


# KISSIMMEE UTILITY AUTHORITY

## Operations Department

	<b>POLICIES AND PROCEDURES</b>	<b>Document No.</b> <b>ED.55.350.00.01</b>		<b>Prepared By</b> <b>Wesley Infinger</b>
		<b>Revision</b> <b>2</b>	<b>Date</b> <b>1/9/2023</b>	<b>Approved By</b> <b>Larry Mattern</b>
<b>TRANSMISSION RIGHT-OF-WAY EASEMENT USE POLICY</b>				

This following policy is applicable to KUA’s transmission facilities. KUA transmission facilities are operated at voltages of either 69,000 Volts or 230,000 Volts nominal. KUA distribution facilities are operated at 13,800 Volts nominal. This policy does not cover all possible situations. Property owners should refer to the easement or right-of-way agreement applicable to the subject property which further define KUA’s rights. New or revised requirements of this policy are not retroactive to work completed under prior version requirements of the policy unless a life safety, law, or regulatory requirement dictate otherwise.

**KUA RIGHTS:**

An electric utility easement, whether acquired through purchase, donation, or eminent domain provides for the use by KUA of specified property for the construction, operation and maintenance of its electric power lines. A Transmission Right-of-Way is defined as property owned by the City, County, or State with KUA transmission lines and/or related facilities located on the property. A Transmission Easement grants to KUA rights to use specified property not owned by KUA for placement of transmission facilities. The rights acquired, as specified in the Transmission Easement, will generally include, but may not necessarily be limited to, the right of unlimited access necessary to patrol and maintain, the right to enlarge, replace, add to, delete from, and construct additional power lines and related facilities within easement/right-of-way limits. In addition, KUA has the right to set reasonable standards of use necessary to preserve the unencumbered ability of KUA to maintain existing and construct future power lines and related facilities within the transmission corridor boundaries.

All activity within a KUA Transmission Easement or Transmission Right-of-Way shall be reviewed by a KUA Engineer to obtain prior written approval. Engineering plans may be required. Compliance with this Policy or approval of any plans by KUA does not mean that the requirements of any local, county, state or federal government or other applicable agency with governing authority have been satisfied.

**OWNER RIGHTS (EASEMENT):**

The property owner has the right generally to utilize the Transmission Easement for a use or purpose which does not interfere with KUA rights. **All fencing and lighting of Transmission Easements must be approved in writing by a KUA Engineer and allow access for KUA vehicles. Transmission Easements must have 16-foot-wide gates installed for access. All gates must be maintained by the Owner to be in good working condition.** If the gate is to be locked, KUA shall supply a lock to be installed in a “double lock” system with the customer's lock for access purposes.

## **PERMITTED USE:**

### **I. GENERAL**

- **Transmission facilities are designed, constructed, and maintained to be as safe as reasonably possible; however, these same facilities also represent an ultrahazardous and inherent safety risk to life and property.** If a person makes contact with an energized conductor in the air or an energized conductor makes contact with the ground near a person, then injury, death, or permanent disability may result from this mechanical or electrical (including touch or step potential) hazard. Individual persons and property owners utilize space near high voltage transmission facilities at their own risk.
- Conductive materials (metal) may develop induced currents from the high magnetic fields of nearby transmission lines. It is recommended that conductive materials not be installed in the transmission easement / right-of-way. If conductive materials are used (fencing, lighting, etc....), then a grounding system designed by a professional engineer to ground metal to twenty-five (25) ohms or less shall be installed.
- KUA does not have the right to grant access across Transmission Easements. Citizens must contact the owner of the property underlying the easement to request access.
- At KUA's sole discretion, KUA may grant access across KUA owned property to citizens for limited use. An access agreement between the grantee and KUA must be executed and recorded prior to utilization of the granted access.
- All activities in the Transmission Easement or Transmission Right-of-Way must be limited such that materials or equipment (cranes, raised dump truck beds, high antenna, canopies that can be blown away by the wind, kites, etc.) do not come near the energized conductors. Such access, when granted, shall be subject to termination at any time at the discretion of KUA.
- Any planned roads, driveways, parking lots or any underground facilities must provide unrestricted access to the easement or right-of-way and plans must be submitted to KUA for proper review and approval. Refer to the FDOT's Utility Accommodation Manual for requirements.

### **II. NON-EXCLUSIVE EXAMPLES of PERMITTED USES:**

- Grow and cultivate crops.
- Parking area.
- Recreational area.
- Roadway or driveway.
- Graze livestock.

## **NON-PERMITTED USES**

### **I. All Zones**

- Attachments to structures that are used to support any transmission conductors. **(NOTE: Attachments to structures that are used to support only distribution and communication conductors may be approved per the conditions of an active joint use attachment agreement.)**
- Burning of fire for any reason.
- Any drainage feature that causes erosion, directs storm water toward the rights of way, or limits access to or around KUA facilities.
- Any construction, excavation, or any temporary or permanent activities in the Transmission Easement or Transmission Right-of-Way near KUA poles, structures, guys, guy anchors, or electrical

facilities above or below surface which will prevent unencumbered equipment access or creating ground-to-conductor clearance violations.

**II. IN THE WIRE AND BORDER ZONES:**

- Satellite systems, swimming pools (and any associated equipment and decking), graves, billboards, dumpsters, signs, wells, deer stands, septic systems or tanks (whether above or below ground), debris of any type, flammable material, building material, or wrecked or disabled vehicles.
- Manholes, water valves, water meters, backflow preventers, irrigation heads, transformers, telephone/cable pedestals (and associated equipment) and fire hydrants.
- Planting of trees or landscaping.
- Storage or stockpiling of dirt or any other material.
- Fences, gates, and light fixtures shall not exceed 10 feet in height and shall be installed greater than 25 feet from poles, towers and guy anchors. The location of any fence gate or opening is subject to KUA approval to ensure adequate access for maneuvering. The property owner is required to install a KUA lock on the gate to ensure access. KUA shall supply a lock to be installed in a “double lock” system.
- All grading fills and grading cuts (lakes, ponds, retention or detention facilities, etc.) are restricted and may only be approved in writing by KUA as a special exception prior to construction. Where approved cuts must be a minimum distance of seventy-five (75’) feet from poles, towers, guys and anchors. Grading fill shall be no closer than twenty-five (25’) feet from poles, towers, guys and anchors and the slope shall not exceed 4:1. Grading cuts and fills shall not limit access or maneuvering along the Transmission Easement or Transmission Right-of-Way. Poles and structures must be accessible from a predetermined access strip. Generally, it is necessary for KUA to have adequate access to the Transmission Easement or Transmission Right-of-Way boundaries for large equipment to transport and maneuver sixty to one hundred and twenty (60’- 120’) foot long poles and to perform tree trimming.

**III. IN THE WIRE ZONE:**

- Structures, buildings, manufactured/mobile homes, retaining walls, and all other objects (whether above or below ground) which in KUA’s sole opinion interfere with the Transmission Easement or Transmission Right-of-Way.

**DAMAGES & LIABILITY (EASEMENT):**

Construction or installation of any paving, landscaping, or improvements placed within the easement either above or below ground is subject to KUA’s rights of ingress, egress, maintenance and construction. **KUA is not responsible for any damage to such improvements caused by its personnel or equipment in the pursuit of necessary work.**

Consequently, it is in the owner’s best interest to make certain that improvements (paving, etc.) will support the weight of KUA maintenance and construction equipment and will accommodate KUA’s method of work and possible future expansion of facilities.

KUA cannot guarantee that wires, poles, or structures will not fall and damage improvements placed on the Transmission Easement or Transmission Right-of-Way or cause injury (including serious bodily injury) or death to anyone present in the easement or right of way area or damage to property in such area; nor will KUA assume any associated cost or liability for these injuries or damages. **Any use of Transmission Rights-of-Way or Transmission Easements by others shall be at such other person’s or entity’s sole risk and liability.**

Further, KUA will assume no cost to remove, relocate, or replace any improvement installed or placed on within the Transmission Easement or Transmission Right-of-Way should new construction, maintenance, or KUA's need so dictate.

**APPROVAL PROCESS (EASEMENT):**

Proposed improvements must be submitted in writing to KUA's Operations Department complete with a project narrative and plans that include the location of easement/right-of-way boundary, existing structures and facilities, and the proposed improvements with project limits.

KUA Engineering personnel are available on reasonable notice to review the proposed work with owners, prior to formal submission of plans.

Correspondence or questions should be directed as follows:

Kissimmee Utility Authority  
Operations Department  
1701 W Carroll St., Kissimmee, FL 34741  
Attention: Felix Escobar  
[FESCOBAR@kua.com](mailto:FESCOBAR@kua.com)  
(P) 407-933-7777 Ext 6612

**RECOMMENDED TREE SPECIES LIST**

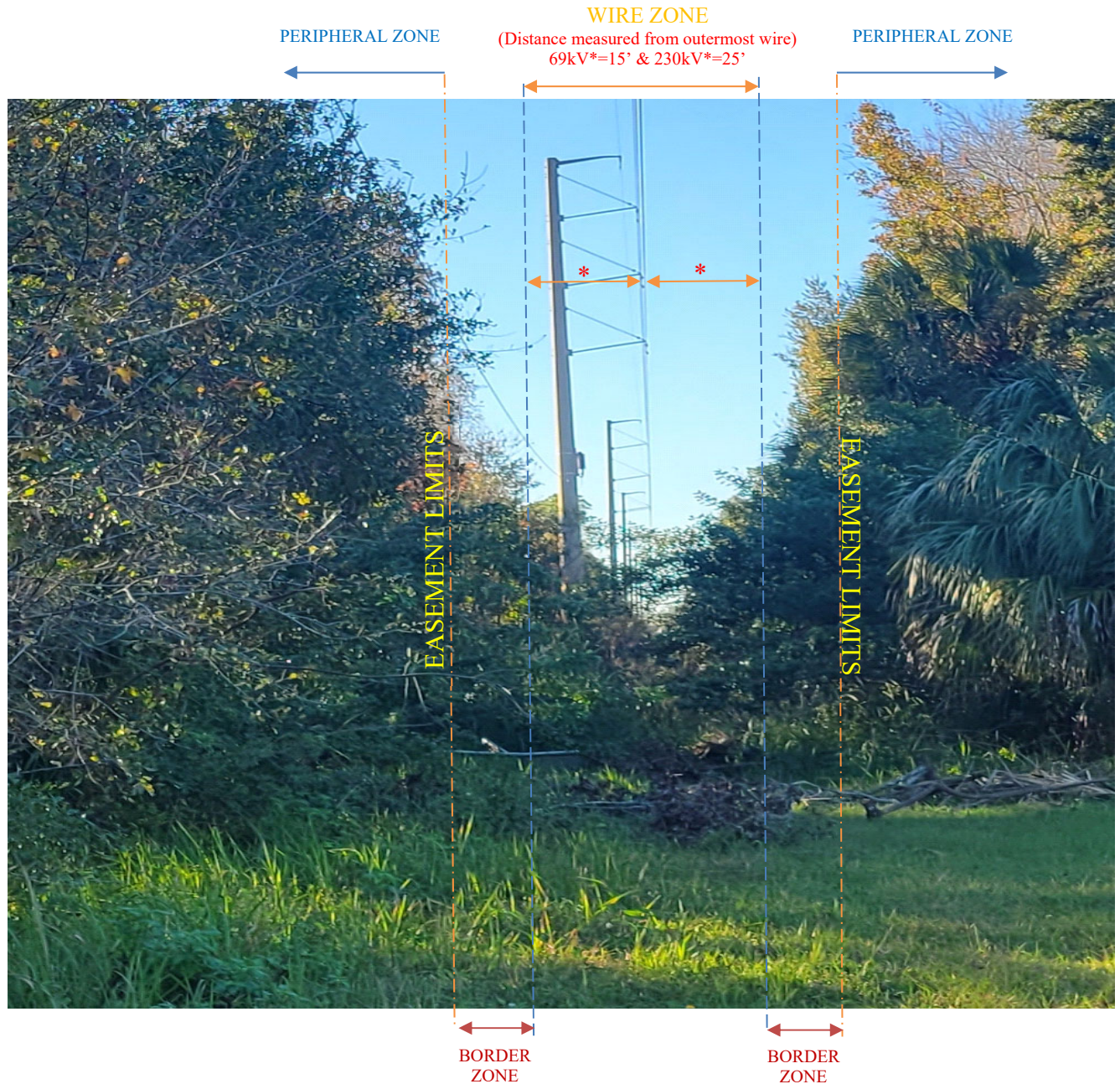
Electric Utilities must comply with Federal regulations as mandated by the North American Electric Reliability Corporation (NERC) under NERC Reliability Standard FAC003-4.

In compliance with these regulations, every three years trimming will be performed 25' from the outermost 230KV conductor on either side of the line. Trimming will be performed up to 15' from the outermost 69KV conductor on either side of the line. Further, trees may be removed beyond the trimmed areas in the periphery zone if KUA identifies them as a "danger tree". Danger trees are less likely to develop if plantings are made with certain tree species.

KUA recommend the tree species listed below when planting in the periphery zones adjacent to electric facilities:

- Southern Flowering Crabapple
- Tree Sparkleberry
- Fringe Tree
- Japanese Maple var. "Blood Good"
- May Hawthorne (Mayhaw)
- Red Buckeye
- Chickasaw Plum
- Yellow Anise
- Burford Holly
- Weeping Yaupon Holly
- Tea Olive
- Wax Myrtle
- Salt Bush
- Confederate Rose
- "Star" Magnolia
- Crepe Myrtles: Choose from the following varieties:
  - white - "Acoma" or "Burgundy Cotton"
  - purple - "Catawba" or "Zuni"
  - pink - "Sioux", "Hopi", or "Pink Velour"
  - red - "Tonto", "Cheyenne" or "Arapahoe"
  - lavender - "Yuma"





**Wire Zone:** Extends beyond the outermost conductor on both sides. Electrical structure type may vary from single pole to lattice tower or H frame.

**Border Zone:** Extends from the edge of the Wire Zone to the outside edge of the Right of Way.

**Peripheral Zone:** Outside the Right of Way and adjacent to Border Zones. Trees with canopies in this zone are subject to routine trimming and possible removal.

**All Zones:** When an outage risk is identified, KUA will attempt to notify the affected customer. However, KUA may need to take immediate action if trees cannot be pruned to appropriate levels.

**Written approvals by KUA are required for all proposed improvements inside the easement limits.**