this application creates a total span of 1172.8 feet with a span crossing 388.1 feet crossing the Soucook in the City of Concord and the Town of Pembroke.

**B. Regulatory Requirements**

Eversource is responsible for obtaining any and all other federal, state, or local permits required by authorities having jurisdiction for the construction and installation of the proposed crossing. According to the application, a New Hampshire Department of Environmental Services (NHDES) Statutory Permit by Notification (SPN) will be required for temporary impacts to wetlands associated with the construction and installation of new structures. A NHDES Shoreland Permit by Notification (PBN) will be obtained for the work planned under this application in relation to temporary impacts to wetlands, and the shoreland buffer to the Merrimack and Soucook Rivers prior to the commencement of construction.

The U.S. Army Corps of Engineers (ACOE) regulates the subject portion of the Merrimack River as navigable waters and the scope of work discussed in this application at that crossing location is covered through a Self-Verification process under the ACOE New Hampshire Programmatic General Permit #4, provided that there will be no decrease in existing clearances, which is the case for the scope application herein. The ACOE does not regulate any parts of the Soucook River.

**C. Property Rights**

According to Eversource, abutters to the Merrimack River in Bow and Concord, the Soucook River in Concord and Pembroke, and State-owned land in Pembroke will not be affected by the proposed project because the crossing structures are being replaced and rebuilt within existing right-of-way easements.

**D. Service to the Public and the Effect on Public Rights**


According to the application, the existing crossings were constructed, operated, and maintained to meet the reasonable requirements of service to the public. Eversource affirmed that the proposed modifications will continue to meet that public need and will not substantially affect the public's use and enjoyment of the public waters and State-owned land in Concord, Bow, and Pembroke.

The line modifications are designed, and will be constructed and maintained in accordance with the 2012 National Electrical Safety Code (NESC). The clearance requirement with respect to the water crossings was calculated using a 100-year flood level, which is a more conservative analysis than the NESC 10-year flood clearance requirement.

**III. DEPARTMENT DECISION**

Eversource is authorized pursuant to RSA 371:17, *et seq.*, to construct, install, operate, and maintain electric lines over and across the public waters of the Merrimack River in Bow and Concord, the public waters of the Soucook River in Concord and Pembroke, and State land in Pembroke, as described in its application and depicted in its filings, and as specified in the Enforcement Division's recommendation. Based on the factual representations set forth in the application and the recommendation, the Department finds that the requested crossing amendments are necessary to meet the reasonable requirements of reliable service to the public, as required by RSA 371:17, and that the requested license may be exercised without substantially affecting public rights in the public waters and subject land at the crossing locations in Bow, Concord, and Merrimack, as required for approval under RSA 371:20. Therefore, the application is approved.

By order of the Department of Energy of New Hampshire this 7<sup>th</sup> day of March, 2023.



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Jared S. Chicoine  
Commissioner