

# STATE OF NEW HAMPSHIRE

## Intra-Department Communication

**DATE:** June 15, 2022

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

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

**SUBJECT:** CRE 2022-016 Eversource Energy  
Petition for License to Construct and Maintain Electric Lines Over and Across  
State-Owned Land in Madison, 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 June 8, 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 Y138 Line, which is an existing 115kV Transmission line that crosses public land in Madison, New Hampshire.

In order to meet the requirements for reasonable service to the public, Eversource has previously constructed and currently operates and maintains an overhead 115 kV electrical transmission

line, designated as the Eversource Y138 Line, over and across State-owned lands in Madison, New Hampshire.

As part of its ongoing asset condition inspection program, Eversource has determined that existing wood Structures 42 and 43 need to be replaced to continue to function safely and reliably. The structures will be replaced with weathering steel equivalents that will be located within 10' of the original structure location.

The location of where the Y138 Line crosses the State-owned land, subject of this petition is depicted on the Overview Map submitted by ES as Exhibit 1 and also shown on the DOE map that is attached to this Staff Recommendation. Further description of the crossing location as stated by ES is listed below:

The Y138 Line crosses the State-owned land approximately 4,050 feet northeast of where the Y138 Line crosses Village Road (aka State Route 113), in the Town of Madison, which is approximately 200 feet east from the intersection of Village Road (aka State Route 113) and High Street in the Town of Madison. The crossing extends east 109 feet to the eastern property boundary of the State-owned land, which point is approximately 4,000 feet south from where the Y138 Line crosses Pine Hill Road, which crossing of Pine Hill Road is approximately 80 feet west from the intersection of Forest Pines Road and Pine Hill Road in the Town of Madison.

The Y138's existing three phase conductors, and OPGW wire between Structures 42 and 43, whose specifications were identified on Exhibit 2, submitted by ES, will be unchanged in the course of relocation to the replacement steel structures.

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

**Department of Energy Safety Bureau Summary Table**

Eversource Y138 Line - State Public Land 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)
42	Type AD Steel, Class H9	42-43	452.9	28.1	33.78	Y
43	Type AD Steel, Class H9					

## **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 State-owned land in Madison.**

The state land crossing that is included in this petition was originally constructed in 1993 and previously licensed in 2020 under DE 20-001 (Order No. 26,404) for the addition of an OPGW conductor but Structures 42 and 43 at the subject crossing span were not replaced as part of that licensed project.

Eversource asserts that a New Hampshire Department of Environmental Services (NHDES) wetland statutory permit by notification (SPN) will be required to account for temporary wetland impacts associated with the replacement of Structure 42. The SPN will be obtained prior to commencement of construction.

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

Eversource specifies that the new poles and conductors to be licensed pursuant to this petition, will be located across State-owned land in Madison, New Hampshire. The structure replacement work will be accomplished within existing Eversource easements thereby mitigating impacts and concerns of property owners affected by the project scope. The railroad at this location is currently inactive, however Eversource will coordinate with NHDOT prior to commencement of construction.

## **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 Eversource 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 Y138 Line is an integral part of Eversource's existing electric transmission system in New Hampshire. The crossing location identified in the petition is in the town of Madison, New Hampshire. The Company asserts in its petition that the existing crossings will be exercised without substantially affecting public rights in the identified State-owned land.

The Safety Bureau verified that minimum safe line clearances above the public 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 overhead line crossings.

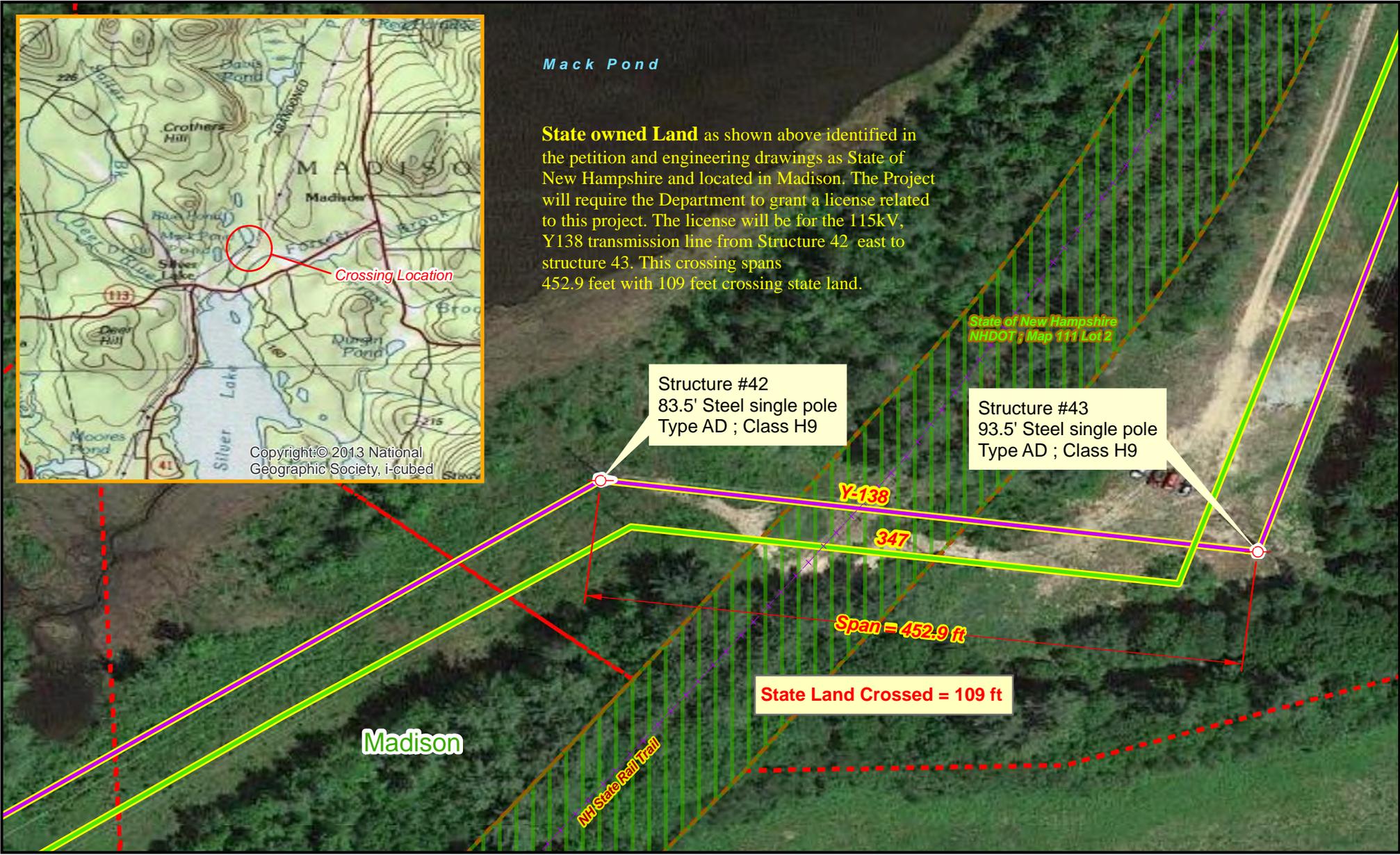
## **7. Safety Bureau Recommendation:**

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 the Town of Madison, New Hampshire as specified in the petition.

Attachments:

# State Land (NHDOT) - CRE 22-016 Eversource Crossing



	PoleLocations		Town Parcel
	115 kV Line		State Land Parcel
	34.5 kV Line		



<p>Prepared by: NH Department of Energy Enforcement Division Safety Bureau</p>	<p>0 50 100 200 300 Feet</p>
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