

SB 122 - AS INTRODUCED

2017 SESSION

17-0901

06/05

SENATE BILL            **122**

AN ACT                relative to public utility leases.

SPONSORS:            Sen. Soucy, Dist 18

COMMITTEE:          Energy and Natural Resources

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ANALYSIS

This bill requires an incumbent local exchange carrier to have the approval of the public utilities commission for certain transfers or leases.

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                      relative to public utility leases.

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

1            1 Public Utilities; General Regulations; Other Public Utility Leases. Amend RSA 374:30 to  
2 read as follows:

3            374:30 Other Public Utility Leases, Etc.

4            I. Any public utility may transfer or lease its franchise, works, or system, or any part of  
5 such franchise, works, or system, exercised or located in this state, or contract for the operation of  
6 its works and system located in this state, when the commission shall find that it will be for the  
7 public good and shall make an order assenting thereto, but not otherwise, except that commission  
8 approval shall not be required for any such transfer, lease, or contract by an excepted local  
9 exchange carrier ***other than an incumbent local exchange carrier***. The commission may, by  
10 general order, authorize a public utility to transfer to another public utility a part interest in poles  
11 and their appurtenances for the purpose of joint use by such public utilities.

12            II. An incumbent local exchange carrier that is an excepted local exchange carrier may  
13 transfer or lease its franchise, works, or system, or any part of such franchise, works, or system,  
14 exercised or located in this state, or contract for the operation of its works and system located in  
15 this state, when the commission finds the utility to which the transfer is to be made is technically,  
16 managerially, and financially capable of maintaining the obligations of an incumbent local exchange  
17 carrier set forth in RSA 362:8 and RSA 374:22-p ***and when the commission shall find that it***  
18 ***will be in the public good and shall make an order assenting thereto, but not otherwise.***

19            2 Effective Date. This act shall take effect 60 days after its passage.