



Guidelines for Use of Company Property/Easements by Others

Oncor Electric Delivery Company Policy

It is the policy of Oncor to not unreasonably withhold the granting of easements, encroachments and licenses on its real estate fee owned property and easements for street, road, utility and drainage crossings, and other approved uses. **The following set of guidelines are intended to state Oncor Electric Delivery Company's general policy for use of its rights-of-way by others and are not all inclusive in nature nor do they imply approval of any kind by Oncor.** Each request for use is reviewed individually, and must be approved by Transmission Engineering, Transmission Operations, Distribution Planning, Transmission Planning and any other Company organization having a vested interest in the request. Approval must be obtained from all organizations in order to grant the request. When a request is granted, Oncor Transmission Right-of-Way will prepare the appropriate document for signatures by Oncor and the grantee.

All requests should be addressed to Oncor Electric Delivery Company, Transmission Right-of-Way, 777 Main Street, Suite 707, Fort Worth, TX 76102. Each request should be accompanied with the application form, a description of the rights sought, surveys (if required), maps, drawings, statement of purpose and any other information deemed necessary. A \$500 non-refundable administration fee, paid at the time of the request, is charged to cover Company review and document preparation. Any change in design will be resubmitted for approval.

Fee Simple Property (Property owned by Oncor)

- **Easement rights** for crossings of Oncor fee owned rights-of-way that do not interfere with the construction, reconstruction, operation and maintenance of Oncor facilities may be granted if the crossing is not less than 45 degrees to the centerline of the right-of-way.
- **License Agreements** for parking, agricultural and other surface uses may be granted provided the applicant is an adjacent landowner. The license will be personal, revocable and non-assignable. Licenses for parking will be granted for overflow parking only: **no ADA (handicapped), occupancy or code required parking will be allowed.** The licensee will be responsible for all mowing and maintenance of the right-of-way affected by the licensed area.

Refer to Construction Limitations below for criteria that must be met for any request.

Fees for easements and licenses will be based on county appraisal values of adjacent properties.

Easement Right-of-Way

- **Encroachment** by third parties on Oncor easement rights-of-way that meets the criteria in the below Construction Limitations may be granted by an Encroachment Agreement.
 - Encroachment rights for crossings of Oncor easements that do not interfere with the construction, reconstruction, operation and maintenance of Oncor facilities may be granted if the crossing is not less than 45 degrees to the centerline of the right-of-way.
 - Encroachments for parking and other surface and subsurface uses may be granted. Parking will be granted for overflow parking only: **no occupancy or code required parking will be allowed.**

The proposed user will be required to obtain whatever rights and permissions, other than Oncor's, which are necessary from the property owner.

PLEASE NOTE

Construction Limitations

The approved facilities will be subject to the following construction limitations:

1. You are notified, and should advise your employees, representatives, agents, and contractors, who enter the property that they will be working in the vicinity of high voltage electrical facilities and should take proper precautions, included but not limited to the following stipulations and in compliance, at all times, with Chapter 752, V.T.C.A., Health & Safety Code.
2. Construction on electric transmission line easements acquired by Oncor after January 1, 2003 shall comply with the requirements of Public Utility Commission Substantive Rules §25.101, as amended from time to time.
3. Power line safety equipment operations: hazard assessment and precautions inside the work zone area must be performed and in compliance with OSHA Standard §1926.1408 at all times. Equipment shall not be placed within fifteen (15) feet of the Oncor 138,000 volt or less power lines or within twenty (20) feet of the Oncor 345,000 volt power lines.
4. No obstruction shall be installed on the right-of-way that would interfere with access to Oncor structures or prevent mechanical maintenance. Including, but not limited to: buildings, dwellings, garages, barns, sheds, swimming pools, playground equipment, storage tanks, etc., will be permitted on the right-of-way.
5. Longitudinal rights will not be granted for the placement of utilities, roads, pipelines, fences, or other uses along Oncor rights-of-way.
6. No crossing less than 45 degrees to the centerline of the right-of-way.
7. **Fire Lanes** are not included in crossings and will be considered only when crossing at 90 degrees. Each Fire Lane request will be reviewed individually for approval.
8. No fire hydrants or manholes will be permitted.
9. No signs (including billboards), lights or guard lights will be permitted on the right-of-way.
10. No dumpsters will be allowed on Oncor right-of-way or fee owned property.
11. Any fencing (regardless of height) shall be pre-approved unless strictly stated within the easement. If metal in nature, will be grounded, at ten (10) feet intervals, with an appropriate driven ground. Gates should be at least sixteen (16) feet in width to allow Oncor access to the right-of-way.
12. Construction of lakes, ponds and retention or detention ponds/facilities will not be granted on Oncor rights-of-way.
13. No boring pits or other type of pits will be permitted within the right-of-way.
14. Oil and Gas Pipeline Protective Barrier; Grantee, at Grantee's sole expense, shall provide one of the following protective barriers; **1)** a concrete protective barrier between the surface and the pipe that is a minimum of one (1) foot thick by one (1) foot wide, if pipe is wider than one (1) foot, then width of pipe, with the top of the concrete barrier to be at least one (1) foot below the surface or final grade, **2)** construct the gas pipeline inside of a proper protective steel casing, **3)** where electric facilities are located above ground, install the pipeline a minimum of ten (10) feet below the ground surface, or **4)** where electric facilities are located below ground, install the pipeline at a depth that provides for a minimum of a ten (10) foot clearance between the pipeline and the underground electric facilities.

15. Landscaping may be permitted ONLY when Oncor approves such plans in writing. No trees will be considered. Ornamental landscaping (i.e. – bushes/shrubs) will be considered if mature height does not exceed 6'. No high pressure sprinkler systems will be allowed. Only low flow irrigation systems will be considered.
16. Septic systems or tanks will not be granted on Oncor rights-of-way. High pressure Aerobic system sprinkler heads will not be allowed within, but may spray into the right-of-way.
17. Any drainage feature that allows water to pond, causes erosion, directs stormwater toward the right-of-way or limits access to or around Oncor's facilities is prohibited. No discharging of water or drainage facilitation will be allowed within any portion of the right of way. Open drainage ditches will not be granted.
18. Right-of-way will be protected from washing and erosion by Oncor approved method before any permits are granted.
19. The existing grade shall not be disturbed, excavated or filled within 25 feet of the nearest edge of any Oncor Transmission Structure (tower, pole, guy wire, etc.)
20. Grading will be done in order to leave the right-of-way as near as possible to present condition. Spoil dirt will be removed from the right-of-way and no trash is to be left on right-of-way. Slopes shall be graded so that trucks can go down the right-of-way when required and such that the slopes can be mechanically maintained. (4:1 – 7:1 generally)
21. Equipment and materials of any sort (including hazardous materials) will not be stored on the right-of-way at any time. This includes construction lay down yards and temporary field offices.
22. For purposes of this document, "Hazardous Materials" means and includes those substances, including, without limitation, asbestos-containing material containing more than one percent (1%) asbestos by weight, or the group of organic compounds known as polychlorinated biphenyls, flammable explosives, radioactive materials, chemicals known to cause cancer or reproductive toxicity and includes any items included in the definition of hazardous or toxic waste, materials or substances under any Hazardous Material Law. "Hazardous Material Laws" collectively means and includes any present and future local, state and federal law relating to the environment and environmental conditions including, without limitation, the Resource Conservation and Recovery Act of 1976 ("RCRA"), 42 U.S.C. §6901 et seq., the Comprehensive Environmental Response, Compensation and Liability Act of 1980, ("CERCLA"), 42 U.S.C. §§9601-9657, as amended by the Superfund Amendments and Reauthorization Act of 1986 ("SARA"), the Hazardous Material Transportation Act, 49 U.S.C. §6901 et seq., the Federal Water Pollution Control Act, 33 U.S.C. §1251, et seq., the Clean Air Act, 42 U.S.C. §741 et seq., the Clean Water Act, 33 U.S.C. §7401 et seq., the Toxic Substances Control Act, 15 U.S.C. §§2601-2629, the Safe Drinking Water Act, 42 U.S.C. §§300f-330j, and all the regulations, orders, and decrees now or hereafter promulgated thereunder.
23. Before any work is done within Oncor's ROW, requestor must notify the Regional Transmission Department, which will be provided once approval is received.
24. No park or park designation will be permitted.
25. Draglines will not be used under the line or on Oncor right-of-way.
26. Blasting is not to be permitted on Oncor right-of-way or under Oncor lines.