



Keeping the  
Transmission Grid  
**Safe & Reliable**

Understanding Rights-of-  
Way and Encroachments

**FirstEnergy**<sup>®</sup>

## What is a right-of-way?

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To support safe, reliable delivery of electricity, FirstEnergy's transmission companies (ATSI, MAIT, TrAILCo, Jersey Central Power & Light, MonPower, Potomac Edison and West Penn Power) acquire permanent easement rights, also called rights-of-way. These agreements provide these companies the ability to access and use a property owner's land to construct, operate and maintain its electric facilities. Easements and rights-of-way are property rights, and recorded easement agreements are part of the affected real estate's title.

Most rights-of-way are perpetual in duration, meaning they remain in effect and apply to the new owner when a property is sold and transferred. Often, these rights-of-way may have been granted decades earlier. Before purchasing a property, buyers should review the existing right-of-way and easement agreements to determine whether a transmission line right-of-way affects the property.

Learning the right-of-way laws and their implications for the property can help prevent the trouble and expense of later relocating a structure that is not permitted.



The transmission grid is the backbone of the electric system, channeling high-voltage power from generation sources to local lines serving towns and communities.

To protect the system and ensure safe, reliable electricity is available to customers around the clock, FirstEnergy is committed to keeping the rights-of-way along its 24,000 miles of transmission electric lines clear of anything that may cause a safety or reliability issue.

Understanding what structures are permitted within rights-of-way helps ensure the safety of residents and communities located along power lines as well as the workers who maintain this important infrastructure.

## What is an encroachment?

Right-of-way restrictions are designed to prevent encroachments – an activity, structure, or land use within the right-of-way that violates the easement agreement. These items could present avoidable safety risks for property owners, utility workers or others who access the property as well as challenge the safe, reliable operation of the transmission system.

FirstEnergy's transmission companies may require a property owner to remove an encroachment at their own expense if the use is not compatible with the right-of-way agreement.



**Restricted** encroachments include, but are not limited to:

- houses
- decks
- buildings/barns/sheds
- pools
- playground equipment
- trampolines
- fuel tanks/propane tanks/flammable material
- septic tanks/drain fields
- solar panels
- earthwork – changing existing grade
- stored trailers/motor homes/vehicles
- storm water ponds

**Allowable** encroachments *may* include, but are not limited to:

- residential lawns
- agricultural crops/gardens/  
livestock grazing
- recreational trails

Additional right-of-way info:



## Requesting an encroachment exemption

Before a property owner initiates any land-use changes or installs any structure within the right-of-way that is not previously approved or defined within an easement agreement, they must request written permission from FirstEnergy. Written authorization is often required as part of any local zoning or building permit process.

The encroachment request form, **along with a full list of restrictions**, is available at [www.firstenergycorp.com/publicsafety-ROW](http://www.firstenergycorp.com/publicsafety-ROW).

After reviewing the pertinent easement documents, as well as operational and safety requirements, FirstEnergy's transmission companies will issue a written consent agreement if permission is granted. The agreement will outline any conditions applicable to allowing the encroachment within the right-of-way.

Please note that FirstEnergy's transmission companies do not issue verbal consents, and any claim of verbal consent cannot be accepted by the companies. In addition, building or zoning permits issued by a local government do not serve as a consent agreement.

FirstEnergy and its transmission companies are here to help property owners understand the rules and guidelines related to rights-of-way and encroachments. Visit **[www.firstenergycorp.com/publicsafety-ROW](http://www.firstenergycorp.com/publicsafety-ROW)** or contact the company for information on how to submit any potential plans on or near a transmission right-of-way. By doing so, any potential issues can be addressed before an investment has been made.

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