

Attachment 48 to GNRO-2012/00039

Attachment 48 to

GNRO-2012/00039

ER Reference—USDA 1976 (Franklin Line Permit)

U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE SPECIAL USE PERMIT FOR ELECTRIC TRANSMISSION LINE * Act of February 15, 1901 & Act of June 4, 1897 This permit is revocable and nontransferable	a. Record No. (1-2)	b. Region (3-4)	c. Forest (5-6)
	d. District (7-8)	e. Use Number (9-12)	f. Kind of use (13-15)
	g. State (16-17)	h. County (18-20)	k. Card no. (21)
	7 0	0 8	0 7
	0 4	4 0 4 2	8 1 2
	June 4, 1897 2 8	0 8 5	1

Mississippi Power & Light Company of Box 1640, Jackson, MS 39205
 (Name)

(hereafter called the permittee) is hereby authorized to use National Forest lands, for the construction, operation and maintenance of a 500 KV transmission line within the Bude Ranger District of Homochitto National Forest, subject to the general provisions and to the special provisions and requirements, items 23 to 45 on page(s) 3 to 6 attached hereto and made a part of this permit. The location of this use is shown on the map(s) which is (are) a part of this permit.

Location: Beginning: 2 7N 5E Washington 31 35 90 40
 (Sec.) (Twp.) (Range) (PM) (Lat.) (Long.)
 Ending: 22 8N 5E Washington 31 38 90 42
 (Sec.) (Twp.) (Range) (PM) (Lat.) (Long.)
 Length in: 1.59 x Width 200 = 38.6 0122492
 (Miles) or (Feet) (Feet) (Acres)

Construction or occupancy under this permit shall begin within 2 (Months) and construction shall be completed within 36 months. * Authorizes a right-of-way 50 feet of each side of the centerline. Additional authorized by Act of June 4, 1897.

For this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of One Hundred Forty-One and 53/100 ----- Dollars (\$ 141.53) from September 1 1976, to December 31 1976, and thereafter, annually on January 1, ----- Four Hundred Twenty-Four & 60/100 ----- Dollars (\$ 424.60):

provided, however, charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of the use authorized by this permit.

This permit is accepted subject to all of its terms and conditions:

ACCEPTED	PERMITTEE'S NAME & SIGNATURE		DATE
	MISSISSIPPI POWER & LIGHT COMPANY By: <u>[Signature]</u> Title: <u>Senior Vice President</u>		<u>Sept 8, 1976</u>
APPROVED	ISSUING OFFICER'S NAME & SIGNATURE		DATE
	<u>[Signature]</u> Forest Supervisor		<u>9/9/76</u>

GENERAL PROVISIONS

1. Development plans; layout plans; construction, reconstruction, or alteration of improvements; or revision of layout or construction plans for this area must be approved in advance and in writing by the Forest Supervisor.

2. No timber shall be cut or destroyed during construction of the transmission line without first obtaining permission from the Forest Service. The permittee shall clear only the minimum area required for safe transmission line use. All timber cut, destroyed or injured shall be paid for at current stumpage rates applicable to the sale by the Forest Service of similar timber in the National Forest.

3. The permittee shall keep the area beneath the transmission line cleared and shall trim all branches in contact or near contact with the line. All trees, live or dead, deemed by the permittee to be hazardous or which might fall in contact with the line, whether on or adjacent to the right-of-way, shall be removed by the permittee. Provided, however, that permission to do so must first be obtained from the Forest Service.

4. All waste material from constructing or maintaining the line shall be burned or otherwise disposed of as directed by the Forest Service. However, no material shall be disposed of by burning during any closed season established by law or regulation without a written permit from the Forest Service.

5. The permittee shall protect the scenic and esthetic values of the right-of-way and the adjacent land as far as possible consistent with the authorized use, during the construction, operation, and maintenance of the facility.

6. The permittee shall be responsible for prevention and control of soil erosion and gullying on Government lands covered by this permit and lands adjacent thereto resulting from construction or maintenance of the transmission line; and shall vegetate with grass or herbaceous plants all ground where the soil has been exposed; and shall construct and maintain such preventive works to accomplish this result as prescribed in the erosion control plan attached, and made a part of this permit.

7. The permittee shall place and maintain suitable structures and devices to reduce to a reasonable degree the possibility of contact between its powerline and telegraph, telephone, signal or other powerlines heretofore constructed and not owned by the permittee, and shall also place and maintain suitable structures and devices to reduce to a reasonable degree the possibility of any structures or wires falling and obstructing traffic or endangering life on highways or roads. The transmission line shall be designed and constructed in accordance with accepted standards (National Electrical Safety Code) and specifications for transmission lines of similar voltage, capacity, and purpose.

8. The permittee shall make provision, or bear the reasonable cost of making provision for avoiding inductive or conductive interference between any transmission facility or other works constructed, operated, or maintained by it and authorized under the permit, and any radio installation, telephone line, or other communication facilities existing when the permit is authorized or any such installation, line or facility thereafter constructed or operated by the United States or any agency thereof. This provision shall not relieve the permittee from any responsibility or requirement which may be imposed by other lawful authority for avoiding or eliminating inductive or conductive interference.

9. The permittee shall protect all Government and other telephone, telegraph, and power-transmission lines at crossings of and at all places in proximity to the permittee's power-transmission line or lines; and shall maintain said power-transmission line or lines in such a manner as not to menace life or property.

10. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the Forest Service.

11. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Depart-

ment of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

12. The permittee shall do everything reasonably within its power and shall require its employees, contractors, and employees of contractors to do everything reasonably within their power, both independently and upon request of the Forest Service to prevent and suppress fires on or near the lands to be occupied under this permit.

13. ~~The permittee shall pay the United States for any damage resulting from this use.~~

14. The temporary use and occupancy of the premises and improvements herein described may be sublet by the permittee to third parties only with the prior written approval of the Forest Supervisor, but the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

15. This permit is subject to all valid claims.

16. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

17. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

18. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise re-establish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner above provided is qualified as a permittee and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the issuing officer or his successor, issuance of a permit is desirable and in the public interest.

19. This permit may be terminated upon breach of any of the conditions herein by the issuing officer or at the discretion of the Regional Forester or the Chief, Forest Service; provided, the permittee shall have had a reasonable time—not to exceed ninety (90) days—within which to show cause why such termination should not be made.

20. This permit confers no rights upon the permittee to use this National Forest land for purposes other than constructing, maintaining, and operating a transmission line thereon.

21. The permittee shall allow officers and employees of the United States free and unrestricted access in, through, and across the said project and project works in the performance of their official duties and shall allow the Forest Service, without charge, to construct or permit to be constructed in, through, and across the said project, railroads, chutes, roads, trails, conduits, and other means of transportation not inconsistent with the enjoyment of said project by the grantee for the purpose herein set forth.

22. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provisions thereof, the following clauses will control.

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23. A service charge in addition to the regular fees shall be made for failure to meet the fee payment due date or any of the dates specified for submission of statements required for fee calculation. The service charge shall be one (1.0) percent per month of the fee from the date statement and fees were due or \$15, whichever is greater. If a due date falls on a nonworkday, the service charge will not apply until the end of the next workday.

24. Upon termination or revocation of this permit prior to the end of the period for which a fee has been paid, the Forest Service will refund to the permittee that portion of said fee which is in excess of the minimum fee for said period established for this class of use by the Chief of the Forest Service in the proportion of the unused period to the total period.

25. During the performance of this permit, the permittee agrees:

- a. In connection with the performance of work under this permit, including construction, maintenance, and operation of the facility, the permittee shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.
- b. The permittee and his employees shall not discriminate by segregation or otherwise against any person on the basis of race, color, religion, sex, or national origin by curtailing or refusing to furnish accommodations, facilities, services, or use privileges offered to the public generally.
- c. The permittee shall include and require compliance with the above nondiscrimination provisions in any subcontract made with respect to the operations under this permit.

26. The permittee shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of National Forest lands under this permit.

27. The permittee shall install and maintain in operable condition, an adequate telephone or radio-telephone system to provide communication between operators at each terminal or loading station and to and from the area.

28. Avalanches, rising waters, high winds, falling limbs or trees, and other hazards are natural phenomena in the forest that present risks which the permittee assumes. The permittee has the responsibility of inspecting his site, lot, right-of-way, and immediate adjoining area for dangerous trees, hanging limbs, and other evidence of hazardous conditions and, after securing permission from the Forest Service, of removing such hazards.

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29. The transmission line shall be designed and constructed in accordance with accepted standards and specifications for transmission lines of similar voltage, capacity, and purpose. The permittee shall place and maintain suitable structures and devices to reduce to a reasonable degree the liability of contact between its powerline and telegraph, telephone, signal, or other powerlines heretofore constructed and now owned by the permittee, and shall also place and maintain suitable structures and devices to reduce to a reasonable degree the liability of any structures or wires falling and obstructing traffic or endangering life on highways or roads, in a manner satisfactory to the Forest Service.

30. The permittee shall prepare site plans to show the location of all buildings, service areas, roads, and structures. Such plan shall be on a scale of 1" = 400' horizontal, 1" = 20' vertical with -0- foot contour intervals. The permittee is encouraged to consult with the Forest Service during the preparation of the site plan to ensure that it is adequate and to gain multiple use compliance. No construction shall be undertaken by the permittee prior to site plan approval.

31. The permittee shall take reasonable precautions to protect, in place, all public land survey monuments, private property corners, and Forest boundary markers. In the event that any such land markers or monuments are destroyed in the exercise of the privileges authorized by this permit, depending on the type of monument destroyed, the permittee shall see that they are reestablished or referenced in accordance with (1) the procedures outlined in the "Manual of Instructions for the Survey of the Public Land of the United States," (2) the specifications of the county surveyor, or (3) the specifications of the Forest Service.

Further, the permittee shall cause such official survey records as are affected to be amended as provided by law.

32. The permittee will ensure slope stabilization and prevent soil loss throughout the permitted area by carrying out the provisions of an erosion-control plan prepared jointly by the permittee and the Forest Service. The plan will be reviewed annually by December 31 and at any other time deemed necessary by either party. If revision is indicated, such revision will be prepared in writing as agreed to by the Forest Service and the permittee and incorporated into the plan by March 31.

33. The permittee shall join the Forest Service in preparing a resource management plan which will be attached hereto and made a part hereof. Permittee agrees to perform all of the acts and practices of land management specified therein. The aforesaid plan may be amended only by the mutual agreement of the Forest Service and the Permittee.

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34. Chemical materials may not be used to control undesirable woody and herbaceous vegetation, aquatic plants, insects, rodents, trash, fish, etc., without the prior written approval of the Forest Service. A report of planned use of pesticides will be submitted annually by the permittee on the due date established by the Forest Supervisor. The report will cover a 12 month period of planned use beginning 3 months after the reporting date. Information essential for review will be provided in the form specified. Exceptions to this schedule may be allowed only when unexpected outbreaks of pests require control measures which were not anticipated at the time the annual report was submitted.

Only those materials approved and registered by the U. S. Environmental Protection Agency for the specific purpose planned will be considered for use on these lands. Label instructions will be strictly followed in the preparation and application of pesticides and disposal of excess materials and containers.

35. Unless sooner terminated or revoked by the Regional Forester, in accordance with the provisions of the permit, this permit shall expire and become void on December 31, 2025, but a new permit to occupy and use the same National Forest land may be granted provided the permittee will comply with the then-existing laws and regulations governing the occupancy and use of National Forest lands and shall have notified the Forest Supervisor not less than six (6) months prior to said date that such new permit is desired.

36. The permittee shall clear designated parts of the powerline right-of-way and keep them clear as required by the Forest Service; shall trim all branches of trees in contact with or near the line; shall remove all dead snags and all trees which are leaning toward the line on or adjacent to the right-of-way; and shall observe such other fire precautions as may be required by the Forest Service; but all waste material shall be burned or otherwise disposed of to the satisfaction of the Forest Service. The clearing width shall be restricted to that necessary for safe transmission, unless the specific permission of the Forest Service for a greater clearing width is obtained.

37. The permittee will pay the United States for all damage to Federal property or resources and for all Federal fire suppression costs resulting directly or indirectly from the permittee's use and occupancy of the area covered by the permit, regardless of whether the permittee is negligent or otherwise at fault.

38. This permit is granted with the express understanding that should future location of Government improvements or road rights-of-way require the relocation of the permittee's improvements, such relocation will be done by the permittee at his expense within sixty (60) days following request to relocate.

2720 - SPECIAL USE PERMITS - Mississippi Power & Light Company

39. The permittee shall make provision or bear the reasonable cost (as determined by the Forest Service) of making provision for avoiding inductive interference between any project transmission line or other project work constructed, operated, or maintained under this permit, and any radio installation, telephone line, or other communication facility installed or constructed before construction of such project transmission line or other project work, and owned, operated or used by the Forest Service in administering the National Forests and land under its jurisdiction. The foregoing provisions of this clause shall also relate to any radio installation, telephone line, or other communication facility installed or constructed by the United States after construction of such project transmission line or other project work. None of the provisions of this clause are intended to relieve the permittee from any responsibility or requirement which may be imposed by other lawful authority for avoiding or eliminating inductive interference.
40. The stipulations executed on Form 2700-12, Stipulations, and submitted with the application as required by 36 CFR 251 (28 F.R. 2904, March 23, 1963) are hereby made a part of this permit.
41. This use shall in no way affect the management of the National Forest lands adjoining this use area.
42. The permittee will arrange for or perform an archeological and historical survey and evaluation on permit lands by an archeologist acceptable to the U. S. Forest Service prior to construction. Such sites deemed significant may require the permittee to relocate the proposed transmission line facilities in order to avoid destruction of archeological and historical values under criteria of E.O. 11593, 36 CFR 800.1-10 and the National Historic Preservation Act of 1966. Those sites of lesser value will be salvage excavated if determined necessary to do so by the Archeologist and the Federal Agencies. The permittee will pay for all such actions. The permittee shall not remove, injure, deface or alter any object of historic or scientific interest, including Indian ruins, artifacts and other archeological remains. Where a question exists as to whether or not an object is of scientific or historic interest, the permittee shall immediately bring the matter to the attention of the Forest Officer for final determination.
43. In construction, operation and maintenance of electric transmission lines, permittee shall be guided by criteria set forth in U. S. Departments of Agriculture and Interior publication, "Environmental Criteria for Electric Transmission Systems."
44. This permit shall not be exclusive. The Forest Service reserves the right to use or permit others to use any part of the permitted area for any purpose, provided such use does not interfere with the rights and privileges hereby authorized.
45. The permittee shall take reasonable precautions to prevent pollution of or deterioration of lands or waters which may result from the exercise of the privileges extended by the use of this permit.

EROSION CONTROL
&
MAINTENANCE PLAN
MISSISSIPPI POWER AND LIGHT COMPANY
500 KV ELECTRIC TRANSMISSION LINE

Purpose

The purpose of this plan is to develop maintenance procedures which will protect forest resources.

Plan Requirements

1. Construction Workmanship

Construction will be done using methods which will result in the least disturbance possible.

2. Soil Stabilization

Following construction, terraces or water bars will be installed along the construction road and disturbed portion of the right-of-way. These structures will be installed for each 3 feet of vertical drop and designed so they will drain into an undisturbed area. The terraces should be installed at angles and as flat as possible not to exceed a 3% slope.

3. Revegetation of Disturbed Areas

Following construction all disturbed areas shall be promptly revegetated. This revegetation will be accomplished by preparation of the seed bed, liming, fertilizing, seeding and mulching. The following rates of application will be required by periods of the year.

October 1 - February 28 - per acre rates of application -

1 Ton lime
500 lbs 13-13-13 or equal
15 pounds annual rye grass or rye grass
15 pounds Pensacola Bahia
15 pounds Korean, Kobe or Common Lespedeza
2 tons 67-75 lb bales) grass hay

Construction roads will be treated and revegetated as other disturbed areas.

March 1 - September 30 - per acre rate of application

1 ton lime
500 pounds 13-13-13 or equal
15 pounds Pensacola Bahia
15 pounds Korean Koba or Common Laspedeza
2 tons (65-75 lb bales) grass hay

Establishment of a permanent vegetative cover will be required and if initial seeding is unsuccessful, reseeding will be required.

A second application of 13-13-13 fertilizer in the amount of 300 pounds per acre will be made 9 to 12 months following initial seeding.

Aesthetic Considerations

A low brush screen will be maintained the width of the right-of-way for a depth of 50 feet on either side of the crossing of Road 111. Clearing of this strip as necessary to provide construction access will be allowed and vegetation exceeding 10 feet in height may be removed.

Vegetation Control

Woody vegetation growing in the undisturbed portion of the right-of-way will be removed at least every 10 years by bush hogging or using other approved methods.

Inspections

This right-of-way will be inspected at least once annually in February. Any soil disturbances or erosion problems will be reported to the Company and prompt action to correct any deficiency will be expected.

Inspections in addition to the scheduled annual inspection will be made at more frequent intervals especially during the first few years after construction.

RESOURCE MANAGEMENT PLAN
MISSISSIPPI POWER & LIGHT COMPANY
500 KV ELECTRIC TRANSMISSION LINE

Purpose

The purpose of this plan is to indicate resource management procedures that will protect the forest resources.

Plan Requirements

1. Construction Workmanship

Construction will be done using methods which will result in the least disturbance possible.

2. Road Crossings

The clearing for crossing of road number 111 and the parallel situation of road number 112 will receive special treatment as follows:

(a) A 50 foot buffer strip on each side of road number 111 shall be selectively cleared in the following manner:

1. Clear a width of 60 feet along the centerline of survey of all trees and undergrowth.
2. All willows shall be cut.
3. All trees and undergrowth above 15 feet in height that are in the remainder of the 200 foot right-of-way shall be cut.
4. The clearing operation in the buffer strip shall be done in a manner that will minimize damage to the remaining vegetation.

(b) All vegetation 10 feet in height or less is to remain in place along the west edge of road number 112 between (Mississippi Power & Light Company Survey) Station 1880+00 and 1885+00. The width of the uncleared vegetation is not to exceed 20 feet.

3. Access Needs

Construction material will be transported by trucks. Access for construction will be along the 200 foot right-of-way and existing public roads and travel ways. In addition to access on public road number 111, 112 and 198, transport equipment may operate on National Forest land outside the proposed 200 foot right-of-way on travel ways number 111-K, 1151, 1152, 1158, 1171 and 1172. The felling of danger trees will also

RESOURCE MANAGEMENT PLAN,
MISSISSIPPI POWER & LIGHT COMPANY
500 KV ELECTRIC TRANSMISSION LINE (Cont'd.)

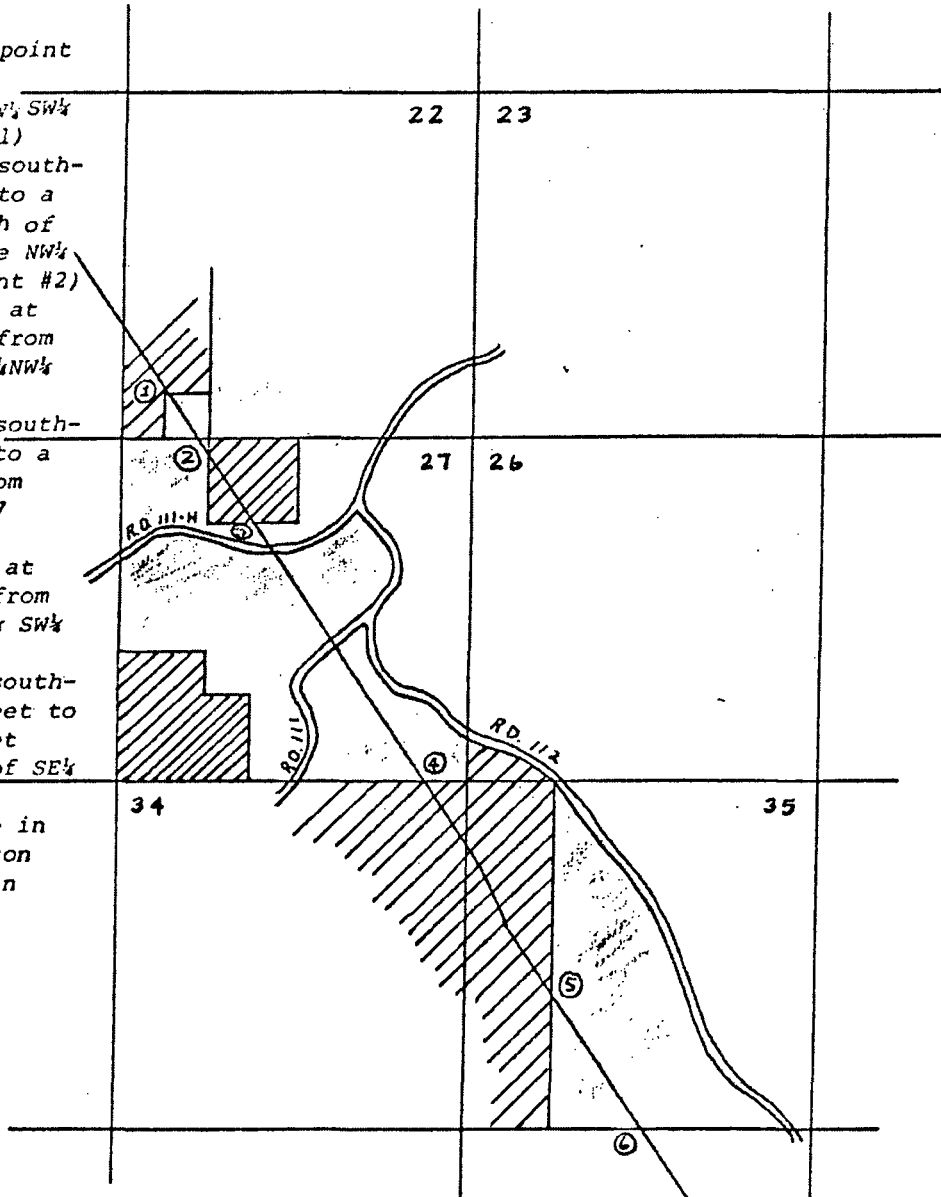
be outside the proposed 200 foot right-of-way. These trees will be picked in conjunction with the Forest Officer in charge.

The crossings at Lick Creek and two (2) other minor creeks at (Mississippi Power & Light Company Survey) Stations 1900+83, 1948+34 and 1948+78 will consist of wood mats anchored to prevent displacement. The creek banks will be sloped to provide for the passage of equipment.

4. Clearing Width

The 200 foot right-of-way may be cleared except where stated differently in this plan.

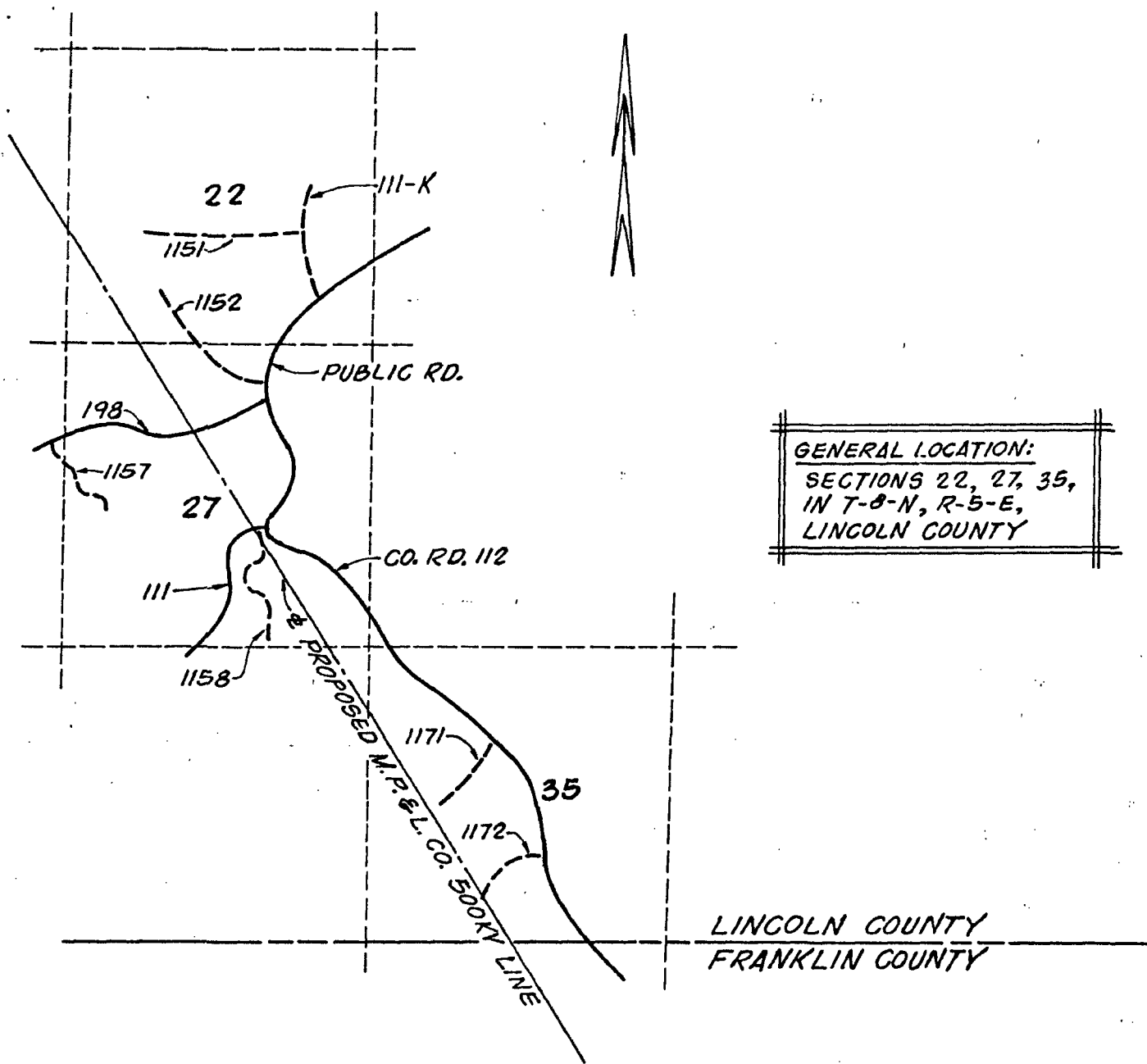
Beginning at a point
 48' E from NW
 corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$
 Sec 22 (point #1)
 running thence south-
 easterly 1099' to a
 point 254' south of
 NE corner of the NW $\frac{1}{4}$
 NW $\frac{1}{4}$ Sec 27 (point #2)
 Beginning again at
 a point 701' E from
 NW corner of SW $\frac{1}{4}$ NW $\frac{1}{4}$
 Sec 27 (point 3)
 Running thence south-
 easterly 4783' to a
 point 636' W from
 SE corner Sec 27
 (point 4)
 Beginning again at
 a point 250' S from
 NW corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$
 Sec 35 (point 5)
 running thence south-
 easterly 2527 feet to
 a point 70.2 feet
 from SW corner of SE $\frac{1}{4}$
 Sec 35 (point 6)
 All of the above in
 T8NR5E, Washington
 Meridian, Lincoln
 County, MS.



SCALE 2" = 1 Mile

Surveyor - MP&L Plat
 Prepared by: D.Y.C
 Date: 3-4-75

2720
 Special Use Permits
 Homochitto N.F. Bude R.D.
 Mississippi Power and Light Co.
 1.6 Miles



GENERAL LOCATION:
 SECTIONS 22, 27, 35,
 IN T-8-N, R-5-E,
 LINCOLN COUNTY

LEGEND:

- PUBLIC ROAD
- TRAVEL WAY

EXHIBIT "A"

SCALE: 1" = 1/2 MILE DATE: 11-18-75

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

STIPULATIONS

TO BE EXECUTED BY THE APPLICANT FOR SPECIAL USE PERMIT OR EASEMENT FOR
TRANSMISSION LINES OF 33 KV OR MORE ON LANDS UNDER FOREST SERVICE JURISDICTION
(36 CFR, PART 251 AS AMENDED ON MARCH 23, 1963 - FR 28-2903)

(1) In the event the United States, pursuant to law, acquires the grantee's transmission or other facilities constructed on or across such easement, the price to be paid by the United States shall not include or be affected by any value of the easement granted to the grantee under authority of the regulations of this part.

(2) The Department of the Interior (hereinafter referred to as the "Department") shall be allowed to utilize for the transmission of electric power and energy any surplus capacity of the transmission facility in excess of the capacity needed by the holder of the easement (subsequently referred to in this document as "holder") for the transmission of electric power and energy in connection with the holder's operations, or to increase the capacity of the transmission facility at the Department's expense and to utilize the increased capacity for the transmission of electric power and energy. Utilization by the Department of surplus or increased capacity shall be subject to the following terms and conditions:

(i) When the Department desires to utilize surplus capacity thought to exist in the transmission facility, notification will be given to the holder and the holder shall furnish to the Department within 30 days a certificate stating whether the transmission facility has any surplus capacity not needed by the holder for the transmission of electric power and energy in connection with the holder's operations and, if so, the amount of such surplus capacity.

(ii) Where the certificate indicates that there is no surplus capacity or that the surplus capacity is less than that required by the Department the authorized officer (as used in this paragraph "authorized officer" means of the Department of the Interior) may call upon the holder to furnish additional information upon which its certification is based. Upon receipt of such additional information the authorized officer shall determine, as a matter of fact, if surplus capacity is available and, if so, the amount of such surplus capacity.

(iii) In order to utilize any surplus capacity determined to be available, or any increased capacity provided by the Department at its own expense, the Department may interconnect its transmission facilities with the holder's transmission facility in a manner conforming to approved standards of practice for the interconnection of transmission circuits.

(iv) The expense of interconnection will be borne by the Department, and the Department will at all times provide and maintain adequate protective equipment to insure the normal and efficient operation of the holder's transmission facilities.

(v) After any interconnection is completed, the holder shall operate and maintain its transmission facilities in good condition; and, except in emergencies, shall maintain in a closed position all connections under the holder's control necessary to the transmission of the Department's power and energy over the holder's transmission facilities. The parties may by mutual consent open any switch where necessary or desirable for maintenance, repair or construction.

(vi) The transmission of electric power and energy by the Department over the holder's transmission facilities will be effected in such manner as will not interfere unreasonably with the holder's use of the transmission facilities in accordance with the holder's normal operating standards, except that the Department shall have the exclusive right to utilize any increased capacity of the transmission facility which has been provided at the Department's expense.

(vii) The holder will not be obligated to allow the transmission of electric power and energy by the Department to any person receiving service from the holder on the date of the filing of the application for an easement, other than statutory preference customers including agencies of the Federal Government.

CERTIFICATE

I, F. S. York, Jr., certify that this 8 day of
September 19 76, I am the Controller and Secretary
(identity of officer)
of Mississippi Power & Light Company; that
(organization)
J. H. Box who signed this special use
(name)
permit on behalf of Mississippi Power & Light Company is
(organization)
Senior Vice President; that said special use permit is
(identity of officer)
duly signed for and in behalf of Mississippi Power & Light Company
(organization)
by authority of the governing body.

 
(signature)