

NHPUC JAN13'17 AM11:13

## PETITION FOR DECLARATORY RULING

The Town of Northwood, Pursuant to New Hampshire Administrative Rule Site 203.01, respectfully petition the New Hampshire Site Evaluation Committee (SEC) to issue a declaratory ruling stating that, pursuant RSA 231:160 *et seq*, only municipalities have the authority to authorize or not authorize the erection, installation, or maintenance of electric power poles or structures or underground conduits or cable, or their respective attachments or appurtenances on, across, or under locally maintained highways, regardless of whether the New Hampshire Department of Transportation (NHDOT), The SEC, or other agencies have the authority to permit or license other portions of any proposed facility.

The Town of Northwood Board of Selectmen request this ruling in support of local control for municipally maintained highways guaranteed under RSA 231:161, I.

**231:161 Procedure.** – *Any such person, co-partnership or corporation desiring to erect or install any such poles, structures, conduits, cables or wires in, under or across any such highway, shall secure a permit or license therefor in accordance with the following procedure:*

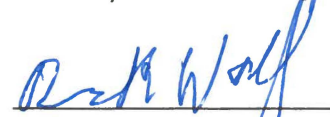
*I. Jurisdiction.*

*(a) Town Maintained Highways. Petitions for such permits or licenses concerning town maintained highways shall be addressed to the selectmen of the town in which such highway is located; and they are hereby authorized to delegate all or any part of the powers conferred upon them by the provisions of this section to such agents as they may duly appoint.*

Respectfully Submitted,



Scott Bryer- Chairman



Rick Wolf- Vice Chairman



Donald Hodgdon

Date: January 10, 2017