

# Bill as Introduced

HB 1346 - AS INTRODUCED

2012 SESSION

12-2106  
06/05

HOUSE BILL           **1346**

AN ACT           relative to the construction of power line extensions.

SPONSORS:       Rep. Baroody, Hills 13; Rep. Chandler, Carr 1; Rep. Merrick, Coos 2

COMMITTEE:      Science, Technology and Energy

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ANALYSIS

This bill permits Public Service of New Hampshire customers to hire licensed contractors to install power line extensions.

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Explanation:     Matter added to current law appears in ***bold italics***.  
                  Matter removed from current law appears [~~in brackets and struckthrough~~].  
                  Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twelve*

AN ACT                   relative to the construction of power line extensions.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 New Section; Installation of Power Line Extensions. Amend RSA 370 by inserting after  
2 section 11 the following new section:

3           370:12 Installation of Power Line Extensions. Any New Hampshire utility customer that  
4 requires a power line extension may hire a contractor who is licensed in the state of New Hampshire  
5 and is approved by the utility. Such contractor shall supply and install materials specified by the  
6 local utility for underground and overhead line extensions.

7           2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 258  
HB 1346 - FINAL VERSION

05/09/12 1966s  
6June2012... 2442CofC

2012 SESSION

12-2106  
06/05

HOUSE BILL **1346**

AN ACT relative to the construction of power line extensions.

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AMENDED ANALYSIS

This bill permits certain Public Service of New Hampshire customers to hire licensed contractors to install power line extensions.

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CHAPTER 258  
HB 1346 - FINAL VERSION

05/09/12 1966s  
6June2012... 2442CofC

12-2106  
06/05

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twelve*

AN ACT relative to the construction of power line extensions.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 258:1 New Section; Installation of Power Line Extensions. Amend RSA 370 by inserting after  
2 section 11 the following new section:

3 370:12 Installation of Power Line Extensions. Any New Hampshire utility customer that  
4 requires a power line extension located on private property may hire a contractor who is licensed in  
5 the state of New Hampshire and is approved by the utility. Such contractor shall supply and install  
6 materials specified by the local utility for underground and overhead line extensions, the cost of  
7 which shall be borne by the utility customer.

8 258:2 Effective Date. This act shall take effect 60 days after its passage.

9 Approved: June 18, 2012

10 Effective Date: August 17, 2012

# Amendments

Energy and Natural Resources  
May 2, 2012  
2012-1966s  
06/10

Amendment to HB 1346

1 Amend RSA 370:12 as inserted by section 1 of the bill by replacing it with the following:

2

3 370:12 Installation of Power Line Extensions. Any New Hampshire utility customer that  
4 requires a power line extension for a home or ancillary service located on private property may hire a  
5 contractor who is licensed in the state of New Hampshire and is approved by the utility. Such  
6 contractor shall supply and install materials specified by the local utility for underground and  
7 overhead line extensions, the cost of which shall be borne by the utility customer.

Amendment to HB 1346

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2012-1966s

AMENDED ANALYSIS

This bill permits certain Public Service of New Hampshire customers to hire licensed contractors to install power line extensions.



# Committee Minutes

**SENATE CALENDAR NOTICE  
ENERGY AND NATURAL RESOURCES**

✓ Senator Bob Odell Chairman  
 ✓ Senator John Gallus V Chairman  
 ✓ Senator Jeb Bradley  
 ✓ Senator Gary Lambert  
 ✓ Senator Amanda Merrill

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/> Bill Status	
<input type="checkbox"/> Docket	
<input type="checkbox"/> Calendar	
Proof: <input type="checkbox"/> Calendar	<input type="checkbox"/> Bill Status

**Date: April 18, 2012**

**HEARINGS**

**Thursday**

**4/26/2012**

**ENERGY AND NATURAL RESOURCES**

**LOB 102**

**9:00 AM**

(Name of Committee)

(Place)

(Time)

**EXECUTIVE SESSION MAY FOLLOW**

9:00 AM	HB1140	relative to the care of war memorials in Franconia Notch state park.
9:15 AM	HB1346	relative to the construction of power line extensions.
9:30 AM	HB1484	relative to fees for state parks.
9:45 AM	HB1487	(New Title) relative to low carbon fuel standards programs.
10:00 AM	HB1555	relative to the penalty for firearm use in a state area for propagation of game controlled by the fish and game department.

**Sponsors:**

**HB1140**

Rep. Elaine Swinford  
 Sen. Sharon Carson

Rep. Alfred Baldasaro

Rep. Kathleen Taylor

Rep. Kenneth Kreis

**HB1346**

Rep. Benjamin Baroody

Rep. Gene Chandler

Rep. Evalyn Merrick

**HB1484**

Rep. Lynne Ober

Rep. Andrew Renzullo

Rep. Kathleen Taylor

Sen. Bob Odell

**HB1487**

Rep. Frank Holden

Rep. David Bettencourt

Rep. William O'Brien

**HB1555**

Rep. G. Brian Seaworth  
 Rep. Jason Antosz

Rep. Timothy Comerford  
 Rep. Spec Bowers

Rep. Daniel Itse  
 Rep. Mark Proulx

Rep. Kenneth Kreis  
 Sen. James Forsythe

START: 9:26 AM  
 END: 9:57 AM

Richard Parsons 271-3076

Sen. Bob Odell

Chairman

# Energy and Natural Resources Committee

## Hearing Report

**FROM:** Richard Parsons, Legislative Aide

**HB 1346 – relative to the construction of power line extensions.**

**HEARING DATE:** April 26, 2012

**MEMBERS PRESENT:** Senators Odell, Gallus, Bradley, Lambert, Merrill

**MEMBERS ABSENT:** No one.

**Sponsor(s):** Rep. Baroody, Hills 13; Rep. Chandler, Carr 1; Rep. Merrick, Coos 2

**What the bill does:** This bill permits Public Service of New Hampshire customers to hire licensed contractors to install power line extensions.

**Who supports the bill:** Rep. Chandler; Rep. Baroody; Tom Chrisenton; Kendall Buck, NH Homebuilders Association; Tom Skeffington;

**Who opposes the bill:** Donna Gamache and Dave Bickford, PSNH;

**Summary of testimony received:**

Hearing opened at 9:26 AM

**Rep. Baroody**, stated that this bill after a constituent issue came about because a property owner was told they couldn't install a power line extension on their own anymore with an independent contractor. This will allow a PSNH customer to hire a licensed contractor and this would save a customers thousands of dollars by allowing them to get an extension from someone other than the utility company. This is about installing a long line and not a wire simply from the box to the house.

**Tom Chrisenton**, stated he was the constituent who wanted to run power up to his barn and when he asked if he can hire anyone he wants to put it in he was told he was allowed to. However, after getting the contractor, he was told by someone else at PSNH that he couldn't. Later, he was told he could proceed because he was told earlier he could put in the lines. So the lines were installed but for other people they cannot install power line extensions without the utility being the one that installs the lines. Do not understand why this is no longer allowed but this should be fixed. One question that should be asked is if there is a list of approved contractors from PSNH.

**Donna Gamache and Dave Bickford**, PSNH, stated that PSNH is opposed to this legislation for several reasons. PSNH is unique because they own the right to the meter on everyone's homes. Dave Bickford stated this means that PSNH is responsible for replacing up to the box were other utilities would just replace the line or the box. Donna Gamache stated that one of the issues is safety and also reliability because it is PSNH's responsibility to fix any problems that arise from the line. Dave Bickford stated that PSNH prefers to install these lines because they are always responsible for fixing any lines. If this bill is to pass, PSNH would not know who is going to be building these extensions and that can cause

problems. PSNH has had problems with poles falling because contractors don't want to blast the necessary depth to install the poles. So, they cut off parts of the bottom to still have the pole at the 4 foot mark above the ground. Senator Odell asked if PSNH uses a lot of contractors. Dave Bickford stated PSNH does have contractors and they have certain criteria that are part of the contracts that are signed. Donna Gamache stated that PSNH does not believe they should have to police the list of approved contractors and although the homeowner has the right to choose the contractor if the owner wants a contractor that isn't approved by PSNH it would be difficult to monitor those contractors. The difference is who the contractors have to respond to and a line that is buried cannot be inspected afterward. Senator Odell asked about the cost and how there isn't any competition and the property owner has no options really. Donna Gamache stated that is correct but there is oversight to the PUC to make sure that the prices are not egregious and the cost may be higher but that includes the liability and insurance. Senator Gallus asked that if you could build a line to a barn and PSNH would provide power if an independent contractor was to install the line. Donna Gamache stated that you absolutely could do that but PSNH would not take ownership of those lines. Senator Merrill asked about the example used earlier about the poles falling and whether or not that was an individual doing the work on their own. Dave Bickford stated that in the 1980s, PSNH allowed contractors to build lines during the house boom and that is when the lines were installed improperly. There are 100 line crews for PSNH currently and we need to keep those crews busy. Senator Lambert asked about the language about "licensed contractor" and what exactly that means. Dave Bickford stated it is unknown what that means. Senator Odell asks how often people request to do these extensions. Dave Bickford state PSNH has only heard about the one in Milford.

**Tom Sceffington**, in support of the bill as a contractor and former employee of PSNH and it allows contractors to build overhead lines and PSNH would then approve the line. This is a large part of Mr. Sceffington's personal business and the business was told two years ago that PSNH would be doing the work themselves. Personal business employs approved contractors and PSNH would not give work to the company if they are not approved. The business will be losing 20% of business because they don't want to hire contractors to do this anymore. PSNH sets a very high standard for their contractors. Usually, the contractor can install a line for a third of the cost of PSNH line extension and this bill is asking PSNH to allow them to give the public a fair ability to choose. Senator Odell stated he believes the costs are higher to keep crews employed so when an emergency comes they have all those crews. Mr. Sceffington believes PSNH is very busy and an independent contractor will get the work done faster than PSNH would. All of the employees have a high voltage license and not all contractors have that and would be able to do this. Senator Merrill asked if this legislation brings the policy back to what it was before two years ago when PSNH told Mr. Sceffington's company they couldn't do anymore extensions. Mr. Sceffington stated that it would be bringing it back to allowing them to do extensions. Senator Merrill asked about doing the underground work. Mr. Sceffington stated that an approved contractor will install the lines properly and wouldn't be on the vendor list if weren't an approved contractor. There is a quite a process to becoming a contractor and expenses and they will install them correctly because there is a lot of work that goes into becoming approved. Senator Lambert asked about the vendor list. Mr. Sceffington stated that contractors go through the process to be approved and PSNH should have a list.

Hearing closed at 9:57AM

**Funding:** *Not applicable.*

**Future Action:** Pending.

**RMP**

[file: HB 1346 report]

Date: 4/30/12

# Speakers





# Testimony



**Parsons, Richard**

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**From:** Tom Skeffington [tskeff@utilityserviceinc.com]  
**Sent:** Tuesday, May 01, 2012 8:13 AM  
**To:** Odell, Bob; Tom & Ginny Chrisenton  
**Cc:** Gallus, John; Bradley, Jeb; Lambert, Gary; Merrill, Amanda  
**Subject:** Re: HB 1346

Dear Senator Odell and Committee members,

I also would like to thank the committee for allowing myself to speak in favor of HB 1346.

Our company, Utility Service & Assistance Inc. has been in business for over 25 years. We have been allowed to complete line extensions for the past 20 years. This has been a common practice for some time now.

Recently PSNH has stopped this practice, claiming they don't have the work load they have had in the past. By stopping the passage of HB 1346, it would not only minimize our work load ( NH , but also drive the cost of new service to

the NH Customers upward to an unfair rate w/o competitive pricing.

The other major Utilities, Unitil and NH Electric Cooperative allow " Approved Line Contractor Vendors" to complete Line Extensions.

PSNH is the only one to disapprove this Bill. The irony of this is, if PSNH encounters

ledge in the pole placing process, they have to hire an " approved contractor " to core drill ledge due to the fact that they do not have core drilling equipment.

Please feel free to contact myself should you derive any questions on our stand.

This Bill will allow only "approved utility contractors" to build line extensions with approved materials as we always have.

Respectfully,

Tom Skeffington  
President



Tom Skeffington  
Utility Service & Assistance Inc  
117 Londonderry Tpke.

## Parsons, Richard

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**From:** Tom & Ginny Chrisenton [trees@tellink.net]  
**Sent:** Monday, April 30, 2012 10:25 AM  
**To:** Odell, Bob  
**Cc:** Gallus, John; Bradley, Jeb; Lambert, Gary; Merrill, Amanda  
**Subject:** HB 1346

Dear Senator Odell and committee members,

Thank you for the opportunity to speak before your committee last Thursday.

I would like to add the following to my testimony:

If this bill becomes law, Public Service will not have a monopoly position regarding line extensions.

I feel that this bill is good for free market competition and the people of New Hampshire. If I couldn't have hired Utility Service and Assistance contractors at a significant savings over what PSNH wanted, I probably would not have had the work done.

In the final analysis, there was no testimony on Thursday that sub standard work was performed by any approved contractors on PSNH's list of approved contractors. HB1346 provides that only PSNH approved contractors be used.

Sincerely,  
Tom Chrisenton  
High Ridge Tree Farm  
Lyndeborough, NH

# Committee Report

STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE

Date: 5/3/12

THE COMMITTEE ON Energy and Natural Resources  
to which was referred House Bill 1346

AN ACT relative to the construction of power line extensions.

Having considered the same, the committee recommends that the Bill:

**OUGHT TO PASS WITH AMENDMENT**

BY A VOTE OF: 4-1

AMENDMENT # 1966s

Senator Gary E. Lambert  
For the Committee

Richard Parsons 271-3076

## New Hampshire General Court - Bill Status System

**Docket of HB1346**

Docket Abbreviations

**Bill Title:** relative to the construction of power line extensions.*Official Docket of HB1346:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
11/21/2011	H	<b>Introduced</b> 1/4/2012 and Referred to Science, Technology and Energy; <b>HJ 7</b> , PG.352
1/5/2012	H	Public Hearing: 2/7/2012 10:45 AM LOB 304 ==TIME CHANGE (Orig 10:15:AM)==
2/9/2012	H	Executive Session: 2/15/2012 3:00 PM LOB 304
2/22/2012	H	Committee Report: Ought to Pass for Mar 7 (Vote 11-2; RC); <b>HC 19</b> , PG.1138
3/15/2012	H	<b>Ought to Pass:</b> MA VV; <b>HJ 26</b> , PG.1617
3/28/2012	S	Introduced and Referred to Energy and Natural Resources
4/18/2012	S	Hearing: 4/26/12, Room 102, LOB, 9:15 a.m.; <b>SC16</b>
5/3/2012	S	Committee Report: Ought to Pass with Amendment <b>#2012-1966s</b> , 5/9/12; <b>SC18</b>
5/9/2012	S	Committee Amendment 1966s; AA, VV
5/9/2012	S	<b>Ought to Pass with Amendment</b> 1966s, MA, VV; OT3rdg
5/17/2012	H	House Non-Concurs with Senate AM #1966s and Request C of C (Rep Bettencourt): MA VV; <b>HJ 46</b> , PG.2493
5/17/2012	H	Speaker Appoints: Reps J.Garrity, Holden, Cataldo, and Rappaport; <b>HJ 46</b> , PG.2493
5/23/2012	S	Sen. Odell Accede to House Request for Committee of Conference; MA, VV
5/23/2012	S	President Appoints: Senators Odell, Gallus, and Merrill
5/25/2012	H	Conference Committee Meeting: 5/30/2012 2:30 PM LOB 304
5/31/2012	S	Conference Committee Report <b>#2012-2442c</b> ; Senate Amendment + New Amendment, Filed
6/6/2012	S	Conference Committee Report 2442c; Adopted, VV
6/6/2012	H	Conference Committee Report #2442c Adopted, VV
6/6/2012	S	Enrolled
6/6/2012	H	Enrolled
6/22/2012	H	Signed By Governor 06/18/2012; Effective 08/17/2012; Chapter 0258

NH House

NH Senate

# Other Referrals

May 30, 2012  
 2012-2442-CofC  
 06/01

Committee of Conference Report on HB 1346, an act relative to the construction of power line extensions.

Recommendation:

That the House recede from its position of nonconcurrency with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 370:12 as inserted by section 1 of the bill by replacing it with the following:

370:12 Installation of Power Line Extensions. Any New Hampshire utility customer that requires a power line extension located on private property may hire a contractor who is licensed in the state of New Hampshire and is approved by the utility. Such contractor shall supply and install materials specified by the local utility for underground and overhead line extensions, the cost of which shall be borne by the utility customer.

The signatures below attest to the authenticity of this Report on HB 1346, an act relative to the construction of power line extensions.

Conferees on the Part of the Senate

Conferees on the Part of the House

\_\_\_\_\_  
 Sen. Odell, Dist. 8

\_\_\_\_\_  
 Rep. J. Garrity, Rock. 6

\_\_\_\_\_  
 Sen. Gallus, Dist. 1

\_\_\_\_\_  
 Rep. Holden, Hills. 4

\_\_\_\_\_  
 Sen. Merrill, Dist. 21

\_\_\_\_\_  
 Rep. Cataldo, Straf. 3

\_\_\_\_\_  
 Rep. Rappaport, Coos 1

# COMMITTEE REPORT FILE INVENTORY

HB 1346 ORIGINAL REFERRAL \_\_\_\_\_ RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

DOCKET (Submit only the latest docket found in Bill Status)

COMMITTEE REPORT

CALENDAR NOTICE

HEARING REPORT

HANDOUTS FROM THE PUBLIC HEARING

PREPARED TESTIMONY AND OTHER SUBMISSIONS

SIGN-UP SHEET(S)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # 19665      \_\_\_\_\_ - AMENDMENT # \_\_\_\_\_  
\_\_\_\_\_ - AMENDMENT # \_\_\_\_\_      \_\_\_\_\_ - AMENDMENT # \_\_\_\_\_

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED      \_\_\_\_\_ AS AMENDED BY THE HOUSE  
 FINAL VERSION      \_\_\_\_\_ AS AMENDED BY THE SENATE

OTHER (Anything else deemed important but not listed above, such as amended fiscal notes): IOC REPORT 2442

DATE DELIVERED TO SENATE CLERK

6/29/12

  
BY COMMITTEE AIDE