

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 22-077

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

Joint Petition to Alter Franchise Areas in Croydon and Sunapee

**COMMENCEMENT OF ADJUDICATIVE PROCEEDING
AND NOTICE OF PREHEARING CONFERENCE**

On November 14, 2022, New Hampshire Electric Cooperative, Inc. (NHEC) and Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) (together, the Joint Petitioners) filed a joint petition to modify their respective franchise areas by moving two lots in Croydon, New Hampshire from Eversource's franchise to NHEC's franchise. In support of their petition, the Joint Petitioners filed Attachments A and B demonstrating the location of the properties and the proposed change in franchise boundaries. The joint petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are available on the Commission's website at www.puc.nh.gov/Regulatory/Docketbk/2022/22-077.html.

I. BACKGROUND AND PROCEDURAL HISTORY

Eversource is a public utility with a service area that includes parts of the towns of Croydon and Sunapee, New Hampshire. NHEC is a rural electric cooperative with a service area that includes parts of the towns of Croydon and Sunapee, New Hampshire. The owners of two lots in Croydon that are within Eversource's service area, Lot 18-673 and Lot 18-674, have requested line extensions and electric service from Eversource. Both Lots 18-673 and Lot 18-674 abut Melody Lane in Sunapee. NHEC maintains a distribution line within a right-of-way over Melody Lane to serve

customers in Sunapee. According to the joint petition, it would be less expensive and less resource intensive for NHEC to extend lines to Lot 18-673 and Lot 18-674 from this existing distribution line than it would be for Eversource to obtain a new right-of-way and install facilities within its franchise area to serve these two properties. In light of these circumstances, the Joint Petitioners seek to change their respective franchise areas to move Lot 18-673 and Lot 18-674 into NHEC's franchise area, as shown in Attachment B.

On November 29, 2022, the New Hampshire Department of Energy (DOE) entered an appearance in this docket.

II. ISSUES PRESENTED

The filing presents, *inter alia*, the following issue: whether modification of NHEC's and Eversource's franchise boundaries to transfer the portion of Eversource's service territory containing Lot 18-673 and Lot 18-674 to NHEC's franchise area would be for the public good and thus permissible under RSA 374:22 and RSA 374:26. Accordingly, an adjudicative proceeding will be convened to address this issue.

The Commission notes, as do the joint petitioners, that RSA 374:26 authorizes the Commission to grant permission for certain extensions of utility service without hearing when all interested parties are in agreement. The Commission will assess whether exercising this statutory authority to grant permissions pursuant to RSA 374:26 without hearing is appropriate after the deadline for interventions has passed and the positions of all parties, including the DOE, is known.

The Commission will be conducting the prehearing conference and any hearings scheduled in this matter in person. The Commission will consider requests to conduct hearings using a hybrid format to permit remote participation by a specific individual only if the Commission has determined that a sufficient reason has been provided for

why that individual would be unable to attend in person. Any party requesting that a specific individual be permitted to participate remotely should file a written request with the Commission's Clerk's Office no later than fifteen (15) days prior to the prehearing conference or hearing date. If the Commission determines that one or more individuals will be permitted to appear remotely, then individuals in the Commission's hearing room, including the Commissioners, will be broadcast on a web-enabled platform.

Based upon the foregoing, it is hereby

ORDERED, that an adjudicative proceeding be commenced for the purpose of reviewing and resolving the foregoing issue pursuant to RSA chapter 541-A, RSA 374:22, RSA 374:26, and the Commission's procedural rules; and it is

FURTHER ORDERED, that the Commission will hold a prehearing conference, pursuant to N.H. Admin. R., Puc. 203.15, at its offices located at 21 S. Fruit St., Suite 10, Concord, New Hampshire, on March 21, 2023, at 9:00 a.m., at which each party should be prepared to address any of the issues set forth in N.H. Admin. R., Puc 203.15; and it is

FURTHER ORDERED, that during the prehearing conference, the Commission will consider the matters listed in Puc 203.15(c) and (d), including the establishment of a procedural schedule governing the remainder of the proceeding. Parties and potential parties are encouraged to facilitate the development of a procedural schedule by conferring prior to the prehearing conference, so that the presiding officer can address any matters on which there is disagreement during the prehearing conference. Any procedural schedule, however, will not be approved until after the prehearing conference and after consulting the Commissioner's calendar; and it is

FURTHER ORDERED, that immediately following the prehearing conference, the Joint Petitioners shall make appropriate personnel available for the parties to hold a technical session to review the filing; and it is

FURTHER ORDERED, that any entity or individual may petition to intervene and seek to be admitted as a party in this proceeding. Each party has the right to have an attorney represent the party at the party's own expense; and it is

FURTHER ORDERED, that, consistent with N.H. Admin. R., Puc 203.17 and Puc 203.02, any entity or individual seeking to intervene in the proceeding shall file with the Commission a petition to intervene with copies sent to the Joint Petitioners and any other parties on the service list, on or before January 30, 2023. The petition shall state the facts demonstrating how the petitioner's rights, duties, privileges, immunities, or other substantial interests may be affected by the proceeding, consistent with N.H. Admin. R., Puc 203.17; and it is

FURTHER ORDERED, that any party objecting to a petition to intervene make said objection on before February 13, 2023; and it is

FURTHER ORDERED, that parties shall file any proposed exhibits, written testimony, motions, or other documents intended to become part of the record in this proceeding with the Commission. Pursuant to the secretarial letter issued on March 17, 2020, which is posted on the Commission's website at <https://www.puc.nh.gov/Regulatory/Secretarial%20Letters/20200317-SecLtr-Temp-Changes-in-Filing-Requirements.pdf>, all Commission rules requiring the filing of paper copies are suspended until further notice. Parties may elect to submit any filing in electronic form unless otherwise ordered by the Commission. Filings will be considered filed as of the time the electronic copy is received by the Commission; and it is

FURTHER ORDERED, that the Joint Petitioners shall file any supporting documentation they wish to be considered, including details of the requested service extension and details supporting NHEC's proposed extension, on or before February 13, 2023; and it is

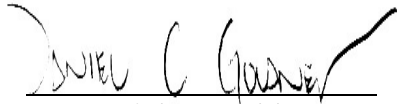
FURTHER ORDERED, that the DOE is requested to file an analysis of and a position statement on the Joint Petitioners' filing on or before February 13, 2023; and it is

FURTHER ORDERED, that routine procedural inquiries may be made by contacting the Commission's Clerk's Office at (603) 271-2431 or ClerksOffice@puc.nh.gov. All requests to the Commission should be made in a written pleading filed with the Commission. Unless otherwise authorized by law, *ex parte* communications are prohibited; and it is

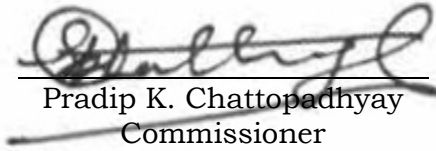
FURTHER ORDERED, that pursuant to N.H. Admin. R., Puc 203.12, the Joint Petitioners shall notify all entities and individuals desiring to be heard at this hearing by publishing copies of this order of notice on their websites no later than two business days after the date of issue, Eversource shall also provide supplemental notice to the owners of Lot 18-673 and Lot 18-674 by sending a copy of this notice by either first-class United States mail or electronic mail to the owners of Lot 18-673 and Lot 18-674 on or before January 3, 2023. Such publication and mailing shall be documented by affidavits filed with the Commission on or before January 9, 2023. In addition, the Clerk shall publish this order of notice on the Commission's website no later than two business days after the date of issue; and it is

FURTHER ORDERED, that any hearings in this matter shall be conducted in accordance with the attached hearing guidelines.

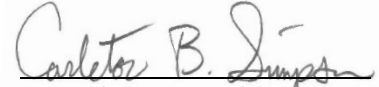
So ordered, this twenty-seventh day of December, 2022.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
Commissioner



Carleton B. Simpson
Commissioner

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

Service List - Docket Related

Docket#: 22-077

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