

ORCAS POWER AND LIGHT COOPERATIVE
MEMBER SERVICE POLICY 14
RIGHT-OF-WAY (ROW)

This policy covers rights-of-way (ROW) clearing to allow the safe and reliable delivery of electricity to members. ROW clearing involves the removal of trees, shrubs, and other vegetation that may pose a threat to power lines, equipment, other utility assets, and the safety of utility crews and the public. OPALCO operates in a unique environment. The impacts from climate change continue to accelerate the threats posed from wildfires, with extended and extreme dry summers that affect the health of our island forests where many OPALCO electric facilities are located. The Co-op must respond in kind with ROW protocols that meet the changing need to protect OPALCO's system, member property, lives, and livelihoods.

Washington Administrative Code (WAC) 296-45-045 states: All electric utilities and entities operating transmission and distribution facilities within the state of Washington must design, construct, operate, and maintain their lines and equipment according to the requirements of the current National Electrical Safety Code (NESC). The utility must ensure that climbing spaces are provided on all poles and structures. The climbing space must meet the requirements of the current National Electrical Safety Code.

14.1 RESPONSIBILITIES

14.1.1 OPALCO owns and is responsible for the maintenance of its transmission, distribution, and communications facilities. The establishment and maintenance of ROW through trimming and clearing allows the cooperative to provide safe, reliable, sustainable, and cost-effective essential utility services.

14.2 GOALS

- 14.2.1 Provide a safe work environment for OPALCO staff, line crews, and contractors.
- 14.2.2 Ensure safe, reliable, and affordable electric service. A clear ROW facilitates faster outage restoration efforts, minimizing disruptions for members.
- 14.2.3 Take responsible action for fire mitigation around power lines.
- 14.2.4 Follow industry best practices, national standards and wildlife regulations.
- 14.2.5 Consider cost associated with clearing and the impact on the cooperative and the members.
- 14.2.6 Balance rights and responsibilities of property owners and OPALCO.
- 14.2.7 Protect cooperative assets.
- 14.2.8 Provide public safety around OPALCO facilities.

14.3 DEFINITIONS

- 14.3.1 Hazard/Danger Trees – trees inside or outside the ROW corridor, which are dead, dying, structurally defective, leaning or otherwise pose a danger of falling on the lines.
- 14.3.2 Distribution Lines – a distribution line is as generic term for a distribution voltage (2,400 volts to 35,000 volts) line that carries power from a substation to a residence or business. These lines may be overhead or underground.

- 14.3.3 Primary Line – a power line that carries medium voltage power to distribution transformers located near the customers premises.
- 14.3.4 Secondary Line – lower voltage lines from the distribution service transformer to the customer’s service (s). The lines may be overhead or underground and may include equipment such as pole-mount utility secondary connectors.
- 14.3.5 Transmission Line – a bare, uninsulated, high voltage 69,000 volts to 345,000 volts overhead power line, usually strung from steel towers or tall wood, or metal poles, that carries power for power generation plants to substations.
- 14.3.6 Right-of Way (ROW) – Specific and particularly described strip of land, property, or interest therein devoted to and subject to lawful use, typically for general transportation purposes of conveyance of utilities. A ROW can be public or private: it is to be assumed to pertain to both public and private unless it is specifically identified as one or the other.
- 14.3.7 Easement – A right of use over the land of another for a specific purpose providing a non-possessory interest in the property of the landowner and that prohibits the landowner from interfering with the easement holders use of the easement.
- 14.3.8 Prescriptive Easement – An easement upon another real property acquired by continued use without permission of the owner for a period provided by state law to establish the easement.
- 14.3.9 “NESC” – National Electric Safety Code.

14.4 GENERAL PROVISIONS

- 14.4.1 The right-of-way shall be prepared by removing trees, clearing underbrush, and trimming trees so that the right-of-way is cleared close to the ground and to the width specified.
- 14.4.2 Hazard/Danger Trees beyond the right-of-way, which would strike lines or cause an outage when falling, shall be removed. OPALCO is authorized by RCW 64.12.035 to trim or remove any tree or vegetation that poses an imminent hazard to the general public’s health, safety or welfare or constitute a potential threat that could damage electric facilities. OPALCO is responsible for trimming trees and vegetation around its electric facilities including energized power lines, utility poles and pad-mount transformers to obtain clearance.
- 14.4.3 Regular right-of-way maintenance shall be completed to reduce likelihood of outages and wildfires while improving reliability, operational costs, and improve employee and public safety. OPALCO prefers to schedule and complete ROW work within the brief weather window of fall and spring to avoid wet ground and before summer fire season.

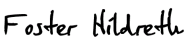
14.5 EASEMENTS

- 14.5.1 Obligation to Grant. Upon becoming a member of OPALCO, each member agrees to be bound by the articles of incorporation, bylaws, tariffs, and policies of the Cooperative. This obligation includes the requirement to grant property interests to OPALCO, including easements, if necessary. Due to the unprecedented impacts

from climate change throughout the unique environment in San Juan County that OPALCO operates in, it may be necessary to expand certain easements to protect electric facilities, the forested environment they operate in, and the areas where members reside.

In the event this becomes necessary, Member Policy 4: Service Conditions provides the process OPALCO will use to obtain necessary easements. These easements will provide improved safety and data communications in the field for the Cooperative's operations staff, more efficient energy use, and safe, reliable electric service to its members.

14.5.2 Easements are required to maintain safety corridors around power lines to protect worker safety and utility equipment located on or near member property. Easements may need to be revised or expanded as requirements for clearance area change by national standards or due to changing conditions arising from climate change impacts and accelerated fire danger.

DocuSigned by:

6B1FF8BE452A4CC... Effective Date: May 18, 2023
Foster Hildreth, General Manager