

# STATE OF NEW HAMPSHIRE

## Intra-Department Communication

**DATE:** April 8, 2022

**AT (OFFICE):** NH Dept. of Energy

**FROM:** Michael Soucy MRS  
Utility Analyst IV – Division of Enforcement

**SUBJECT:** CRE 2022-010 Eversource Energy  
Petition for License and License Amendments to Construct and Maintain  
Electric Lines Over and Across State Owned Land in Londonderry New  
Hampshire.

Division of Enforcement, **Safety Bureau 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

The Division of Enforcement's review of the above petition consisted of the following elements:

- Petition contents, replacement petition contents, and history.
- Applicable State statute.
- 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. Petition contents and history

On March 29, 2022, Public Service New Hampshire d/b/a Eversource Energy (Eversource or ES) filed a petition for a license pursuant to RSA 371:17 to construct and maintain the Eversource 326 Line, which is an existing 345kV transmission line that crosses public land in Londonderry New Hampshire. The 326 Line was originally constructed in 1970.

As part of its ongoing asset condition inspection program, Eversource determined that original wood Structures 11 and 13 at the two State owned land crossing spans that are the subject of this petition need to be replaced 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. Due to asset condition, Structures 12 and 14 were replaced in 2016 from original wood to weathered steel.

The 326 Line's existing conductors will be unchanged in the course of relocation to the new steel structures and consist of three ACSR 850.8 Kcmil phase conductors, a single 7#8 Alumoweld static wire and a single 0646" OPGW wire, whose specifications were identified on Exhibit 2 submitted by ES.

The location of the State-owned land crossing, which is the subject of this petition were depicted on the Overview Map as submitted by ES as Exhibit 1. A more detailed location description is as follows:

Exhibit 2 submitted by ES shows the 326 Line crosses two State owned land parcels that abut the east and west sides of Interstate 93 between Exit 4 and Exit 5 in Londonderry between Structures 11 through 14. On the east side of Interstate 93, the 326 Line crosses State owned land (Map 013, Lot 057) approximately 3,150 feet west from where the line crosses Route 28 aka Rockingham Road, which is approximately 600 feet northwest from the intersection of Seasons Lane and Route 28. The line continues south-westerly an additional 458 feet across State owned land to the west side of the limited access right-of-way of Interstate 93 and crosses the second State owned land parcel (map 013, Lot 014) between Structures 13 and 14. The line extends southwest approximately 70.55 feet over said State owned land to the abutting privately-owned property boundary of Map 013, Lot 013. Said property boundary is located approximately 1,525 feet east from where the 326 Line crosses Hovey Road, which is approximately 2,200 feet east from the intersection of Hovey Road and Hardy Road in Londonderry.

The location of structures 11 to 13 creates a total span of 1210.87 feet, with a span over and across state-owned land of 457.74 feet. The locations of structures 13 to 14 creates a total span of 558.33 feet with a span over and across state-owned of 70.55 feet.

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

**Dept. of Energy Safety Bureau Summary Table**

Eversource 326 Line - State Land and Public Water Crossing Details						
Structure	Type	Span (Pole to Pole)	Distance (feet)	Minimum NESC Table 232-1 Clearance (ft.)	ES Vertical Design Clearance (ft.)	Complies with NESC Table 232-1 (Y/N)
11	Type A Weathering Steel, CL-H3	11-12	813.01	24.8	45	Y
12	Type HF Weathering Steel					
13	Type A Weathering Steel, CL-H3	12-13	397.86	24.8	50.6	Y
14	Type HF Weathering Steel,	13-14	558.33	24.8	47.8	Y

**2. New Hampshire statute referenced in petition**

**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, it shall petition 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 petition the department of energy for a license in the same manner prescribed for a public utility.

371:17 Licenses for New Poles (2021, 91:260, eff. July 1, 2021)

**3. Review of existing license(s) and permissions previously granted by the PUC for these locations of the State-owned land in Londonderry.**

The State-owned land in Londonderry that is the subject of this petition was not previously licensed, either owing to an oversight or because the land at issue was not State owned at the time of the line’s construction.

A New Hampshire Department of Environmental Services (NHDES) wetland statutory permit by notification (SPN) will be required for temporary impacts associated with the structure replacement and will be obtained prior to commencement of construction.

#### **4. Review of land ownership of proposed pole structures**

In its petition, Eversource specifies that the unlicensed structures to be replaced pursuant to this petition, cross public land in Londonderry New Hampshire.

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

The Safety Bureau reviewed the specifications related to the design and re-construction of this crossing project as described in the petition, attachments, and all supplemental support documents and corrections 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 326 Line is an integral part of Eversource's existing electric transmission system in New Hampshire. The crossing locations identified in the petition is in the Town of Londonderry New Hampshire. The Company asserts in its petition that the existing crossings will be exercised without substantially affecting public rights in the identified State land in New Hampshire.

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

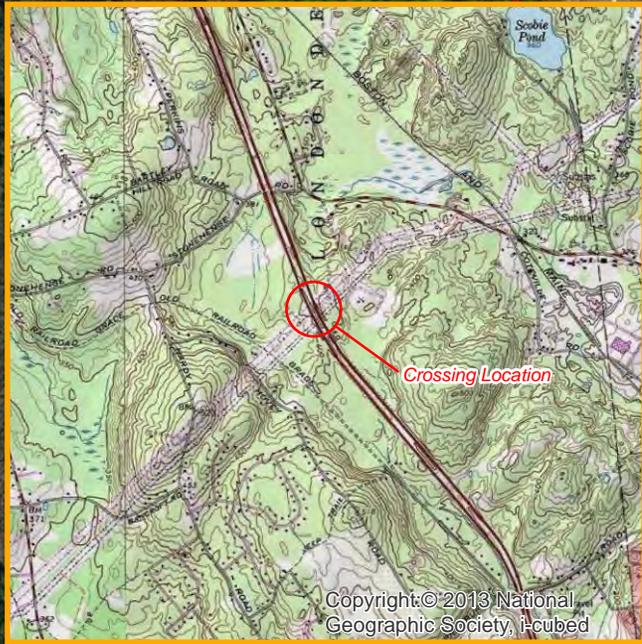
#### **7. Safety Bureau Recommendation:**

Based on the results of its review of the petition, attachments, and all other supporting documents, the Safety Bureau recommends that the Department:

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

Attachment

# NH State Land (NHDOT) - CRE 2022-010 Eversource Crossing



Public Land shown in this map identified in the petition and engineering drawings as State of New Hampshire and located in Londonderry. The project will require the Department to grant a license related to this project. The license will be for the 345kV 326 transmission line from Structures #11 southwest to Structure #14 crossing span of 1769.2 feet, with 528.29 feet crossing state owned land.

State of New Hampshire  
NH DOT  
Map 13 Lot 14

Span = 813 ft

Structure #11  
83.5' Steel 2-pole  
Type A ; CL H3

Span = 398 ft

Structure #12  
81' Steel 2-pole  
Type HF

State Land Crossed = 528.29 ft

Span = 558 ft

Structure #13  
88' Steel 2-pole  
Type A ; CL H3

State of New Hampshire  
NH DOT  
Map 13 Lot 57

Structure #14  
96' Steel 2-pole  
Type HF

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

	Utility Structure		Parcel
	345 kV Lines		State Land Parcel
	115 kV Lines		



Prepared by:  
NH Department of Energy  
Enforcement Division  
Safety Bureau

