

# Electric Power Line Easement Guide

Mountain Parks Electric, Inc. (MPEI), Granby, CO, 80446 (www.mpei.com)

It is not the intent of MPEI to present everything about easements or electrical code restrictions in this document. The purpose of this guide is to present standard easement principles and assist new clients with basic easement information. For more information about easements, please call Jean Johnston at 970-887-7065.

## **1. Right-of-Way Easements and Access in General**

- 1.1. As a member-owned electric cooperative, Mountain Parks Electric, Inc. requires customers to provide access and easements at no cost to the cooperative for construction, operation, and maintenance of electric distribution power lines and associated equipment. The land owner still owns the land where the easement is granted. MPEI cannot grant an easement to any other entity on land that MPEI does not own.
- 1.2. In the event that a power line crosses property other than that of the customer requesting service, the requestor is required to obtain all signatures for necessary easements.
- 1.3. Similarly for line conversion and relocation projects, the project requestor is required to obtain all signatures for necessary easements.
- 1.4. Easements may be one of several types:
  - a shared roadway/alleyway easement (e.g. one allowed by a county government or by town franchise agreement),
  - a platted utility easement within a subdivision,
  - a recorded easement on individual property,
  - an easement granted as a condition of service,
  - a prescriptive easement.
- 1.5. Most easements for MPEI 14.4/24.9 kV overhead and underground distribution lines are at least 20-feet wide, 10-feet on each side of the centerline, but some are wider.
- 1.6. Overhead line easements also allow for guys and anchors beyond the specified width, e.g. for guy lead length of 15 to 30 feet from poles as required for line angles and deadends.
- 1.7. The use of land within a utility or electric power line easement is restricted to that considered by the Cooperative to meet all public and worker safety requirements in the National Electrical Safety Code (NESC), as well as to avoid conflicts with routine operation and maintenance activities. **THE NESC PROHIBITS ACTIVITY THAT BRINGS PEOPLE AND/OR EQUIPMENT CLOSER THAN TEN FEET (10') TO OVERHEAD DISTRIBUTION POWER LINES. TEMPORARY OR SHORT TERM ACTIVITY MAY BE ALLOWED IF THE LINE CAN BE COVERED OR DE-ENERGIZED AND GROUNDED (PERFORMED ONLY BY MPEI PERSONNEL) WITHOUT AFFECTING OTHER USERS.**

## **2. Electric Power Line Easement Restrictions:**

- 2.1. Very restrictive easements apply to overhead transmission lines with operating voltages above 35 kV – the Western Area Power Administration or Tri-State Generation & Transmission typically own these lines. Property owners are encouraged to seek written authorization from the transmission line utility owner for any proposed change in grade or proposed use of such land.
- 2.2. The following are general restrictions applicable to MPEI's electric distribution line easements:
  - Grade changes of more than 6-inches (either increase or decrease) are prohibited without express written consent from MPEI, and the requestor is required to pay the cost necessary to raise overhead conductors or lower underground cables to maintain NESC clearances.
  - Permanent buildings and structures are not allowed within the easement. MPEI includes in its definition of a structure: buildings, foundations, overhangs, porches, awnings, deck piers, stairs, retaining walls, etc.
  - Decks, swimming pools and hot tubs are not allowed within the easement.
  - Other obstructions that may interfere with, obstruct access, or create a clearance violation or other safety concern are not allowed within the easement, including tanks, wells, septic tanks/systems, propane or other flammable fuel storage tanks/dispensers, antennas, communication towers, playground equipment, trampolines, gravel piles, snow storage on above ground equipment, etc.
  - Sailboats rigging areas, hay storage areas, and grain bins have more restrictive NESC clearances. These items must be pre-approved by MPEI before they are designed or placed near any power line.
  - Slash piles, large fires and/or pile burning are not allowed within power line easements (small campfires up to 3-foot diameter are acceptable when sited at least 10-feet from poles, vaults, and padmount equipment, subject to local authorities' fire restrictions).
  - MPEI has the right to remove or trim trees that grow within electric power line easements.

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### **3. Electric Power Line Easement Generally Accepted Uses:**

The following are generally accepted uses of land within MPEI overhead or underground electric distribution line easements, all of which also require property owner permission:

- Trails (hiking, biking, horseback riding, etc.).
- Driveways, sidewalks, parking areas, and road/alley crossings.
- Fire hydrants, utility pedestals, and other utility line crossings.
- Fences and gates that do not stop access or create a conflict with utility equipment, or establish a climbable structure adjacent to poles, or violate NESC clearances. Owners of gated communities or private gates must provide keys or key codes for access. Fence or gate posts shall be no closer than 2-feet from underground cables.
- Small temporary signs that do not create a conflict with access or with utility equipment.
- Landscaping and gardens. (Note that MPEI has the right to remove or trim trees that grow within our easements, so we encourage owners to select a species with mature height of 20-feet or less near/under 14.4/24.9 kV overhead lines.)
- Portable, unoccupied buildings e.g. small storage sheds.
- Grazing and agricultural crops (with harvesters up to 14-feet high).
- Small removable material storage, e.g. short log/wood piles (maximum of 6-feet wide by 4-feet high. (Owners will be required to remove any materials upon request by MPEI for access.)

### **4. Electric Power Line Easement Uses Upon Written Authorization:**

Property owners are encouraged to consult with MPEI Engineering Department employees on proposed plans well in advance of any change and seek written authorization for any use beyond the normally acceptable ones noted above. The following are examples of land uses in power line easements that may be allowed on a case-by-case evaluation upon written authorization by MPEI:

- Decks/hot tubs/patio covers/sun rooms/greenhouses under overhead secondary/service lines that meet NESC clearances.
- Signs or billboards that meet NESC clearances to overhead lines and do not conflict with access or with utility equipment, or establish a climbable structure adjacent to poles. Foundations for such signs/billboard shall be no closer than 3-feet from underground cables. Access by excavation equipment is required for underground line maintenance.
- Temporary unattached structures e.g. larger storage buildings/gazebos, large tents, festival stages, awnings, canopies, and similar that meet NESC clearances.
- Traffic signal and lighting poles near overhead line conductors that meet NESC clearance requirements.
- Large dumpsters and truck containers that meet NESC clearances to overhead lines.
- Cranes or other large equipment operating closer than 10-feet from overhead conductors.
- Over-height vehicles taller than 14-feet (houses to be moved or similar) to travel or operate under overhead power lines.

### **5. Other Tips:**

- 5.1. MPEI crews need a minimum 10-feet clear access to all poles and padmount equipment for its large bucket trucks or cranes.
- 5.2. During outage restoration and routine switching, MPEI operating personnel need clear access around padmount equipment: 10-feet in front of access doors and 2-feet around all sides. See MPEI's Electric Service Construction Standards Part 2 for several drawing pages on Clearances for Access and Operation and Minimum Equipment Clearance Guide. This publication is available at [www.mpei.com](http://www.mpei.com) under the New Construction and the Electric Construction Standards links.