

RIGHT OF WAY USE - CUSTOMER GUIDELINES

Any use of FPL Right of Way requires a Right of Way Consent Agreement. FPL must have the capability at all times to construct, operate, maintain and restore its transmission and distribution facilities now located, or to be located, within its Rights-of-Way. Any use of FPL's Rights-of-Way by the underlying owner, or owner's assigns, which would prevent or unreasonably restrict FPL from performing these activities, or is considered by FPL as hazardous, is not allowed. Safety is a main concern, so the following guidelines are based on National Electrical Safety Code requirements, as well as good engineering principals and practices. These guidelines are general in nature and may vary in some instances depending upon construction type, easement terms, etc.

- I. The following activities, either temporary or permanent in nature, are **not** allowed within the limits of FPL's Rights-of-Way:
 - A. The placement of structures, buildings, mobile homes or trailers, recreational vehicles, satellite receiver systems, towers, swimming pools and associated equipment, cemetery sites, wells, septic tanks, storage tanks, dumpsters, trash, flammable material, building materials, disabled vehicles, motor boats, and sailboats.
 - B. Flooding all or any portion of the Right-of-Way.
 - C. Wet retention systems, ponds, and/or lakes.
 - D. Conservation easement and or mitigation areas.
 - E. The use of explosives
 - F. The attachment of signs or other items to FPL's facilities.
 - G. Any activity that might encourage or attract the public to participate in recreational activities which might cause an unsafe condition to exist.
 - H. Operating equipment capable of extending beyond a height of 14 feet above existing grade.
 - I. Storage of equipment capable of exceeding 14 feet in height.
 - J. The planting of trees, shrubs, plants, etc. capable of exceeding a height of 14 feet above existing grade at maturity, or containerized plants that would exceed a height of 14 feet above existing grade when lifted.
 - K. Fires of any kind, including the burning of any debris, except permitted controlled backing fire.
 - L. Required parking.
- II. A minimum 75 foot area clear of any activities, measured from each side of the centerline of the existing and/or planned pole(s)/structures, and a linear route (patrol road) 20 feet in width, with no more than 10:1 sloping, in an approved location within the easement, are required to ensure FPL vehicular access to its poles, guys, conductors and appurtenances and therefore can not be used for any purpose.
- III. The following activities **may** be allowable, but require an FPL consent agreement:
 - A. Excavation or buried facilities of any kind.
 - B. A change in the existing ground elevation.
 - C. Ditches crossing the Right-of-Way, must provide crossings that meet FPL specifications and are fully permitted by the appropriate jurisdictions.
 - D. Road crossings. Dropped curbing and median cuts of a minimum of 25 feet in width, and containing no more than 10:1 sloping, to be provided at locations designated by FPL.
 - E. Fencing, providing the fencing is grounded to FPL specifications, does not prohibit access to structures and 16 foot gates are installed in FPL's patrol/access areas and other locations designated by FPL. Gates must accommodate FPL locks.
 - F. Overflow parking is generally permitted. FPL's expansion and maintenance programs may require the use of a required parking space(s), thereby no longer allowing the requesting party to meet governmental parking requirements.
 - G. Spraying of pesticides provided it is done in a manner so as to prevent the spray from making contact with FPL's facilities.
 - H. Irrigation systems, provided they are constructed of a non-metallic material and do not extend beyond 14 feet above grade. Sprinkler heads must be set to prohibit spray from making contact with FPL facilities. Above-ground irrigation systems are not to be installed within or across FPL's patrol roads or access areas. Underground irrigation systems may cross patrol roads or access areas provided the system is buried a minimum depth of one foot below grade.

Owner is responsible to maintain the property according to the county ordinances which apply, including trash removal of dumped items, mowing and trimming existing trees to a height no higher than 14 feet.

To avoid unnecessary expense, it is recommended that a meeting be held with FPL in the early stages of planning a project to secure preliminary approval of conceptual plans. Final approval can only be obtained after FPL has been provided final construction plans. To arrange a meeting please refer to the FPL Consent Application Form for the necessary FPL contact information.