DUKE ENERGY® CAROLINAS

DUKE ENERGY® PROGRESS

# Distribution Rights-of-Way Guidelines/Restrictions For North Carolina & South Carolina

Duke Energy's goal is to provide safe, reliable and economical electrical service to all customers. Keeping electricity reliable requires that Duke Energy have unobstructed access for maintaining power lines, facilities and rights-of-way. The following list of right-of-way use guidelines has been developed to provide property owners with a guide for the use of Duke Energy's distribution line rights of way. Please contact a Duke Energy right-of-way representative concerning approval for any proposed plans or special uses that would deviate from the restrictions as outlined below.

Duke Energy generally maintains a thirty (30) foot wide easement area for overhead distribution electric lines, fifteen (15) feet lying on each side of the centerline of the electric line. Duke Energy generally maintains a ten (10) foot wide easement area for underground distribution electric lines, five (5) feet lying on each side of the centerline of the electric line and ten (10) feet around all enclosures.

**Structures** are not permitted within Duke Energy's distribution right-of-way. The term "structure" includes, but is not limited to, the following: buildings, sheds, underground or overhead storage facilities, swimming pools, mobile homes, trailers, satellite signal receiver systems and equipment, billboards, signs, dumpsters, street or area lights (unless approved by Duke Energy), air strips, hunting stands, etc.

**Storage and/or Dumping** of garbage, trash, rubble, flammable material, building material, junk or inoperable vehicles, etc – is not permitted within Duke Energy distribution rights-of-way.

**Immoveable Ground Facilities – "Immoveable ground facilities" include,** but are not limited to, the following: streets, roads, driveways, water and sewer lines, manholes, fire hydrants or other utility pedestals. **Septic tanks and/or related drain fields, absorption pits, wells, burial grounds, and underground vaults shall not be allowed within Duke Energy's rights of way.**

Some immoveable ground facilities may be allowed within Duke Energy distribution rights of way, with prior written approval from Duke Energy in its discretion. Immoveable ground facilities are more likely to be approved by Duke Energy if they meet all the following criteria:

a. The facilities must cross the centerline of Duke Energy's distribution line at an angle of forty-five (45) degrees or greater and the edge of the item should be at least fifteen (15) feet from any Duke Energy structure or anchor.
b. All underground facilities must be capable of bearing the weight of Duke Energy's maintenance vehicles.
c. Manholes must be thirty (30) or more inches above grade, unless in paved or graveled areas.
d. Fire hydrants, utility pedestals, or any other above ground facilities shall not be allowed directly under conductors.

**Parking Lots** may be constructed on Duke Energy rights of way with prior written approval from Duke Energy, in its discretion. Parking lots are more likely to be approved by Duke Energy if they meet all the following criteria:

a. A barrier adequate to protect the pole and/or anchor shall be erected by the party constructing the parking lot in such a manner as to prevent parking within five (5) feet of any pole or anchor.
b. Grading within the right of way shall first be approved by Duke Energy.
c. Customer lighting facilities within the right of way shall first be approved by Duke Energy.
d. Signs and other attachments to any Duke Energy structure are prohibited.

**Grading** will not be allowed within the right of way without prior written approval from Duke Energy, in its discretion. Access to Duke Energy facilities must be maintained at all times. Any grading that allows water to pond or to cause erosion around any pole or anchor is prohibited. Grading within fifteen (15) feet of any Duke Energy structure or anchor shall not be allowed. Slopes shall not exceed a one (1) foot rise/fall in elevation over three (3) feet horizontal distance (1:3 slope).

**Fences** shall not exceed eight (8) feet in height. Fences shall not be attached to Duke Energy poles. If Duke Energy's ability to travel along the right of way is impeded, property owner must install a twelve (12) foot gate(s). If the fence does impede access to Duke Energy, that section of fence will be removed and it will be the owner's responsibility to re-install.

**Lakes, ponds, erosion control facilities and dams** may be allowed within Duke Energy distribution right of way with prior written approval from Duke Energy, in its discretion, provided that they do not interfere with Duke Energy's facilities, access and/or maintenance requirements.

**Trees, shrubs, hedges, low-growing evergreens, flowers, grasses, or gardens** planted within Duke Energy rights of way shall be of a variety that do not exceed a maximum height of twelve (12) feet at maturity and may not interfere with Duke Energy's facilities, access and/or maintenance requirements.

**No items shall be allowed on Duke Energy rights of way that violate the National Electrical Safety Code.** No burning activities are allowed within Duke Energy rights of way. No agricultural irrigation or waste spraying facilities can be located within Duke Energy rights of way.

For additional information or clarification, please contact a Duke Energy right-of-way representative at _____.