

Consumers Energy

A Guide to Consumers Energy Land

To Our Michigan Neighbors



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Building a Partnership

AS EMPLOYEES OF Consumers Energy, it is our duty to deliver reliable electricity and natural gas to over 3.21 million Michigan homes and businesses.

For that reason we partner with our neighbors in addressing safety concerns that threaten the integrity of our systems and our ability to provide service.

Many neighbors we talk to believe that because we are a public utility, our land is public. That isn't so. **Consumers Energy land is private property and not open for public use without permission.** Certain activities such as hunting, dumping, burning, operating off-road vehicles and planting trees are strictly prohibited.

We may permit adjoining owners to use our utility corridors, for items such as sheds, play-houses, trees, fences, watering tanks, ponds and other objects, as long as such use does not interfere with our ability to deliver safe and reliable energy to our customers.

The company does not allow adjoining owners, and others to use our property without a written agreement. Using Consumers Energy property without permission for any purpose is trespassing.

ABOUT CMS ENERGY

CMS Energy's business strategy is focused primarily on its principal subsidiary, Consumers Energy, an electric and natural gas utility serving about 6.5 million of Michigan's 10 million residents. With its CMS Enterprises subsidiary, CMS Energy also is engaged in independent power generation in several states.

The following information identifies activities that are permitted and prohibited on land owned by Consumers Energy.

Thank you for your attention to this important matter. We look forward to continuing to provide safe and reliable service to customers across Michigan's Lower Peninsula.

Building A Partnership

Who We Are

CONSUMERS ENERGY is one of the nation's largest utilities, providing natural gas and electricity to more than 6 million Michigan residents.

We've served Michigan for more than a century from our corporate headquarters in Jackson, Michigan. Today, we have more than 46 customer service centers located statewide.

Families, businesses, schools, hospitals and others depend on our energy every day. Our customers count on us to make their lives comfortable, convenient and safe.

We are one of the largest private landowners in Michigan.

We own more than 12,000 miles of electric and natural gas rights-of-way, and we maintain easement rights on approximately 86,000 miles of natural gas and electric rights-of-way.

We also own substantial parcels of land for generating plants, natural gas storage fields, customer service centers and other related business uses.

This land is vital to our business. Therefore, it is crucial that we maintain certain policies and procedures to protect our land and facilities.

NOTE: On May 1, 2002, Consumers Energy sold most of its high-voltage electric transmission system (consisting of 138kv and 345kv towers, poles, conductors and substations) to Michigan Electric Transmission Company (METC).

Along with the sale, a comprehensive easement agreement for the land on which the lines were built was assigned to METC.

Consumers Energy is still the owner of the land on which the lines are located. METC, however, has significant rights that may affect future uses of the property and may cause delays in granting permission to use Consumers Energy Land.

Understanding the Rules

Establishing the Ground Rules

WHILE WE consider many opportunities to form partnerships for using our land, some activities are not permitted.

Hunting and hunting blinds, trapping, baiting, burning, fire pits, dumping and kite flying are strictly prohibited on Consumers Energy utility corridors.



Also prohibited are tower antennas, flagpoles, poles with bird houses, storage sheds, swimming pools, fences, nonmoveable structures, septic systems, drain fields, water wells, manholes, watering/sprinkling systems. These structures and facilities can prohibit repairs or maintenance and may cause safety hazards.

Operation or storage of motorized equipment such as dirt bikes and off-road vehicles is also not allowed. Dirt bikes and other off-road vehicles destroy vegetation, which leads to erosion. This can expose an underground natural gas pipeline or weaken a transmission line tower. Snowmobiles are also prohibited in many areas, except where trails are clearly marked and identified.

Wire and Pipeline Zones

Call (800) 882-6808 or (888) 253-4782 to locate pipelines, or to determine the location of pipeline zone.

Structures

Moveable structures such as swing sets, play structures and trampolines are sometimes permitted if they meet certain requirements.

Trees and Ground Cover

We do not allow any trees to be planted on our land. We sometimes allow existing trees to remain on our land at our discretion. Trees are the number one cause for electric power outages. Trees growing near natural gas lines can be struck by lightning and conduct that lightning to natural gas pipelines, creating dangerous situations. Root systems can affect underground installation and damage pipelines.

Forbidding the planting of new trees also protects adjoining owners, because they are spared from future property loss should the trees need to be removed. In some instances, entire areas could be clear cut to ensure safety and reliability of the utility facilities.

Trees can also impede the path of our emergency and repair vehicles, thus delaying service to the community.

We may permit landscaping adjacent to commercial property. Consumers Energy forestry planners will mark trees that need to be trimmed or removed with BLUE paint that will not harm the tree.

NOTE: Anyone found on Consumers Energy land without permission is trespassing. Consumers Energy may prosecute and/or take civil legal action against trespassers.



No ground cover, other than grass, (e.g., berms, rock gardens, landscaping timbers) may be placed in wire or pipeline zones. Nor may ground cover be removed from wire or pipeline zones.

No vegetation is allowed to grow above 15 feet in wire zones.

When Consumers Energy DOES NOT Own the Property

Easements

Since the late 1800's, it has been our practice to get an easement to install, maintain and expand overhead and underground electric lines and underground gas pipelines on property not owned by Consumers Energy. We still obtain easements today. These easements run with the title of the land and allow Consumers' facilities to remain in place regardless of future ownership of the land.

Buildings and Structures

Any property owner who is interested in building a structure on the land within our easement must comply with building clearance requirements.

All buildings and other structures must be located at least the following distances from the centerline of the electric line:

Distance	Type of Electric Line
• 20 ft for	46kv
• 40 ft for	138kv
• 75 ft for	345kv

For further clarification or information, please contact (888) 253-4782.



Land Matters

Using Company Land

Do I need permission to use Consumers Energy Property?

Yes, you need written permission if you plan to use the property for any purpose, including mowing the lawn or even installing a driveway or walking across the property on a routine basis.

Consumers Energy land is a private property and is not open for public use without permission.

Using Consumers Energy's land can be mutually beneficial. It:

- Helps reduce Consumers Energy's cost of maintaining land. Utility bills could double if Consumers Energy had to maintain all of its fee and easement corridors.
- Creates larger farming area.
- Enhances beauty of residential/rural homeowners' adjoining land.

We offer several options:

We often allow adjoining landowners to use our land for many legal purposes. Farming, pasture and lawn and garden are the most common uses.

Lease – A lease is an agreement where Consumers Energy gives the right of possession to another party for a specified period of time and a specific rent. Leases can be transferred to another party with Consumer Energy's permission.

License – A license is an agreement where Consumers Energy gives a right to another party (usually an adjoining property owner) for the use of our property for a specific purpose and specified annual fee. The license can be terminated at any time. A license cannot be transferred. Each new owner must apply to Consumers Energy for a new license.

Even if someone only plans to mow the lawn or trim the weeds, they must obtain permission to do so.

Issuance of a written license is required for legal and liability reasons. Licenses are generally granted to municipalities, governmental agencies and individuals, allowing for construction and/or maintenance of facilities.

The company generally grants temporary crossing or working permits when requests are made with sufficient notice and when MISS DIG has been contacted. (See page 11 for details about MISS DIG.)

Lease and License Fees

Lease and license fees are based on a number of factors. These include, but are not limited to, the value of the property, the value to the permit holder and property taxes.

Important Steps to Lease or License Company Land

Applications to lease or license Consumers Energy land must be made in writing and should include the following:

- A written request stating your intended use of the land
- A copy of the legal description for the adjacent property you own. A parcel ID number or Tax ID number is not acceptable. Your property description can usually be found on a tax bill, deed, or on the survey you may have obtained when you bought your property
- A map, even hand-drawn, depicting the property in question in relation to the nearest major crossroads is desirable and will quicken our response.
- Your full name, address and daytime phone number. Pager numbers are not accepted

Applications for leases and licenses can take up to 60 days or more to process. Receipt of your request will be confirmed by mail or telephone within five workdays of receipt in our office.

DID YOU KNOW?

Dumping trash or any other object on anyone's property is a crime in every Michigan county. Consumers Energy will prosecute and/or take civil legal action against anyone dumping on our land. Burning is also banned by ordinance in many communities.

Our response will take longer if information is incomplete. If your request is urgent, please indicate on your application the reason for priority consideration.

NOTE: Your lawn, landscaping or other improvements may be damaged as a result of inspection, maintenance, construction or other activities on the fee strip. You are placing these improvements on Consumers Energy property at your own risk.

Buying Our Land

Occasionally we sell surplus land and facilities. The process to apply to purchase a parcel of land is much like the lease and license process described on page 7 and 8.

Call (888) 253-4782 and ask the operator for assistance.

Buying An Easement – An easement must be obtained from Consumers Energy for permanent use of our property (driveways, building a structure, placement of another utility, etc.) To obtain an easement from Consumers Energy call 1-888-253-4782 and ask the operator for assistance.





Pedestrian TRAILS

CONSUMERS ENERGY occasionally works with local communities and nonprofit organizations to permit the use of company land for hiking and bicycle trails.

We grant a revocable license that runs indefinitely until cancelled by either party. Before granting permission for a trail, we evaluate system line maintenance, repair and future line expansion plans.

When the needs of maintaining safe and reliable service to our customers permit, when no additional costs to the company are incurred and where the trail has the popular support of adjoining landowners, trail projects with a sound plan are likely to receive approval.

Monitoring Our Land

We appreciate it when the community helps keep a close watch on unusual and illegal activities such as vandalism, trespassing and theft.

We prosecute illegal activities to the fullest extent of the law, and we offer cash rewards up to \$5,000 for tips that lead to the arrest and conviction of those who willfully damage our facilities.

Most damage occurs during hunting season, when hunters intentionally shoot our insulators and transformers, which causes unnecessary and expensive loss of electrical service to thousands of homes and businesses.

Information can be given to local law enforcement agencies or by calling us at (800) 760-3295.

CALL Before You Dig

MICHIGAN PUBLIC Act 53 requires anyone who plans to dig to contact MISS DIG to have public utility lines marked. There is no charge for this service.

Calling MISS DIG protects the individual digging from personal injury and protects others from injury or loss of utility service. Failure to comply with MISS DIG law can result in liability for resulting injuries and damages.

Call three full working days before you dig: (800) 482-7171 or press #DIG to make a free call from an AT&T cell phone.

Visit MISS DIG on the internet at: www.missdig.org

Reference, Access and Information

Glossary of Terms

Easement: A legal, perpetual, recordable right that allows use by one party of property owned by another. Some easements run with the title of the land, allowing future owners to continue to use the land.

Fee Strip: Ownership of a strip of land.

Lease: A lease is an agreement where a property owner gives the right of possession of a specified land to another party for a specified period of time and a specified rent. Leases usually can be transferred to another party or may be sublet to another party.

License: A license is an agreement where a property owner gives a right to another party to temporarily use specified property for a specific purpose and for a specified fee. A license cannot be transferred and does not “run with” the licensee’s land.

MISS DIG: A one-call service provided free to anyone who plans to dig in Michigan. MISS DIG takes calls from construction contractors, homeowners and others and contacts member utilities (electric, natural gas, cable, telephone, etc.) to be marked. Calling MISS DIG before digging is required by law.

Permit: An agreement giving the right to utilize property for a specific purpose. Permits are generally secured by municipalities or government agencies, allowing for construction and/or maintenance of their facilities. These rights are generally not transferable, and may be required to be renewed periodically.

Pipeline Zone: an area 20 feet each side of a natural gas pipeline

Call (800) 882-6808 or (888) 253-4782 to locate the pipeline, or to determine the location of the pipeline zone.

Wire Zone: An area 10 feet in each direction from electric wires. No vegetation is allowed to grow above 15 feet in this zone.

Key Phone Numbers

Emergency:

For downed wires, gas leaks call Consumers Energy at (800) 477-5050.

Security Concerns:

Trespassing and vandalism, call Consumers Energy at (800) 760-3295.

Lease, License, Permit or Easement:

For information on obtaining a lease, license, permit or easement, call Consumers Energy’s operations planning center at (888) 253-4782.

MISS DIG: Public Act 53 requires anyone digging to be aware of underground utilities by calling MISS DIG. There is no charge for this service. Call three full working days before you dig: (800) 482-7171.

Other Information

The content of this booklet is subject to change without notice. This guide is not intended to supersede or replace any applicable laws including, but not limited to, the MISS DIG Act, Michigan Gas Safety Code, MIOSHA, OSHA, and the Natural Electric Safety Code (NESC.)

You are responsible for complying with all rules applicable to your lease, license, permit or easement as well as all applicable laws, statutes, codes, regulations and standards when on Consumers Energy property.

For more information, visit
www.consumersenergy.com

Consumers Energy