

OKEFENOKE RURAL ELECTRIC MEMBERSHIP CORPORATION

POLICY NO. 411

RIGHTS-OF-WAY

I. OBJECTIVE:

To establish policy for procurement of rights-of-way by applicants for service and to provide for the clearing, reclearing, and maintenance of rights-of-way by the Cooperative.

II. CONTENT:

Right-of-way easements are required of landowners for the purpose of providing location of and access to electric distribution lines for construction, operation and maintenance.

A. Procurement by Applicants

Applicants for service may be required to secure to, and for, the Cooperative all necessary and convenient rights-of-way and to pay the costs of securing same.

Applicants for service shall also be responsible for initial clearing of rights-of-way necessary for line extensions for provision of service unless the Cooperative determines that it is in the best interests of the Cooperative to provide said initial clearing.

B. Delays

Applications for service for an extension to be constructed where right-of-way is not owned by the Cooperative will only be accepted subject to delays incident to obtaining satisfactory right-of-way, highway and railroad crossing permits, or other permits which may be required.

Satisfactory right-of-way clearance for electric lines to the point of delivery of a new service must be accomplished before the service connection will be made.

C. Clearing, Reclearing, and Maintenance of Rights-of-Way

Normally, only a 20 foot right-of-way may be required. Exceptions from this normal range will be made only by special arrangement in consideration of the Cooperative's requirements and conditions affecting the landowner's property.

The Cooperative shall have the rights of ingress and egress from the premises at reasonable times and as required, and shall have the right to cut and trim trees and shrubbery to the extent necessary to keep them clear of the electric lines and meter bases and to cut all dead, weak, and dangerous trees which may endanger the line by falling.

The member shall allow the Cooperative to clear and trim trees which will endanger the lines of the Cooperative and imperil service to that member or other members. The member shall refrain from:

1. Planting trees, shrubs, et cetera, along the Cooperative's right-of-way which may at some time in the future endanger the lines.
2. Placing structures on the right-of-way. If the member does place vegetation or structures within the right-of-way, the Cooperative will not be responsible for damages done to same. Members shall gain the approval of the Cooperative before placing fences on the right-of-way. Members may be required to install gates at locations designated by the Cooperative to ensure that access to Cooperative facilities is not inhibited.
3. Planting trees, shrubs, et cetera, around underground transformers.

The Cooperative shall use all reasonable care and diligence in the clearing, reclearing, and maintenance of rights-of-way. The Cooperative shall make reasonable attempt to give notice to the landowners of scheduled or planned clearing and reclearing and alterations within the existing right-of-way.

III. APPLICABILITY:

This policy applies to all members and applicants for service of the Cooperative.

IV. RESPONSIBILITY:

It shall be the responsibility of the General Manager or his designee to carry out the provisions of this policy.

Date Approved: April 26, 1994

Effective Date: July 1, 1994

Issued by: John Middleton, General Manager

Effective July 1, 1994