

DISTRIBUTION

RIGHT OF WAY (R/W) ENCROACHMENTS

Definitions

Encroachment- Any physical change within the easement not done by Santee Cooper.

Easement- a landowner grants certain rights to use property to another person or entity through an Easement. An Easement is a legal interest in real property that grants the right to use in some specified manner the property of another. Easements may also be acquired through condemnation or by a prescriptive right in accordance with applicable law. Easements are also sometimes referred to as rights of way.

Facilities- any and all equipment and/or improvements installed by Santee Cooper including, by way of example and not limitation, lines, poles, structures, guys, anchors, and counterpoise.

Rights of Way- the term “rights of way or R/W” as used in this document is interchangeable with the term “Easement”.

Wire Zone- refers to the area under both outermost conductors (overhead line distributing power) extending 10 feet on each side.

Permissible Encroachments

The following encroachments are generally permitted on the rights of way (“R/W”), as long as Santee Cooper maintains adequate access to our facilities and all current or applicable National Electric Safety Code (NESC) required clearances plus operational safety and energy requirements are maintained. Any limitation listed below shall in no event exceed and is limited to, the area within the easement. Any modifications to our facilities will be paid for by the requester. **The requester must obtain Santee Cooper’s written consent prior to installation of any encroachment or temporary use of the rights of way.**

1. **Roads (including dirt roads), streets and driveways.** These encroachments should cross the R/W at a perpendicular angle not to interfere with present or future structure placement. Also, these encroachments must be located at least 10 feet away from all distribution facilities (structures, guy wires and anchors, etc.). Rolled curbing or a cut-out may be required for road construction. The requestor is responsible for ensuring these encroachments are engineered and constructed to support the weight of both Santee Cooper's equipment and that of its contractors. Cul-de-sacs, intersections and roads that parallel the R/W cannot be permitted and must be placed outside of the R/W.

2. **Sewer lines, water lines, gas lines, underground and overhead distribution lines and other utilities.** Santee Cooper allows other utilities to be installed within their easement. The requestor is responsible for ensuring these encroachments are engineered and constructed to support the weight of both Santee Cooper's equipment and that of its contractors.
3. **Parking. These encroachments are to include fully operational passenger vehicles (cars, trucks, SUVs) and not to include (commercial vehicles, tractor trailers, trailers, RVs, campers, buses, heavy equipment, etc.).** These encroachments should be kept a minimum of 10 feet away from distribution facilities (structures, guy wires and anchors, etc.). Under specific circumstances, approved barriers or islands may be necessary around our facilities to safeguard both our facilities and parking area patrons. The installation of these barriers is the responsibility of the requester. Uninterrupted access to our facilities must be ensured at all times, even when the parking lot is at full capacity. It's important to note that additional grounding may be required in the future for existing or future distribution lines, which could result in damage to the parking lot pavement. Any damage caused by this or other construction, maintenance or operation activities on the R/W by Santee Cooper personnel or its contractors will not be the responsibility of either Santee Cooper or its contractors. **An additional general liability insurance policy may be required for these encroachments.**
4. **Fences.** These encroachments should cross the R/W at a perpendicular angle not to interfere with present or future structure placement and maintenance of the R/W. The requester will be responsible for clearing all vegetation along and within these encroachments. Any approved fences on the R/W shall be properly grounded in accordance with applicable safety codes. If a fence is approved, the requester must provide and install a 16-foot gate at minimum (excluding cable gates) to ensure a 16-foot opening at each fence crossing. The requester will be required to interlock at each fence crossing with a Santee Cooper lock (to be supplied). Fences that parallel the R/W cannot be permitted and must be placed outside of the R/W. Additionally, requests for fences in subdivisions cannot be allowed because this greatly inhibits Santee Cooper's access up and down the R/W.
5. **Ditches.** These encroachments should cross the R/W at a perpendicular angle not to interfere with present or future structure placement and maintenance of the R/W. These encroachments cannot obstruct access along the R/W and should be located a minimum of 10 feet away from our facilities (structures, guy wires and anchors, etc.). If the ditch restricts access to our facilities the requester must provide a 20-foot-wide (minimum) culvert of approved size, strength and location. These requirements are to ensure a minimum access/road width of 16 feet for our vehicles to pass over the culvert. For extremely deep ditches, additional culvert length will be required. Any ditch construction should not interfere with Santee Cooper owned underground facilities or any other underground facility that may be on the R/W. Ditches that parallel the R/W cannot be permitted and must be placed outside of the R/W.
6. **Outdoor signs and light poles.** These encroachments should have a maximum height of 12 feet. Signs and light poles (including the fixtures) are to be outside of the designated easement. If future lines are constructed on the R/W, the signs or lights may need to be relocated at the owner's expense. All signs and lighting must be a minimum of 10 feet from our structures, guy wires and anchors.

7. **Low growing vegetation (Less than 200 kV).** These encroachments may be allowed within the R/W as long as the mature height is no greater than 12 feet and the vegetation does not interfere with access to or along the R/W. Also, these encroachments must be located at least 10 feet away from all distribution facilities (structures, guy wires and anchors, etc.). Santee Cooper or its contractors are not responsible for damage to plantings within the R/W. The requester is responsible for maintenance of these encroachments.

Low growing vegetation (200 kV or above). These encroachments may be allowed within the R/W as long as the mature height is no greater than 12 feet.

8. **Commercial sprinkler systems.** These encroachments should be sufficiently buried so that our heavy equipment will not damage these facilities. Santee Cooper is not responsible for any damage to these facilities. The water sprayed from these sprinklers should not contact our facilities in any way and should not come within 10 feet of our energized conductors, regardless of which direction the wind is blowing.

Non-Permissible Encroachments

The following encroachments cannot be permitted on the R/W:

1. Structures, buildings, sheds, pump houses, mobile homes, fire hydrants, paralleling roads, fences within subdivisions, trees or any vegetation with mature height exceeding 12 feet, billboards, graves, cable gates, tennis courts, recreational fields, playgrounds, swimming pools (above or below ground), dumpsters, deer stands and feeders, retaining walls, satellite systems, junk cars, storage facilities (cars, trailers, recreation vehicles, boats, building material, flammable material, fill material, debris, etc.), any other obstruction (above or below ground), or other item which in Santee Cooper's opinion constitutes a safety or fire hazard.
2. Septic tanks, drain fields, agricultural and residential irrigation systems, ditches (parallel to Santee Cooper's facilities or restricting access), ponds (recreational, detention, retention, etc.) dams, dikes, manholes, water valves, water meters, backflow preventers, wells, any flooding of the rights of way, etc. or any other obstruction in Santee Cooper's opinion cannot be permitted.
3. Elevation changes (placement of fill, excavation, etc.) on the R/W that reduces vertical clearance above ground as well as excavation within the R/W cannot be permitted. Although, Santee Cooper will review these requests when associated with a permissible encroachment request.
4. Any other encroachment that in Santee Cooper's opinion could endanger the distribution facilities or the public is prohibited. Other items not listed in this document will be dealt with on a case-by-case basis and requester must obtain Santee Cooper's written approval.



PLEASE SUBMIT ALL DISTRIBUTION ENCROACHMENT REQUEST PACKAGES AND/OR QUESTIONS TO:
Jentry.Ward@SanteeCooper.com