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PowerSouth Lowman Unit 3 Project - Permit Matrix Washington County, Alabama												
Item	Agency Level	Regulation Agency	Permit / Notification Description	Permit Description / Information	Thresholds	Permit Required (Y/N)	Applicable Project Elements	Estimated Permit Fee	Estimated Preparation Time	Anticipated Agency Review Time	Total Estimated Timeline	Notes / Comments
1	Federal	U.S. Army Corps of Engineers (USACE)	Clean Water Act (CWA) Section 404 Authorization	Section 404 of the CWA requires that the discharge of dredge or fill material into a wetland and other water of the U.S. require a permit(s) from the USACE. This project would likely qualify for coverage under NWP 57. To determine the extent of impacts to wetlands and other waters of the U.S., Burns & McDonnell would typically review available online literature (i.e. NWI data, floodplain data, soils data, NHD, etc.), conduct an onsite wetland delineation, and prepare a wetland delineation report based on the findings of the onsite wetland delineation. For survey activities such as geotechnical borings. Automatic coverage under NWP 6 is anticipated. Borings should not exceed 0.1 acres of impacts (if applicable).	* If impacts to waters of the U.S. are to occur as a result of the construction of the project, coordination with the USACE Mobile District would be required. * NWP 57 - Electric Utility Line and Telecommunications Activities – Includes activities required for the construction, maintenance, repair, and removal of electric utility lines, telecommunication lines, and associated facilities provided the activity does not result in the loss of greater than 1/2 acre of waters for each single and complete project. * Individual Permit (IP) may be required if impacts to wetlands/waters of US exceed limits of NWPs. * Wetland Mitigation would be required if there will be more than 1/10-acre of permanent impact (loss or conversion) to WOTUS. Note: Regional Requirements include a Compensatory Mitigation Plan for all special aquatic site losses for NWP that exceed 1/10 acre and/or for all losses to streams that exceed 200 linear feet.	Y	* 230-kV T-Line Construction * 115-kV T-Line Reconductoring	NWP - no fee IP - \$100	6 weeks after completion of all environmental and cultural resources field investigations, and receipt of design/construction details (facility plot plan and all construction work areas - including access) that can be used for permit exhibits and impact calculations.	NWPs: 45-90 days IPs: Approximately 1-1.5 years (not a likely scenario for this project if impacts remain under 0.5 acre)	0.5 - 2 years	A pre-application meeting with the USACE is recommended prior to application submittal. * Studies and Reports required: * Wetland Delineation and Report * T&E Habitat Assessment Report * Cultural Resources Survey and Report * Compensatory Wetland Mitigation Plan * Alternatives Analysis The USACE will coordinate with the SHPO and the USFWS. NWP 57 has Section 401 Water Quality Certification from the ADEM. PCN Triggers: * Section 10 permit required (see below for Section 10 permit guidance) * Permanent impact > 1/10 acre
2	Federal	U.S. Army Corps of Engineers (USACE)	Rivers and Harbors Act (RHA) Section 10 Authorization	Section 10 of the RHA regulates work or structures in, over, or under a navigable water of the U.S.	*Any structure affecting a navigable water, including spans over a Section 10 water or bores under a Section 10 water	Y	* 115-kV T-Line Reconductoring	No application fee	Concurrent with CWA Section 404 application - additional requirement of engineering drawings and specs, location maps, project narrative, purpose and need, alternatives, and environmental documentation	30-120+ days	1 - 6 months	Project spans the Alabama River, which is a Section 10 water. Reconductoring of the existing 115-kV transmission line over the river will likely require a Section 10 permit.
3	Federal	Rural Utilities Services - USDA Rural Development	Environmental Assessment/Environmental Impact Statement	RUS requires an environmental report be submitted by the applicant to quantify the impacts the proposed facility may have. RUS will determine if an Environmental Assessment or an Environmental Impact Statement will be required. Typically, natural gas-fired simple-cycle projects require an EA. If an EIS is required, RUS will contract a third party to prepare the document. There will be public scoping meetings and stakeholder meetings for an EIS. An EA is anticipated for this Project. Once complete, RUS will issue a FONSI.	RUS funding	Y	* NGCT Facility Construction * 230-kV T-Line Construction * 115-kV T-Line Reconductoring		6 Months	9-12 months for an EA	15 - 18 months (EA)	Involves stakeholder participation, with stakeholders including agencies, tribes, and the public.
4	Federal	U.S. Fish and Wildlife Service (USFWS)	Endangered Species Act (ESA) - Federal Threatened & Endangered Species Consultation	ESA Section 7 consultation is required and will be facilitated through interagency consultation during the RUS NEPA process.	* If federally-listed threatened or endangered species, or their preferred habitats, could be affected by the project. Any activity which would result in harm, harassment, take, etc. of a federally-listed threatened or endangered species	Y	* NGCT Facility Construction * 230-kV T-Line Construction * 115-kV T-Line Reconductoring		Concurrent with RUS NEPA process - T&E habitat evaluation report is submitted as a component of the USACE application. Species-specific surveys, if required by USFWS, would be performed during USACE CWA review period.	Typically 30 to 45 days for initial consultation; additional 30 to 45 days for review of report and return of a determination. If "no-effect" to Federally listed species: review/approval is within the timeframes outlined above. If "may-affect, not likely to adversely affect", determination is reached then consultations could vary. Anticipated ranges outlined below: Section 7: 135 days from initiation of formal consultation.	Consultation and clearance is completed within the timeframes of RUS NEPA process	The portion of the Alabama River that is spanned by the existing 115-kV transmission line is federally-designated critical habitat for the endangered Alabama sturgeon.
5	Federal	U.S. Fish and Wildlife Service (USFWS)	Migratory Bird Treaty Act (MBTA) Compliance	USFWS could comment on migratory birds through interagency consultation during the RUS NEPA process; or directly to the applicant once the project is known or if requests for technical guidance are submitted. Requests for voluntary mitigation payments for impacts to migratory bird habitat is possible.	* If migratory birds could be affected by a project	Y	* 230-kV T-Line Construction * 115-kV T-Line Reconductoring		Concurrent with RUS NEPA process	Typically 30 days; however, the USFWS review could take longer if known nesting sites are present		If nesting surveys have been conducted and no nests nor sightings were observed, this may be able to be listed as not relevant. Bald Eagle presence has been noted in Clarke County, AL according to Auburn University's Species Occurrences by County list (Oct 2021).
6	Federal	U.S. Fish and Wildlife Service (USFWS)	Bald and Golden Eagle Protection Act (BGEPA) Compliance	USFWS recommends to restrict all clearing, external construction, and landscaping activities within 660 feet of a bald eagle nest to outside the nesting season (i.e., from July to October).	* If Bald or Golden Eagles could be affected by the project.	Y	* NGCT Facility Construction * 230-kV T-Line Construction * 115-kV T-Line Reconductoring		Concurrent with RUS NEPA process	Typically 30 days; however, the USFWS review could take longer if known nesting sites are present		
7	Federal	Environmental Protection Agency (EPA) Region 4 - KY, TN, MS, AL, GA, NC, SC, FL, 6 tribal nations	EPA - Spill Prevention Control and Countermeasure (SPCC) (40 CFR 112);	Updates to SPCC required for facility modifications include narrative descriptions of the storage, processing and handling of oil and containment/drainage systems at the site. Plan maps will also require update.	For all tanks/containers (and oil-filled equipment, etc.) with a capacity over 55 gallons that can contain "oil" of any kind (including fuel, mineral oil, used oil, etc.), if facility aggregate volume is ≥ 1,320 gallons.	Y	* NGCT Facility	No fee	SPCC - time required related to number of tanks/containment, etc. Estimate 2 month for SPCC Development after receipt of detailed design identifying all hydrocarbon storage.	N/A	6 Months	

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8	Federal	Environmental Protection Agency (EPA) Region 4 - KY, TN, MS, AL, GA, NC, SC, FL, 6 tribal nations	Construction Fuel/Oil storage - EPA SPCC Plan(s) (subject to 40 CFR 112)	SPCC/FRP/Oil Spill Response Plans, etc.	* For oil/fuel tanks brought onto site in support of construction: SPCC Rule applies to all tanks/containers over 55 gallons that contain "oil" of any kind (including fuel, used oil, etc.), if aggregate is \geq 1,320 gallons.	Y	* NGCT Facility	No fee	1 month after receipt of construction plans identifying location and quantities of stored hydrocarbons	N/A	1 Month	
9	Federal	Federal Aviation Administration (FAA)	FAA Notification Pursuant to 14 CFR 77 for Safe and Efficient Use and Preservation of the Navigable Airspace	14 CFR Part 77.9 states that a notice must be filed with the FAA if requested by the FAA or when anyone proposes any of the following types of construction or alteration: - any construction or alteration exceeding 200 feet above ground level - any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes: * 100 to 1 for a horizontal distance of 20,000 ft. from the nearest point of the nearest runway of each airport described in 14 CFR 77.9(d) with its longest runway more than 3,200 ft. in actual length, excluding heliports. * 50 to 1 for a horizontal distance of 10,000 ft. from the nearest point of the nearest runway of each airport described in 14 CFR 77.9(d) with its longest runway no more than 3,200 ft. in actual length, excluding heliports. * 25 to 1 for a horizontal distance of 5,000 ft. from the nearest point of the nearest landing and takeoff area of each heliport described in 14 CFR 77.9(d) One FAA registered active airport (Jackson Municipal Airport) less than 1 mile from existing 115-kV line and approx. 1.5 miles from proposed NGCT facility.	* 200+ foot structure height. * Within the distance to height ratio from the nearest point of the nearest FAA designated airport runway (listed in Description Column). * Within the vicinity of air navigation approach towers or signals, as determined by OEAAA. * Other: As required by the FAA.	Y	* NGCT Facility	Form 7460-1: 2 weeks after receipt of proposed structure heights, estimated elevations, etc.. Form 7460-2 (as required): 10 days prior to construction AND/OR 5 days after receipt of as-built pole location coordinates, structure heights, elevations, etc.	Approximately 45 days Automatic - Review Time N/A	3 Months	Jackson Municipal Airport Permanent Facility Cranes and Construction Facilities that exceed thresholds need addressed as well.	
10	Federal	U.S. Department of Energy, Energy Information Administration (EIA)	Department of Energy - EIA 860 (and extension form 860-M)	Pursuant to 15 U.S.C. 772, all electric generating plants that have or will have a nameplate rating of 1 MW or more, and that are operating or plan to be operating within 5 years must complete and submit Form EIA 860 (and by extension, form 860-M) to the EIA (a division of the Department of Energy) within 18 months of the generator beginning commercial operations. Reporting on the EIA-860M must begin when either a new generator is within 12 months of entering commercial operation, an existing generator proposed for retirement is within 12 months of being retired from service, or a proposed modification to an existing generator is within one month of completion	Electric generating plants that have or will have a nameplate rating of 1 MW or more	Y	* NGCT Facility			N/A Monthly/Annual reporting		Online submission via EIA's Data Collection system (IDC)
11	State	Alabama Department of Environmental Management (ADEM)	Air Permit PSD Major Construction Permit	Any source that plans to construct or modify equipment or a process that has potential to emit air contaminants must apply for a permit from the Air Division.	> 100 tpy CO > 40 tpy NOx, SO2, VOC > 25 tpy PM > 15 tpy PM10 > 10 tpy PM2.5 > 25 tpy HAPs or 10 tpy any HAP	Y		Varies significantly based on level of regulations that apply to the project. With fees of \$2,795 per NSPS, \$940 per BACT per pollutant, \$2,410 for PSD Review, \$2,575 for modeling protocol review, and \$19,060 for a modeling review, the minimum fee is expected to be \$30,000 to \$45,000. ADEM Admin Code R-335-1-6-.04	5 months	Typically within 120 days	12 months	
12	State	Alabama Department of Environmental Management (ADEM)	Air Permit (Major Source Operating Permit [MSOP] Modification)	The facility is an existing Title V Major Source and has an effective MSOP. An application for an MSOP modification must be submitted within 12 months of startup for construction Air Permits issued to the facility.	A MSOP Modification is required following the issuance of a new Air Permit at an existing Major Source.	Y		Fees are charged yearly for each ton of pollutant emitted.	3 months	6-12 months	12 months	
13	State	Alabama Department of Environmental Management (ADEM)	National Pollutant Discharge Elimination System (NPDES) Major Permit Modification	The facility has an existing Individual NPDES Permit. The facility will renew and update the existing NPDES Permit prior to the operation of the updated equipment at the facility	Any change to the facility or its operations constitutes a renewal or modification by ADEM	Y	* NGCT Facility Operation	Minimum of \$3,940 with the potential for additional fees based on ADEM's assessment of the application complexity.	1-2 months	6-12 months	12 months	
14	State	Alabama Department of Environmental Management (ADEM)	Clean Water Act (CWA) Section 401 Water Quality Certification	Must be completed for projects that will result in the discharge of dredged or fill material into waters of the U.S. to verify that project impacts will meet State water quality standards.	*WQCs are conducted in conjunction with Section 404 Individual, General, and NWP from the USACE. *A separate WQC is not required as long as the conditions outlined in the Public Notice Announcement of the U.S. Army Corps of Engineers Approved 401 Water Quality Certification (2021) are met. A copy of the PCN must be sent to the ADEM Mobile-Coast Office.	Y	* 230-kV T-Line Construction * 115-kV T-Line Reconductoring	No fee	Concurrent with CWA 404 Application	Concurrent with CWA 404 Authorization	Concurrent with 404 CWA Permitting	A BMP plan must be prepared by an ADEM recognized QCP. An SPCC plan must be implemented for all temporary and permanent onsite fuel or chemical storage tanks or facilities consistent with the requirements of ADEM Admin. Code R. 335-6-6-.12(r), Section 311 of the Federal Water Pollution Control Act, and 40 CFR Part 112. Additional BMPs must be put in place for construction activities surrounding 303d impaired waters (Tombigbee River).

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15	State	Alabama Department of Environmental Management (ADEM)	Construction General Permit (ALR100000)	This permit authorizes, subject to the conditions of this permit, discharges associated with construction activity that will result in land disturbance equal to or greater than one (1) acre or from construction activities involving less than one (1) acre and which are part of a common plan of development or sale equal to or greater than one (1) acre occurring on or before, and continuing after the effective date of this permit.	*Stormwater associated with construction activities involving greater than 1 acre of land disturbance *Stormwater discharges that have a reasonable potential to be a significant contributor of pollutants to a water of the State *Stormwater discharges with reasonable potential to cause or contribute to a violation of an applicable AL water quality standard	Y	* NGCT Facility Construction * 230-kV T-Line Construction * 115-kV T-Line Reconductoring	Initial registration/issuance: \$1,385 Modification: \$800				Complete NOI and fees must be submitted prior to initiation of construction activity. NOI should include: fee, general description of construction activity, the lat/long for all entrances and outfalls (for linear projects - starting and ending points required), identification of receiving waters, maps including delineated features, site/project boundaries, permit boundaries, LODs, 1-mi radius, entrance/exits, outfalls, receiving waters, and begin/end points, a current plat map, facility contact person, address and phone number, the number of estimated disturbed acres and total site acreage, the estimated start and completion dates of Project, a list of all treatment chemicals anticipated to be used at the site. NOI must be signed by ADEM-defined signatory and QCP.
16	State	Alabama Department of Transportation (ALDOT) alabamapermits@dot.state.al.us 800-499-2782	Oversize/Overweight Load Permits/Annual Construction Permit	Permit required to move oversize or overweight loads on State roads. Loads exceeding 100,000 pounds require a Construction Project Authorization.	EQUIPMENT • Maximum Weight: 150,000 pounds • Maximum Width: 12 feet • Maximum Length: 75 feet • Maximum Height: 14 feet • Maximum Single Axle Weight: 22,000 pounds MODULAR HOMES, SECTIONAL HOMES, PORTABLE BUILDINGS, BOATS, & VEHICLES OR COMBINATION OF VEHICLES: • Maximum Width: 12 feet • Maximum Height: 14 feet • Maximum Length: 75 feet SEALED CONTAINERS • Maximum Weight: 100,000 pounds	As-needed	* NGCT Facility Construction * 230-kV T-Line Construction * 115-kV T-Line Reconductoring	\$100 for annual Permit		Approximately 10 business days		US Rte 43 / State Rte 13 Depends on access plans.
17	State	Alabama Department of Transportation (ALDOT) alabamapermits@dot.state.al.us 800-499-2782	Encroachment Notice & Order	Required for any work performed within State highway rights-of-way.	ALDOT has jurisdictional control over the highway and property on both sides of the roadway or roadways this area can vary in size and is measured from the center of the roadway to the property line or Right of Way line this line may be delineated by a fence or Right of Way markers. It is this property that applicants request the use of for varying types of encroachments for example; driveways, utilities, landscaping.	Y	* 230-kV T-Line Construction	\$100 for annual Permit		Approximately 10 business days		US Rte 43 / State Rte 13
18	State	Alabama Department of Conservation and Natural Resources (ADCNR)	State Threatened & Endangered Species Consultation	Must inform the ADCNR if a project affects any species protected under the Threatened and Endangered Species Conservation Program or under the nongame species protected list.	Impact to state endangered species	Y	* NGCT Facility Construction * 230-kV T-Line Construction * 115-kV T-Line Reconductoring					Agency consultation will be initiated as part of EA process. State listed protected species (SP) in Washington, Clarke, and Monroe Counties include: * AL map turtle * AL shad (fish, FW) * AL sturgeon (fish, FW; AL River = Critical Habitat) * Alligator snapping turtle * Bald eagle (bird) * Black-knobbed map turtle * Coal skink (reptiles) * Common ground-dove (bird) * Crystal darter (fish) * Eastern spotted skunk (mammal) * Gopher tortoise * Heavy pigtoe (mussel, FW) * Mississippi kite (bird) * Orangenacre Mucket (mussel, FW) * Paddlefish (fish, FW) * Rafinesque's big-eared bat (mammal) * Red hills salamander * Red-cockaded woodpecker * Southeastern myotis (mammal) * Swallow-tailed kite (bird)
19	State	Alabama Historical Commission: State Historical Preservation Office (AL SHPO)	Section 106 of the National Historic Preservation Act (cultural resources consultation)	Section 106 of the NHPA requires Federal agencies to take into account the effects that their federally funded activities and programs have on significant historic properties. "Significant historic properties" are those properties that are included in, or eligible for, the National Register of Historic Places.	Any federal undertaking or action is required to comply with NHPA	Y	* NGCT Facility Construction * 230-kV T-Line Construction * 115-kV T-Line Reconductoring	Concurrent with RUS NEPA process		Section 106 consultation and clearance is achieved within the RUS NEPA process	Concurrent with the RUS NEPA process	* Agency consultation will be initiated as part of EA process * RUS will take the lead on coordination with tribes
20	Local	Norfolk Southern Pipe and Wire Program	Utility Occupancy Lease Application	The RailPros portal should be used to submit all applications. Design, construction, and operation must be done in accordance with NS's specifications for wireline occupancy of NS Corporation Property.	*Construction, operation, or maintenance of any structure within NS-owned property *Aerial wire crossings of NS-owned ROW	Y	* 230-kV T-Line Construction	\$2,000 Application Fee OR \$7,000 Expedited Handling Fee \$500 Multiple Review Fee \$3,500 Variance Request Fee	60-90 days		2-3 months	
21	Local	Norfolk Southern Pipe and Wire Program	Non-Environmental Right of Entry Permit	A Non-Environmental ROE permit is required for general construction activities or any non-intrusive surveys that will occur within the Norfolk Southern ROW. Applications must be submitted through RailPros.	*Non-intrusive surveys *soil sampling not intended for environmental purposes *temporary access for work adjacent to NS property *minor maintenance/inspection of existing public structures (bridges/roads) *resurfacing of grade crossings that do not change the crossing's physical footprint	Y	* 230-kV T-Line Construction	Non-Environmental ROE: \$,1250	6-8 weeks		2-3 months	

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22	Local	Norfolk Southern Pipe and Wire Program	Environmental Right of Entry Permit	An Environmental Right of Entry (EROE) permit is required for any environmental investigations, environmental remediation, or work that may disturb contamination. Applications must be submitted through RailPros.	*Environmental investigations, testing, or sampling *Environmental remediation or cleanup *Disturbing or working within areas with known or suspected contamination *Any environmental assessment or mitigation work on NS property	Y	* 230-kV T-Line Construction	EROE: \$2,000 Fee	6-8 weeks		2-3 months	
23	Local	Washington County 45 Court Street, Chatom, AL 36518 251-847-2208 info@wcalabama.com	County Coordination	Online information from county is limited. Project specific communications would be required to determine what permits would be required. Depending on the locality and the specifics of the request, a special exception, rezoning, or both may be needed. These requests are typically a 4- to 6-month process and are not always permitted concurrently. There may be some instances where a variance or text amendment may be required. With any of the planning/zoning requirements, community meetings and public hearings will be necessary. Additional county/municipal permits may include stormwater, floodplain, wetlands, driveways permits, ROW encroachment permits, noise restrictions, etc.		Y	* NGCT Facility Construction * 230-kV T-Line Construction * 115-kV T-Line Reconductoring			TBD	2-3 months	
24	Local	Unincorporated Town of Leroy 45 Court Street Chatom, AL 36518 251-847-2208	Municipal Coordination	Online information from city is limited. Project specific communications would be required to determine what if any permits would be required. Depending on the locality and the specifics of the request, a special exception, rezoning, or both may be needed. These requests are typically a 4- to 6-month process and are not always permitted concurrently. There may be some instances where a variance or text amendment may be required. With any of the planning/zoning requirements, community meetings and public hearings will be necessary. Additional county/municipal permits may include stormwater, floodplain, wetlands, driveways permits, ROW encroachment permits, noise restrictions, etc.		Y	* NGCT Facility Construction * 230-kV T-Line Construction * 115-kV T-Line Reconductoring			TBD	2-3 months	
25	Local	Clarke County 114 Court Street Grove Hill, AL 36451 (251) 275-3507 commission@clarkecountyal.com	County Coordination	Online information from county is limited. Project specific communications would be required to determine what permits would be required. Depending on the locality and the specifics of the request, a special exception, rezoning, or both may be needed. These requests are typically a 4- to 6-month process and are not always permitted concurrently. There may be some instances where a variance or text amendment may be required. With any of the planning/zoning requirements, community meetings and public hearings will be necessary. Additional county/municipal permits may include stormwater, floodplain, wetlands, driveways permits, ROW encroachment permits, noise restrictions, etc.		Y	* 115-kV T-Line Reconductoring			TBD	2-3 months	
26	Local	Monroe County P.O. Box 8 Monroeville, AL 36461 (251) 743-4107	County Coordination	Online information from county is limited. Project specific communications would be required to determine what permits would be required. Depending on the locality and the specifics of the request, a special exception, rezoning, or both may be needed. These requests are typically a 4- to 6-month process and are not always permitted concurrently. There may be some instances where a variance or text amendment may be required. With any of the planning/zoning requirements, community meetings and public hearings will be necessary. Additional county/municipal permits may include stormwater, floodplain, wetlands, driveways permits, ROW encroachment permits, noise restrictions, etc.		Y	* 115-kV T-Line Reconductoring			TBD	2-3 months	