

## ***PSE&G Electric Transmission Right-of-Way Joint Use Guidelines***

**PLEASE BE ADVISED THAT UNAUTHORIZED USE OF A HIGH VOLTAGE TRANSMISSION RIGHT-OF-WAY (“ROW”) IS DANGEROUS AND FAILURE TO COMPLY WITH THE RESTRICTIONS SET FORTH HEREIN MAY CAUSE DAMAGE, SERIOUS BODILY INJURY OR DEATH.**

One of Public Service Electric and Gas Company’s (“PSE&G” or the “Company”) primary objectives is to provide safe, reliable and affordable electrical service to all customers. Maintaining reliability of electrical service requires unobstructed, around-the-clock, all-weather access for constructing, operating and maintaining power lines, facilities and ROWs. Most joint uses of PSE&G ROW interfere with this objective and/or increase the Company’s cost of service as well as affecting system operation reliability. For those reasons, the Company does not routinely grant joint ROW use and will only consider those uses where the requirements of these Guidelines are fully met. It should be understood that past or existing joint ROW uses may not be a permitted future joint ROW use.

The purpose of these Guidelines is to inform ROW property owners and potential joint users about the use of PSE&G’s fee-owned or easement-owned ROW. PSE&G either owns the ROW or has purchased the right to use the ROW for a particular use pursuant to an easement. Most easements do not expire and are perpetual in duration. As such, when the property is sold and conveyed to another, the easement remains in effect and is binding on the new owner. For a specific understanding of the rights granted to PSE&G over your property, please review your easement carefully or contact PSEG Corporate Real Estate and request a copy. If PSE&G approves a right to use the ROW, it will only convey the least possible property right necessary for the proposed use and will not sell fee-owned property or easements on fee-owned property.

If you wish to use PSE&G’s ROW for any purpose, for any length of time, please contact PSEG Corporate Real Estate as the first step in all related planning. Subsequent to this initial contact, a Transmission ROW Joint Use Application Form, Transmission ROW Joint Use Application Checklist and applicable supporting drawings and other documentation must be submitted for all requests to PSEG Corporate Real Estate. All costs, including the application fee and review process will be borne by the applicant and will vary commensurate with the complexity of the request. PSE&G may require a deposit to cover anticipated costs. Follow this link for the application: [https://nj.pseg.com/inthecommunity/real\\_estate](https://nj.pseg.com/inthecommunity/real_estate)

These Guidelines are not inclusive but are illustrative of potential uses of the ROW. However, compliance with the Guidelines shall not be construed as PSE&G permission or consent to use PSE&G easements or fee-owned property without a mutual use agreement or other formal written instrument, appropriate for the purpose, agreed to and executed in advance by the applicant and PSE&G. Any use of PSE&G’s ROW without a written agreement signed by PSE&G will be considered a trespass and PSE&G will require the trespass to be removed at the sole cost and expense of the trespasser. PSE&G may resort to all legal means available to cause removal of the trespass if the trespass is not voluntarily removed.

The joint use application must ensure that a requested use is compatible with the safe and efficient construction, operations and maintenance of the Company’s existing and/or future lines and facilities. Any remedial action which requires resolving conflicts, present and future, related to owner or third party joint use of PSE&G ROW will be at the joint user’s sole cost and expense.

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Any approved use of the ROW by PSE&G will be at the joint user's sole risk and the joint user shall be required to indemnify and hold PSE&G harmless from any potential claims.

In all activities on transmission ROW, safety of life shall outweigh all other considerations. All work shall be done in a safe manner and in compliance with all applicable safety codes and requirements including, but not limited to, the requirements of the Occupational Safety and Health Act (OSHA), the Safe Work Practices of PSE&G, the NJ High-Voltage Proximity Act as well as the requirements of the Utility Mark-Out NJ One Call system. Some proposed work may require an independent engineer study performed by an engineering company of PSE&G's choosing at the sole cost and expense of the joint user. In addition, uses of the ROW, authorized in writing by PSE&G, shall be in compliance with all applicable governmental laws, statutes, regulations, rules or ordinances before any work is commenced.

At PSE&G's discretion, authorized personnel may be employed by PSE&G to oversee the activities associated with applicant's project. The salary of and all costs associated with the authorized personnel will be borne by the joint user. The joint user shall be assessed an amount equal to any damages and outages to PSE&G's power lines caused by the joint user's actions. Such amount will be assessed if the damage or outage is caused by activities associated with the applicant's project regardless of the circumstances and regardless of whether there are any injuries to persons. In addition, fees for damages to PSE&G's third party facilities will also be assessed.

These Guidelines are subject to change without notice.

All landowners and third party joint users must adhere to all of the Guidelines listed below.

### **Universal Requirements:**

**For any and all proposed uses of PSE&G transmission ROW, the following requirements are universal:**

1. Unimpeded, around-the-clock, all-weather access is required for all parts of the transmission ROW.
2. ROW access roads and points of ingress and egress must be kept clear of obstructions to accommodate 92,500 pound vehicles gross vehicle weight (GVW) requiring wide turning radii and the ability to set up stabilizers.
3. Refueling activities are prohibited on all ROW.
4. No attachments are permitted to any PSE&G facility.
5. No dirt, gravel, stone, materials, spoil, or debris shall be stored or deposited, even temporarily, on a ROW for any reason.
6. All existing permitted uses on PSE&G ROW that are not allowed by these Guidelines are subject to review and permission may be withdrawn by PSE&G at its sole discretion at any time.

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7. Any permission granted by PSE&G to use its ROW whether owned in fee or easement is personal to the present requester and does not transfer to successors or assigns.
8. In the event that PSE&G explicitly approves cross fencing, it must be permitted by the local municipality construction code official and meet all applicable zoning requirements. The fencing shall be non-conductive and have a minimum sixteen (16) feet wide gate(s). The exact number of gates will be determined by PSE&G based on the ROW access requirements. If secured with locks, the gates must have PSE&G locks in a chain configuration to permit around-the-clock PSE&G controlled access. Non-PSE&G locks shall be engraved with the name and phone number of the owner of the lock. Unidentified locks will be cut out of the chain and discarded. PSE&G shall have no liability for any locks destroyed or damaged that were not approved by PSE&G.
9. Fencing, if approved by PSE&G, shall provide unimpeded access to any parts of the ROW and shall not enclose animals that may pose a danger to PSE&G employees, contractors or other authorized representatives in the conduct of patrolling, inspecting, surveying, engineering, constructing, operating or maintaining lines or facilities or conducting other business activities in the corridor.
10. A one hundred and fifty (150) feet radius (or up to the edge of the ROW) around the outside face of each transmission line supporting structure is to be maintained clear at all times to permit structure grounding and the set-up and operations of the large vehicles and equipment necessary for construction, inspection, maintenance and repair of the structures.
11. Ditches, detention basins, swales, or canals, if approved by PSE&G and applicable permitting authorities, shall not impede, around-the-clock, all-weather access to all parts of the ROW as set forth in Item 1 above. A minimum corridor width of thirty (30) feet must be available at locations specified by PSE&G.
12. Culverts and bridges, if approved by PSE&G and applicable permitting authorities, must be designed to have at least twelve (12) feet of useable roadway surface and accommodate vehicles of at least 92,500 pounds (GVW). Culverts and bridges shall be positioned in the access road to provide a minimum of fifty (50) feet of approach area without roadway centerline curvature to accommodate the turning radii of large vehicles. Where such straight approach area is not practical, the width of the traveled way over the culvert or bridge shall be wide enough to accommodate the turning radii of large vehicles.
13. No activity that results in the creation of new or enlargement of existing wetlands on transmission ROW shall be allowed. No ROW shall be used as a wetland mitigation area. This prohibition includes retention ponds and the routing of drainage of adjoining lands onto ROW.
14. No trees or other vegetation shall be planted in ROW without prior written approval of PSE&G.
15. Nothing shall be grown or placed in ROW that obstructs the vision of or otherwise endangers drivers along access roads and public roadways.
16. No burning activities are allowed in any PSE&G ROW.

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17. Combustible gas blow-off / blow-down valves within the ROW are not permitted.
18. Storage of hazardous, harmful or toxic materials, waste or substance or pollutant, equipment, railroad cars or fuel tanks are prohibited in ROW.
19. If required by a permitting authority, it is the applicant's responsibility to perform an endangered/threatened species study, prior to the alteration of the terrain on the PSE&G ROW.
20. Vehicles and equipment over twelve (12) feet in height, or those that can extend over twelve (12) feet in height (*i.e.*, cranes, boom trucks, forklifts, etc.) are not permitted on or allowed to work on or from PSE&G's ROW.
21. Any electrical safety analysis requested by PSE&G shall be completed by a firm of PSE&G's choosing at the sole cost and expense of the requestor.

### **Structures, Equipment and Storage**

PSE&G does not allow permanent or non-permanent structures such as buildings, motor vehicles, watercraft, campers, trailers, mobile homes, airstrips, lighting fixtures, signs, billboards, decks, flag posts, sheds, barns, garages, ball courts, playgrounds or other non-compatible structures within PSE&G ROW.

Any metallic structures improperly placed directly under or in the vicinity of a transmission line can have the potential to become electrically charged due to electrical induction. The development of an electric charge results in a potential difference between the metallic structures and the ground, which can result in electrical shocks when the item is touched. Hence, use of the ROW may only be considered in rare circumstances with binding assurances that all of the following criteria are met. Detailed plans must be submitted to PSE&G for review and approval to verify compliance with electrical code clearance and other operation criteria as follows:

1. Universal Requirements (above) must be met.
2. PSE&G will perform a review of the proposed facilities based on the safety, access, reliability and other concerns at PSE&G's sole discretion. If deemed necessary, PSE&G will request for additional technical studies on the proposed facilities to be performed by an approved contractor at the joint user's expense. The additional studies must be submitted to PSE&G for review and approval prior to reaching an agreement.
3. The proposed use is temporary and is easily and immediately removable by the joint user, at the joint user's expense and the joint user is willing to effect such removal on very short notice from PSE&G.
4. The use or activity does not restrict complete around-the-clock, all-weather access and maintenance of lines, ROW, roads, trails, culverts, bridges, fences, gates or other PSE&G facilities.

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5. The proposed use does not create any safety concerns for customers, PSE&G personnel or the general public at the sole and absolute discretion of PSE&G. It is the responsibility of the joint user to meet PSE&G's requirement on the necessity of grounding and to ensure that proper grounding system designed by a qualified professional is in place.
6. The proposed facilities are not located under or within twenty-five (25) feet of being under any power line conductor on the ROW and do not exceed eight (8) feet in height.
7. If deemed necessary, PSE&G will install at the requester's expense warning signs to limit vehicles of certain heights from entering the parking lots.

### **Swimming Pools**

Though above-ground and in-ground swimming pools are not tall structures, there is the danger of a long pool cleaning tool encroaching into the overhead transmission line clearance zone. In addition, in the unlikely event of a nearby fault, swimming pools may concentrate fault currents and cause injury or death in or near a pool, just as faulty pool wiring can. For these reasons, swimming pools, concrete paddings, decking and other attachments are prohibited within the PSE&G ROW.

**Kite flying, model airplane flying, drones or similar activity, is strictly prohibited within the PSE&G ROW.** Drone uses with PSE&G-directed ROW inspection are permitted with written PSE&G authorization.

### **Immovable Ground Facilities**

Septic tanks and/or related drain fields, absorption pits, retention ponds, wells, burial grounds, sports fields, tennis courts, underground vaults and similar immovable in-ground or underground facilities will not be allowed within PSE&G's ROW.

Under very limited and controlled circumstances, immovable ground facilities including but not limited to: streets, roads, driveways, water and sewer lines, ditches, detention basins and other linear or spot located facilities may be considered, provided a binding assurance that the following criteria are met:

1. Universal Requirements (above) must be met.
2. PSE&G will perform a review of the proposed facilities based on the safety, access, reliability and other concerns at PSE&G's sole discretion. If deemed necessary, PSE&G will request for additional technical studies on the proposed facilities to be performed by an approved contractor at the joint user's expense. The additional studies must be submitted to PSE&G for review and approval prior to reaching an agreement.
3. Crossing facilities must cross the centerline of PSE&G's transmission ROW at nearly right angles (ninety (90) degrees), and the nearest edges of crossing facilities shall be one hundred fifty (150) feet or more from any parts of PSE&G transmission support structures and twenty (20) feet from anchors or other facilities.

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4. All underground facilities must be capable of bearing the weight of PSE&G's heaviest vehicles (at least 92,500 pounds GVW).
5. All third party underground facilities shall be marked with permanent above ground markers of a type suitable for the purpose and approved in writing by PSE&G.
6. Fire hydrants, utility pedestals or any other above ground facilities shall not be allowed under or within twenty-five (25) feet of being under any line conductor.
7. The cost of repair of any PSE&G facilities on the property controlled by PSE&G that is damaged during construction of joint user's or third party facilities is the responsibility of the joint user or third party or as otherwise agreed to in the mutual use agreement.

### **Parallel Linear Facilities**

Under certain conditions, a transmission line may induce significant voltages in conductive objects that have a considerable length parallel to the line, such as metallic fences, pipes, rails and wires. If these conductors are a part of a loop or a network, currents may flow in these objects or in the connections between these objects and personnel on site, giving rise to important safety issues. Hence, facilities that parallel the centerlines of PSE&G transmission lines will not be allowed within PSEG ROW.

### **Parking Lots**

Electric fields from transmission lines can cause voltage to be induced on the vehicles and hence shocks to people when they touch the vehicle. Moreover, overhead transmission lines are subject to a wide variety of weather conditions, which can cause ice shedding, rain dropping and wind induced vibrations that are not favorable to vehicles parked underneath them. On PSE&G fee-owned ROW, there will be no new parking facilities allowed. On PSE&G ROW under an existing easement, parking facilities are strongly discouraged. In rare circumstances, parking lots may be considered if they are in compliance with all of the following requirements and restrictions as well as covered by an existing easement. Detailed plans of the proposed parking facilities must be submitted to PSE&G for review and approval to verify compliance with electrical code clearance and other operation criteria as follows:

1. Universal Requirements (above) must be met.
2. PSE&G will perform a review of the proposed facilities based on the safety, access, reliability and other concerns at PSE&G's sole discretion. If deemed necessary, PSE&G will request for additional technical studies on the proposed facilities to be performed by an approved contractor at the joint user's expense. The additional studies must be submitted to PSE&G for review and approval prior to reaching an agreement.
3. No parking or other obstruction at any time shall be allowed within a seventy-five (75) foot radius of any transmission structure or within twenty (20) feet of any guy wire or anchor.
4. All parking surfaces shall be paved with NJDOT compliant asphalt and be at the elevation

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of the area before construction or as approved in writing by PSE&G.

5. Lighting facilities and signs design, layout and elevations shall be approved in advance by PSE&G.
6. PSE&G shall require an electrical safety analysis to be completed by a firm of PSE&G's choosing at the sole cost and expense of the requestor.
7. Runoff from parking lot drainage shall not be retained within PSE&G ROW. Existing wetlands on PSE&G ROW shall not be enlarged nor shall new wetlands be created by parking lot construction.
8. Ingress and egress to, and access along, PSE&G ROW shall not be impeded by parking lot construction or operation. An unobstructed traveled way shall be maintained through, or shall bypass, parking areas for around-the-clock, all weather access to all parts of the ROW. The traveled way shall accommodate turning radii of large vehicles. Any paved areas or other construction where PSE&G vehicles will be required to operate shall accommodate large vehicles of at least 92,500 pounds GVW.

### **Excavating / Stockpiling / Grading**

Excavating, stockpiling, grading, re-contouring, re-sloping, changing drainage patterns and similar activities on PSE&G ROW are prohibited without prior written approval from PSE&G. Activities that may require excavating and/or grading include but are not limited to: roads, driveways, parking lots, ponds, underground utility lines or facilities, drainages, etc. Construction for approval of such activities must meet all of the following requirements. Detailed plans of excavation, stockpiling, and/or grading must be submitted to PSE&G for review and approval prior to the commencement of work as follows:

1. Universal Requirements (above) must be met.
2. Any excavating, stockpiling, or grading that allows water to pond or to cause erosion around any transmission line supporting structure (pole, tower, H-frame, etc.) or anchor is prohibited.
3. Excavating, stockpiling, or grading within one hundred fifty (150) feet radially of the face of any PSE&G transmission structure shall not be permitted.
4. Excavating, stockpiling, or grading within twenty (20) feet of any PSE&G anchor shall not be permitted.
5. Excavating, stockpiling, or grading within twenty-five (25) feet of a wire zone (area under wires) shall not be permitted unless approved by PSE&G and stockpiling may not exceed eight (8) feet in height.
6. No grading or excavation work shall be permitted by means of a dragline, cable type crane or other machine that is unsafe for working around energized high voltage power lines.

These guidelines are not-all inclusive. All ROW joint use proposals will be reviewed by PSE&G on a case-by-case basis depending on individual circumstances. Certain conditions such as

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inspection requirements, construction access, transmission line voltage and line criticality may require elevated restrictions in the ROW properties to provide safe and reliable service.