

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 24-028

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

Joint Petition to Alter Franchise Areas in Chester, New Hampshire

Order *Nisi* Approving Petition

ORDER NO. 27,006

May 7, 2024

On February 15, 2024, Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) and New Hampshire Electric Cooperative (NHEC) filed a joint petition to alter their franchise boundaries in the Town of Chester, New Hampshire pursuant to RSA 374:22 and RSA 374:26. Specifically, they seek to transfer two lots from Eversource's franchise area to NHEC's on the grounds that, due to the locations of their respective distribution infrastructure, NHEC can provide service to the lots at less cost than Eversource. The New Hampshire Department of Energy (DOE) filed a technical statement recommending that the Commission approve the petition. For the reasons that follow, the Commission **APPROVES** the joint petition consistent with the ordering clause below. All docket filings, other than those subject to confidential treatment, are available on the Commission's website at <https://www.puc.nh.gov/Regulatory/Docketbk/2024/24-028.html>.

I. BACKGROUND

The Commission draws the following facts from the parties' filings, including the joint petition and attachments, the petitioners notice of customer consent, and the DOE's technical statement. None of the facts appear to be in dispute. Eversource is a public utility under RSA 362:2, I with a franchise area that includes parts of Chester.

NHEC is a rural electric cooperative with a franchise area that includes parts of Chester. The joint petition concerns two lots in Chester.

The first is Lot 2-38, which sits entirely within the Eversource franchise area. The owner of the lot intends to build a residence on it and seeks electric service. Eversource and NHEC represent that, given the location of the two utilities' respective electric distribution facilities, it would be more efficient for NHEC to extend an electric line to the lot and provide service to the new residence than it would be for Eversource to do so. *See* Joint Petition, Attachment B (showing the location of the utilities' respective distribution facilities). They therefore request that the Commission approve a boundary change to move Lot 2-38 into NHEC's territory. *See* Joint Petition, Attachment A (showing the proposed boundary changes). The DOE's technical statement represents that the cost for NHEC to extend electric lines to Lot 2-38 would be less expensive than Eversource doing so. *See* DOE Technical Statement at 2. In addition, the owner of the lot consents to the franchise boundary change.

The second, Lot 2-40, sits partially within Eversource's franchise area and partially within NHEC's franchise area. NHEC has provided electric service to the lot since 1988. DOE Technical Statement at 3. Although the lot straddles the line between the two franchise areas, neither Eversource nor NHEC has ever sought Commission approval to alter the franchise boundary to move the lot into NHEC's territory. *Id.* The petitioners are seeking to adjust their franchise boundaries so that Lot 2-40 is entirely within NHEC's franchise area. *See* Petition, Attachment A. The owner of the lot consents to the proposed boundary change.

II. LEGAL STANDARD

The Commission has a general obligation to ensure that every electric public utility furnishes such service and facilities as shall be reasonably safe and adequate

and in all other respects just and reasonable. RSA 374:21. In addition, public utilities must obtain approval from the Commission before they alter their franchise boundaries. See RSA 374:22, I. In order to approve a change in franchise boundaries, the Commission must find that it would be for the public good. RSA 374:26. The Commission may grant such permission without a hearing when “all interested parties are in agreement” that the franchise change is appropriate. *Id.* Although RSA 374:22 does not apply to NHEC under RSA 362:2, II, this transaction is subject to the Commission’s review because Eversource is a public utility under RSA 362:2, I.

III. COMMISSION ANALYSIS

Based on the parties’ representations in their filings, the Commission finds that the proposed alterations to the franchise boundaries are for the public good. With respect to Lot 2-38, the Commission accepts the parties’ representations that NHEC can extend service to the lot at a lower cost than Eversource because the former company’s existing distribution facilities are closer. With respect to Lot 2-40, it is reasonable to alter the boundaries so that the lot is fully within one utility’s franchise area. Moreover, because NHEC has been serving the lot since 1988, it is more cost effective to allow the company to continue to do so rather than have Eversource pay to extend its distribution lines. Significantly, there is nothing in the record suggesting that these boundary changes would negatively affect the public good. Therefore, the Commission finds that the proposed alterations to the petitioners’ franchise areas are in the public good consistent with RSA 374:22 and RSA 374:26.

Finally, because all interested parties—the petitioners, the DOE, and the customers—support the franchise boundary changes, the Commission finds it appropriate to approve the petition without a public hearing. RSA 374:26.

Based upon the foregoing, it is hereby

ORDERED NISI, that subject to the effective date below, the petition is **APPROVED**; and it is

FURTHER ORDERED, that the petitioners shall post copies of this order on their websites within two business days of the date of this order with affidavits of publication to be filed on or before June 7, 2024; and it is

FURTHER ORDERED, that all persons interested in responding to this order be notified that they may submit their comments or file a written request for a hearing, stating the reason and basis for a hearing, no later than June 7, 2024 for the Commission's consideration; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than June 14, 2024; and it is

FURTHER ORDERED, that this order shall be effective June 21, 2024, unless the petitioner fail to satisfy the publication obligation set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date; and it is

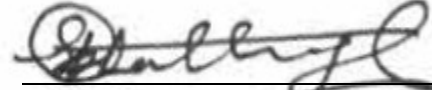
FURTHER ORDERED, that Eversource and NHEC shall file updated franchise maps with the Commission, in accordance with N.H. Code Admin. Rules Puc 1603, noting the approved change, annotated with this order and the effective date herein, within 30 days of the effective date of this order; and it is

FURTHER ORDERED, that the prehearing conference scheduled for May 23, 2024, is **CANCELLED**.

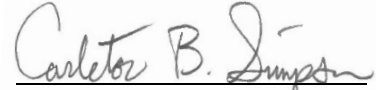
By order of the Public Utilities Commission of New Hampshire this seventh day
of May, 2024.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
Commissioner



Carleton B. Simpson
Commissioner

Service List - Docket Related

Docket#: 24-028

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