



State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
OFFICE OF THE COMMISSIONER
25 Capitol Street – Room 120
Concord, New Hampshire 03301

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LINDA M. HODGDON
Commissioner
(603) 271-3201

JOSEPH B. BOUCHARD
Assistant Commissioner
(603) 271-3204

December 26, 2013

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Department of Administrative Services (the "Department"), acting on behalf of the Department of Health and Human Services, pursuant to RSA 4:40, to amend an existing electric utility transmission line license held by Unitil Corporation ("Unitil") affecting the New Hampshire Hospital Cemetery parcel located on the north side of Clinton Street in Concord in order to alter the existing utility corridor license area to accommodate a utility pole line realignment project proposed for the upcoming winter months of 2014. Effective upon Governor and Council approval.

EXPLANATION

The proposed utility pole line realignment project to be undertaken by Unitil would reroute a portion of the existing utility pole line located south of Clinton Street that currently traverses portions of the Turkey River and associated wetlands in Russell-Shea State Forest. Several utility poles would be relocated out of the Turkey River and adjacent wetlands to higher ground to the west. To the extent that it would affect Russell-Shea State Forest lands, this project was authorized by the Governor and Executive Council on October 2, 2013, tem #47 requested by the Department of Resources and Economic Development (DRED). However, this pole line realignment would also change the angle at which the power transmission line crosses Clinton Street and enters the New Hampshire Hospital Cemetery parcel located on the north side of Clinton Street between the Turkey River and White Farm (the "Cemetery Parcel"), which in turn would require the proposed change to the license area within the Cemetery Parcel. As proposed, the project would require the addition of approximately 145 square feet of land within the Cemetery Parcel to the existing license area in order to accommodate the alteration of the 50-foot-wide utility corridor so that its centerline follows the rerouted utility pole line. This alteration of the existing utility license corridor would also result in the abandonment from the license area of approximately 26 square feet of land within the Cemetery Parcel. The project is planned for the winter months in order to take advantage of the frozen ground and wetlands to be able to access the pole line south of Clinton Street with the necessary equipment.

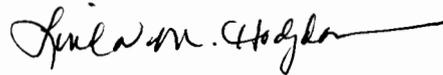
The existing license was granted by the State in 1982 to Unitil's predecessor-in-interest, Concord Electric Company, in accordance with an order issued by the Public Utilities Commission on April 22, 1982. The 1982 License instrument (the "License") is recorded in the Merrimack County Registry of Deeds at Book 1420, Page 759, and the utility license corridor described therein extends southerly from the southern boundary of the Carmelite Monastery parcel located on the south side of Pleasant Street to the Bow town line. Pursuant to the express terms of the License, Unitil pays a license fee to the State Treasury annually in the amount of \$200 in exchange for the rights granted in the License. The License does not include any stated term or termination date, but neither does it state that the license thereby

granted shall continue in perpetuity. The transmission line situated within the license corridor provides electrical power to Concord Hospital.

The Department proposes to amend the existing License to adjust the license area within the Cemetery Parcel as described above. This request is limited to that portion of the license area within the Cemetery Parcel only. The Department further proposes to wait until the utility pole line realignment project is complete to amend the License so that the description of the land within the Cemetery Parcel to be added to the license area accurately establishes an adjusted 50-foot-wide utility license corridor based on the actual location of the "as-built" rerouted pole line as its centerline. The proposed license amendment has been submitted to the Long Range Capital Planning and Utilization Committee for review at its next meeting on January 14, 2014.

The effectiveness of the proposed license amendment shall commence upon its execution by the Commissioner of the Department of Health and Human Services, following approval by the Governor and Executive Council. The amended License shall continue until such time as the license granted thereby is revoked by the State.

Respectfully submitted,



Linda M. Hodgdon
Commissioner

B 1420P0759

LICENSE

WHEREAS, Concord Electric Company, a New Hampshire corporation with a principal place of business at One McGuire Street, Concord, Merrimack County, New Hampshire, has filed a Petition with the Public Utilities Commission of the State of New Hampshire requesting a license for the maintenance and use by the Company of a transmission line, for the transmission of electricity, across land owned by the State of New Hampshire and situated in Concord, Merrimack County, New Hampshire; and

WHEREAS, the Public Utilities Commission of the state of New Hampshire has determined by order dated April 22, 1982, that the license requested by the Company is necessary in order for the Company to meet the reasonable requirements of providing electric service to the public, and that said license may be exercised by the Company without substantially affecting the public rights of the land of the State affected thereby; and

WHEREAS, the Public Utilities Commission has determined that said license should be effective from March 9, 1971 and that the annual rental to be paid for the license should be \$100 per year from March 9, 1971 and \$200 from March 9, 1982.

NOW THEREFORE, the State of New Hampshire does hereby grant a license to Concord Electric Company, its successors and assigns, to maintain, repair, rebuild, use and operate a line of poles, with crossarms, wires, and cables thereon and other appurtenances thereto for the transmission of electric energy. Along a right-of-way over and across lands of the State of New Hampshire lying southerly of the Carmelite Monastery located on Pleasant Street in Concord and extending to the Bow town line, the said right-of-way to be fifty (50) feet in width and to have its center line a line which may be described as follows:

B 1420P0759

Beginning at a point in the southerly line of land owned by the Carmelite Monastery situated southerly of Pleasant Street in said Concord, which point is thirty feet westerly of the southeast corner of said land of Carmelite Monastery; thence proceeding approximately South $0^{\circ} 15'$ West a distance of three thousand nine hundred (3900) feet, more or less, to a point at Pole No. 66 of said transmission line; thence turning left to approximately South $15^{\circ} 0'$ East and proceeding a distance of eight hundred (800) feet, more or less, to a point at Pole No. 61; thence turning left to approximately South $42^{\circ} 0'$ East and proceeding a distance of one thousand four hundred ten (1410) feet, more or less, to a point at Pole No. 52; thence turning left to approximately South $48^{\circ} 0'$ East and proceeding a distance of three thousand three hundred eighty (3380) feet, more or less, to a point at Pole No. 32; thence turning left to approximately South $54^{\circ} 0'$ East and proceeding a distance of two hundred fifty (250) feet, more or less, to the Concord-Bow City-Town line, at land now or formerly of Rowell, said point being one hundred (100) feet, more or less, southerly of Pole No. 31, the most southerly of the transmission line poles situated in the City of Concord.

Excepting the reserving, however, that portion of the above-described right-of-way which is included within land conveyed by the State of New Hampshire to Concord Union School District by deed dated September 28, 1981, recorded in Merrimack County Records at Book 1407, Page 141.

Also excepting and reserving that portion of the above-described right-of-way which crosses land owned by the Company and acquired by the Company from the State of New Hampshire by quitclaim deed dated October 31, 1973, duly recorded in Merrimack County Registry of Deeds at Book 1194, Page 87, and depicted on Survey Plan of E. E. Veinotte, dated July 31, 1973, recorded October 31, 1973 as Plan #3391, as revised by Revision dated July 1, 1981, recorded as Plan #6727.

Without limiting the generality of the foregoing description of the license rights hereby granted to the Company, the license shall include one (1) the right to clear and keep clear the State's land lying within 25 feet of the center line of all trees and underbrush by such means as the Company may select, and to remove therefrom all structures or obstructions which are now or may hereafter be found thereon, and (2) the right to remove from the premises of the State adjacent to the above-mentioned right-of-way such trees as in the judgment of the Company may interfere

with or endanger said transmission line maintenance or operation.

In consideration for the license hereby granted, Concord Electric Company shall pay to the State of New Hampshire an annual rental of \$100 per year from March 9, 1971 and \$200 from March 9, 1982.

DATED this 30 day of June, 1982.

THE STATE OF NEW HAMPSHIRE

By Hugh A. Haller
Governor

Signed, sealed and delivered in the presence of:

Tom Cooper

ATTEST Robert P. Abbe
Deputy Secretary of State



THE STATE OF NEW HAMPSHIRE
Merrimack, ss.

Hugh Haller and Robert Ambrose personally appeared me on June 30, 1982 and acknowledged the foregoing instrument to be the free act and deed of them and The State of New Hampshire,

Before me,

Tom Cooper
Notary Public/Justice of the Peace

Approved as to Form:

Loretta S. Platt
Loretta S. Platt
Attorney
Division of Legal Counsel
Office of Attorney General

MERRIMACK COUNTY RECORDS
Recorded July 16, 8-00AM.1982

Marjorie B. Mathews
Commissioner

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STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
DIVISION OF FORESTS AND LANDS
172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

603-271-2214
FAX: 603-271-6488
www.nhdf.org

September 19, 2013

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Executive Council
State House
Concord, New Hampshire 03301

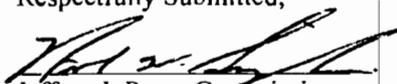
REQUESTED ACTION

The Department of Resources and Economic Development (DRED), Division of Forests and Lands respectfully requests authorization to relocate a portion of an existing utility easement across Russell-Shea State Forest in the vicinity of Clinton Street, Concord effective upon Governor and Executive Council approval. No State Funds

EXPLANATION

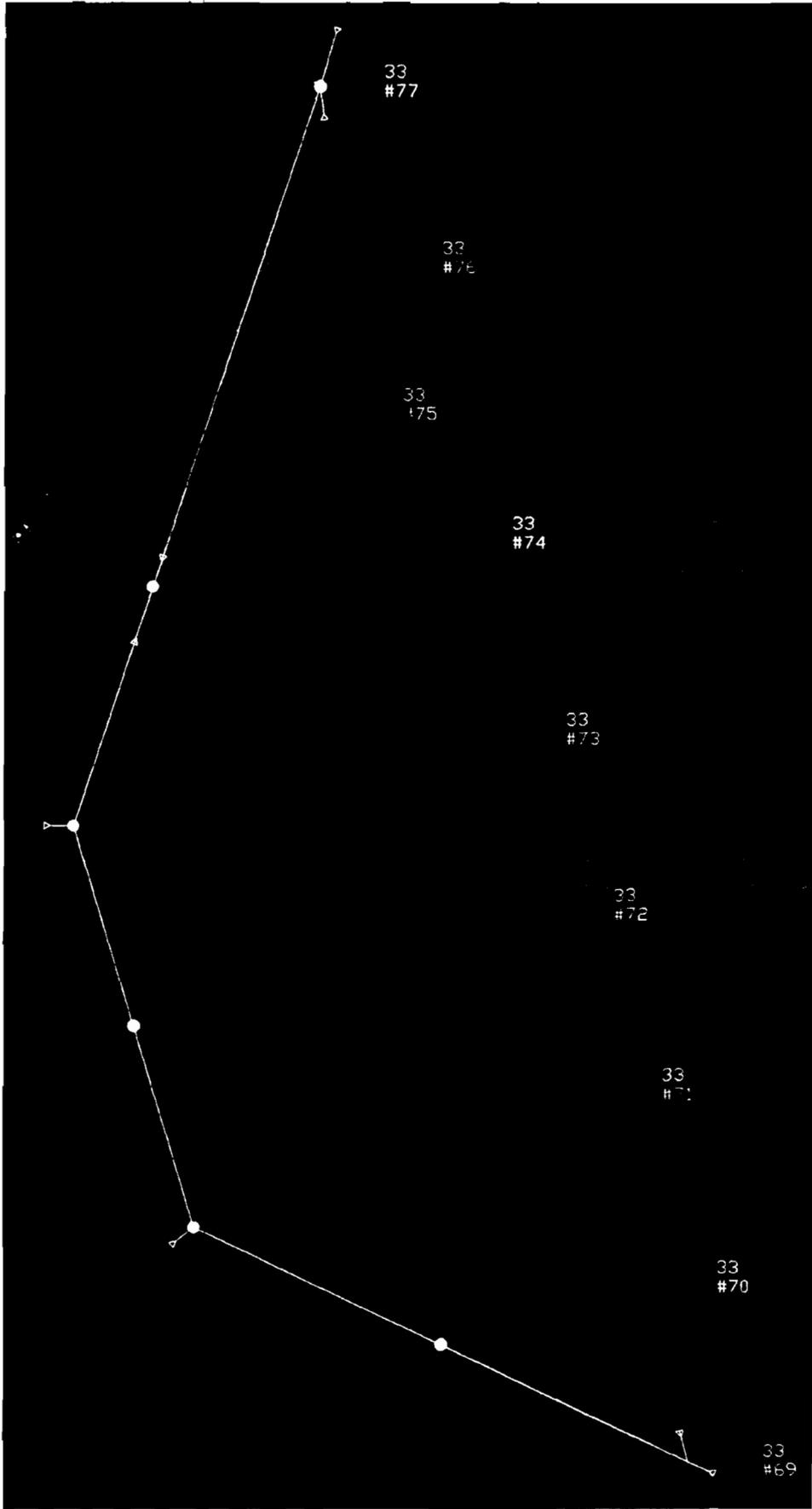
The Department of Resources and Economic Development (DRED), Division of Forests and Lands received a request from Unitil Service Corp to repair failing utility poles in an existing utility corridor over state land known as Russell-Shea State Forest. The poles exist in a wetland associated with the Turkey River. DRED and Unitil determined that a better solution was to move the corridor to higher ground along the edge of the field. This would enable Unitil to service and maintain the lines with minimal impact to the wetlands. A condition of the relocation approval would be the removal of the existing poles and lines during snow cover to minimize the wetlands impact. This line services the hospital and its surrounding support facilities.

Respectfully Submitted,

 *for*
Jeffrey J. Rose, Commissioner
Department of Resources
and Economic Development

Enclosure





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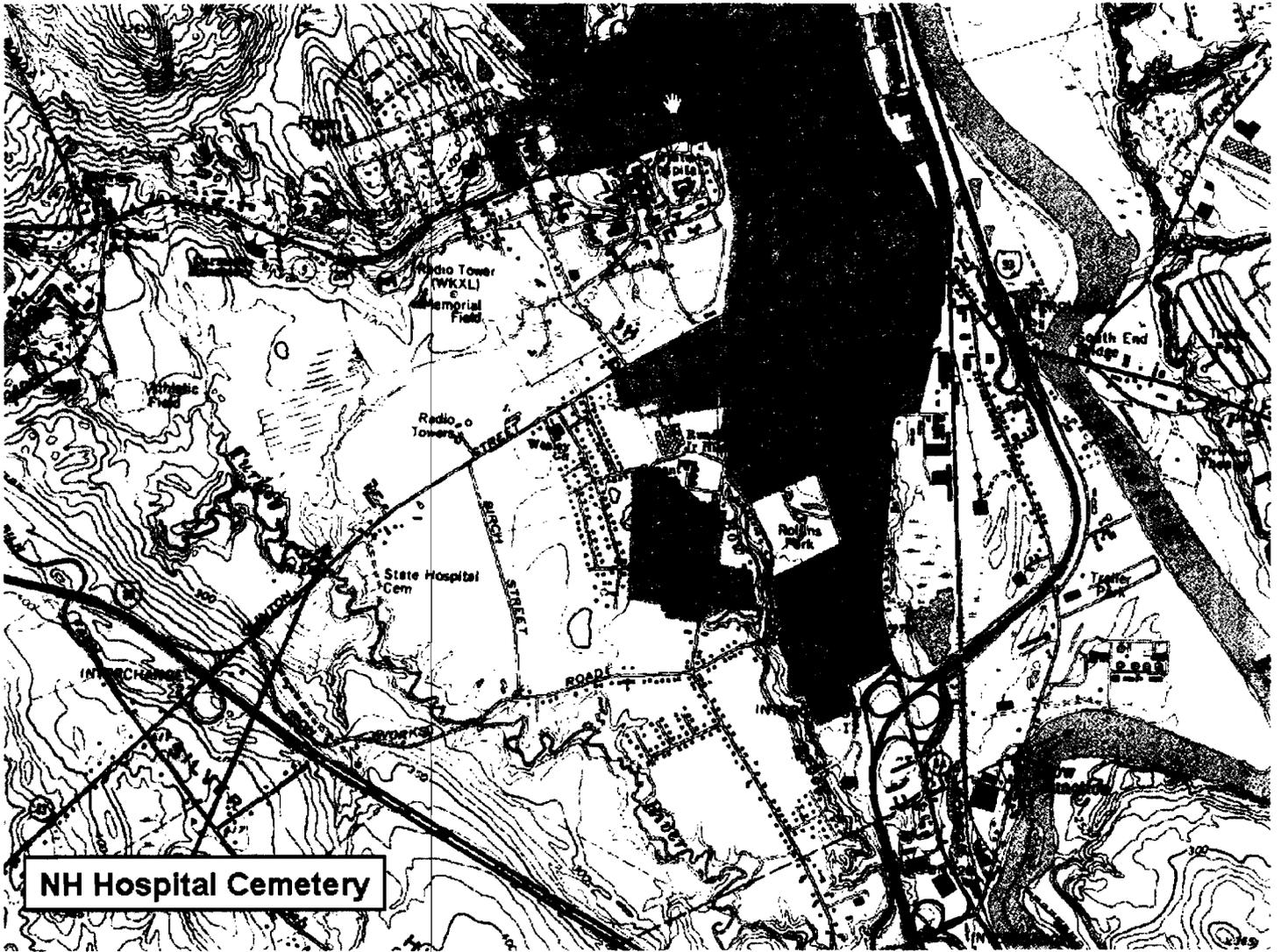
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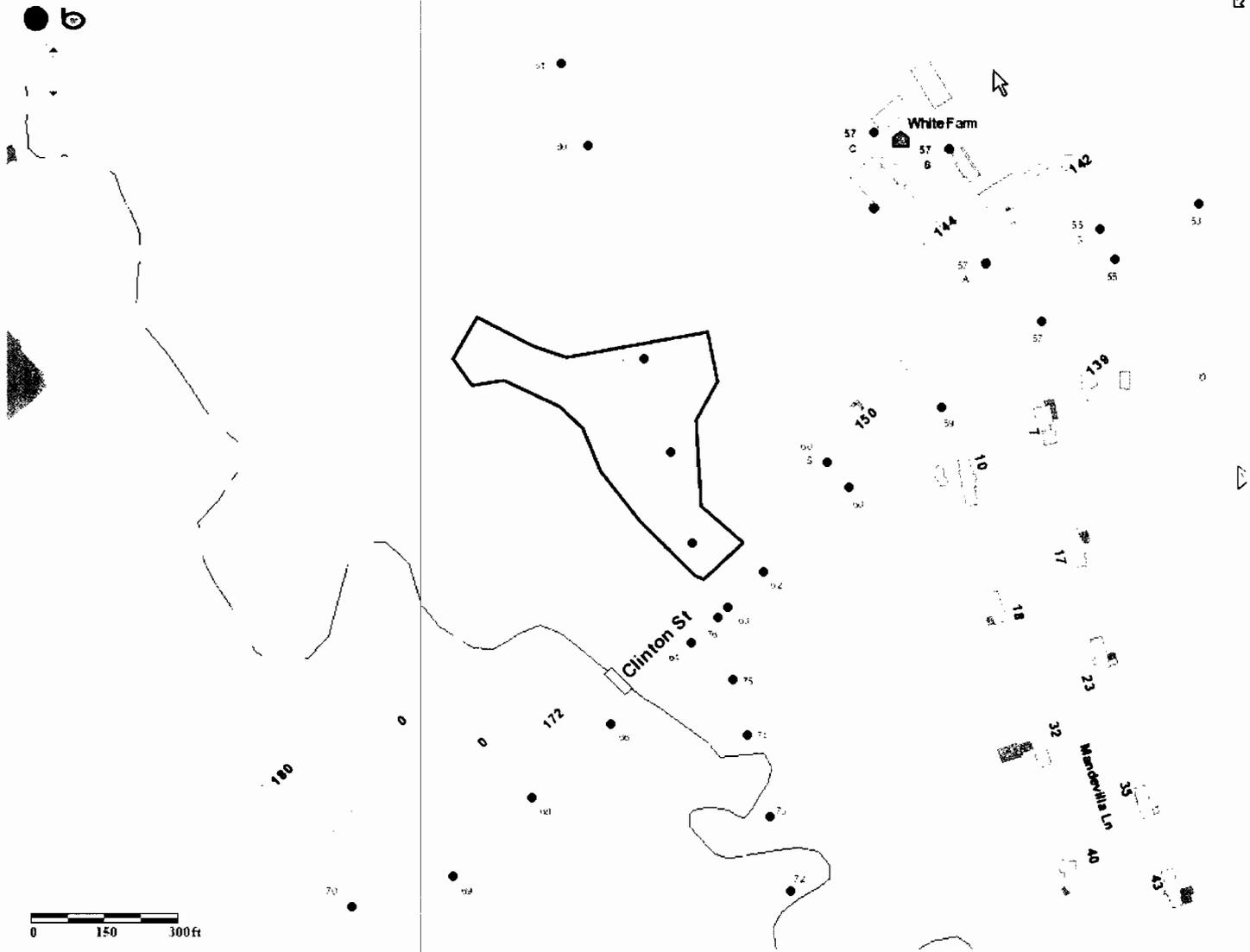
YELLOW IS
PROPOSED LINE

RED IS OLD LINE



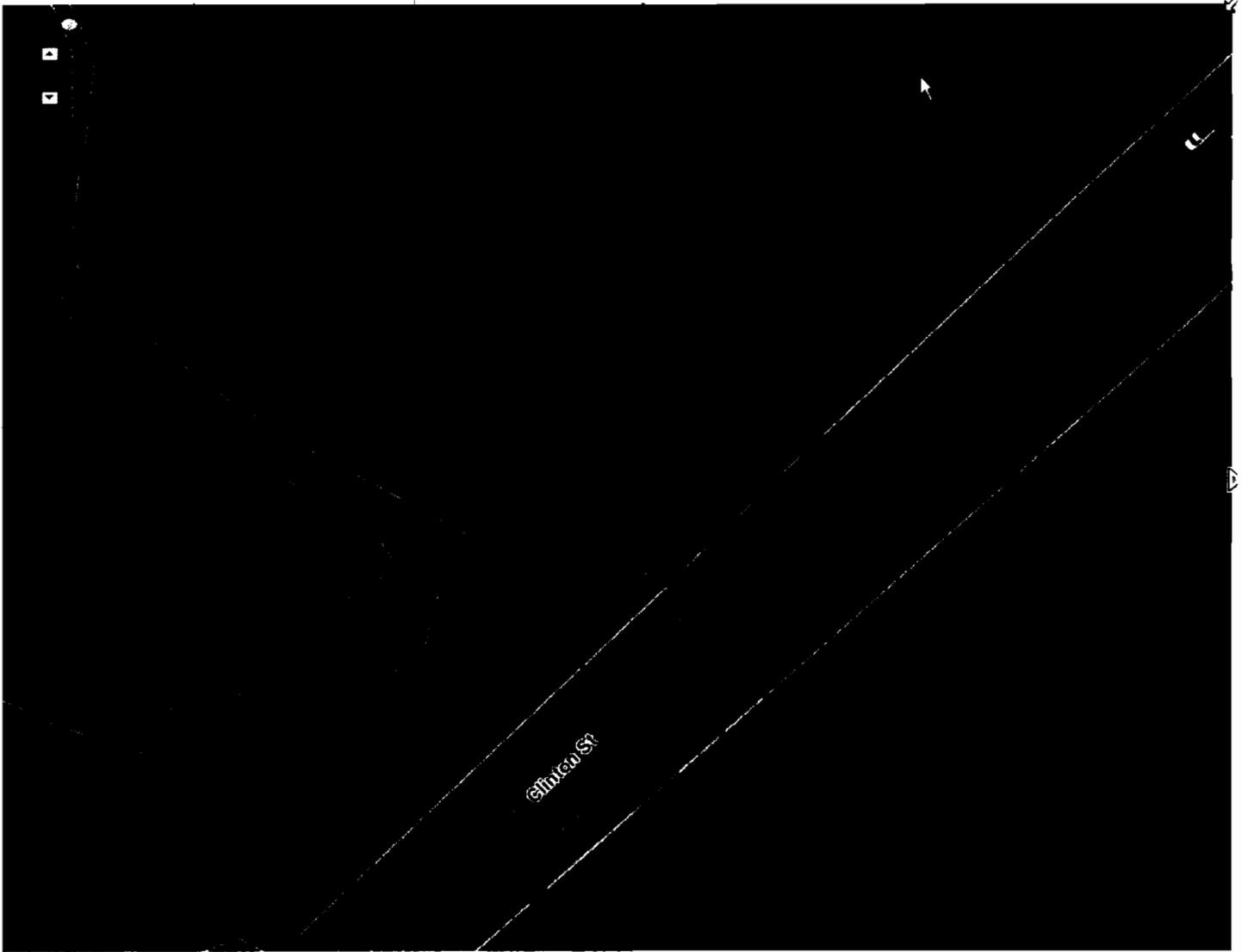
Clinton Street (NH Route 13), Concord, NH
New Hampshire Hospital Cemetery

Concord USGS Quad



**Clinton Street (NH Route 13), Concord, NH
New Hampshire Hospital Cemetery
(shaded and outlined at center above)**

**Tax Map Detail
Tax Map 95, Block 1, Lot 26
(showing existing utility pole locations)**



**Clinton Street (NH Route 13), Concord, NH
New Hampshire Hospital Cemetery
(shaded and outlined above)**

**Aerial View
Portion of Cemetery Parcel to be Affected by Utility License Area Adjustment
(showing existing utility pole locations)**

