

**From: Scott Gardner, Duke Energy**  
**To: Bill Stockard, Assistant to the Manager**

Information Provided in March 11, 2002 Email

Bill,

Following is our response to your questions regarding the January 14 petition from Ms. Cattani to the Town Council. Let me know if you have further questions or if you need additional information.

For more information, please refer to [www.dukepower.com](http://www.dukepower.com). Click on "Environment," then "Right of Way Management."

1. Power Source: Duke is the electric service provider in this area. After receiving the request from Carol Woods to provide electric facilities to serve the new phase off of Sunrise Road, we considered two primary options, Weaver Dairy Road and Sunrise Road. The most effective option in terms of providing the highest degree of reliability, minimizing environmental impact, and within reasonable cost was to convert four spans of a single phase line which runs along Sunrise (also serves a portion of the Chandlers Green development) to a three phase line which would then cross over Sunrise and enter the Carolwoods property.

2. 30-foot swath: Duke secured a right of way in the 1950's to install electric distribution facilities along Sunrise, which includes the property now owned by the Cattanis. Duke uses a generally accepted industry standard of keeping lines clear fifteen feet on either side of the centerline. This easement provides Duke the right to maintain the facilities, including tree clearance. We simply maintained the same easement we have had since the early 1950's. The easement was in place prior to the requirement of the 20-foot buffer.

Historically Duke clear cut many rights of way, but over the years we began leaving some trees and limbs that we would have previously removed in an effort to minimize the impact on property owners. Our more recent experience indicates that we need improved clearance to provide an appropriate level of service reliability. Consequently, in 2001, the decision was made to provide improved clearance within our easements. We met with the Cattani's and informed them of this information.

3. Herbicides: Yes they were. A computer blended mixture of 1/2 % Imazapyr and 4% Glyphosate herbicides were applied to foliage in July of 2001 after right-of-way maintenance was performed the previous year. The amount of 4 1/2 % herbicide blend

used on the Cattani property would have been in the range of one to two quarts or 1.44 to 2.88 ounces of herbicide, the remainder of the mixture is water.

Under an agreement with the NC Pesticide Board, Duke can utilize approved herbicides within utility easements. The purpose for applying this solution is to remove non-compatible woody plants (for example, oaks, maples) within the right of way and allow species compatible with utility facilities to thrive (for example dogwoods, redbuds). Within a couple years, the easement becomes grassy and brushy. Spot spraying at that point eliminates the future growth of non-compatible hardwoods, thus eliminating the need for significant tree work or bush hogging (bush hogging is damaging to wildlife as well). Additionally, Duke must notify all customers through a bill insert at least once a year about our vegetation management program including herbicides. Customers have the option to NOT have the herbicide applied to the easement on their property by providing notification to Duke. The Cattanis may elect to be a no spray customer if they do not want herbicides used on their property.

4. Underground lines: As mentioned earlier, this was a single phase line converted to a 3 phase line in order to meet the voltage requirements requested by the Carol Woods Development.

The reason three phase lines are not placed underground is primarily due to the amount of electrical current they carry and the number of customers they serve. Consequently, we need to protect them from potential damage. In those cases where three phase lines are placed underground, they are placed in an arrangement of conduits within a concrete encased duct bank. This type of construction, along with the associated surface mounted electrical switching and protective equipment raises the cost of construction to somewhere between 10 to 15 times the cost to install the same facilities overhead. This makes such a design cost prohibitive for most all customers. Upon entrance onto a customer's property we directly bury the conductors (they are not encased in a conduit or duct bank) due to the fact that any damages and subsequent outages affect that customer alone, not other customers along our distribution system.

In developed areas, while not a policy nor a requirement of right of way agreements, Duke, as a courtesy, has notified customers in advance of normal scheduled right of way maintenance on their property. We believe it is good business to notify property owners of impending work. Notification was provided to the Cattani's prior to the routine tree maintenance in 2000. Regrettably, notification was not provided to the Cattani's about the facilities expansion work in 2001.

Informal inquiries (as the one filed by Ms. Cattani) are handled by the Public Staff of the Utilities Commission. Information regarding such inquiries are not a matter of public record. If the inquiry becomes formal (i.e. goes to the NC Utilities Commission) -- then it does become a matter of public record.