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EDITORIAL NOTE: Nomenclature change to part 1724 appears at 55 FR 39397, Sept. 27, 1990.

Subpart A—General [Reserved]

Subpart B—Architectural Services [Reserved]

Subpart C—Engineering Services [Reserved]

Subpart D—Electric System Planning [Reserved]

Subpart E—Electric System Design

§ 1724.41 Compliance with National Electrical Safety Code.

(a) All borrowers' new lines and substations shall be constructed and operated in accordance with the requirements of the National Electrical Safety Code (NESC). The applicable edition of the NESC to be followed shall be the latest edition which is effective in accordance with the provisions of that edition. Where local regulations or other RUS requirements are more stringent, those requirements shall govern.

(b) The Administrator of RUS will consider specific requests to approve construction which is not in accordance with the NESC if the borrower provides evidence satisfactory to the Administrator that an exception is necessary or desirable and in the interests of the Government and the borrower.

(c) Overhead distribution circuits shall be constructed with not less than the Grade C strength requirements as described in section 26, Strength Requirements, of the NESC when subjected to the loads specified in NESC section 25, Loadings for Grades B, C, and D. Overhead transmission circuits shall be constructed with not less than the Grade B strength requirements as described in NESC section 26.

[49 FR 11620, Mar. 27, 1984. Redesignated at 55 FR 39395, Sept. 27, 1990]

§§ 1724.42—1724.44 [Reserved]

§ 1724.45 Permitted deviations from RUS construction standards.

(a) *Structures for raptor protection.* Standard distribution line structres may not have the extra measure of protection needed in areas frequented by eagles and other large birds (raptors) to protect such birds from electric shock due to physical contact with energized wires. Borrowers are allowed to deviate from RUS construction standards to provide for raptor protection in the design of overhead line structures in those cases where such protection is required by (1) RUS or (2) a Federal, state or local authority with permit or license authority over the proposed construction. Structures which are designed for raptor protection shall be in accordance with *Suggested Practices for Raptor Protection on Powerlines—The State of the Art in 1981,* published by the Raptor Research Foundation, Inc., provided, however, that such structures shall be in accordance with the National Electrical Safety Code unless a specific waiver has been granted by the RUS Administrator. Copies of this publication may be purchased from the Raptor Research Foundation, Inc., c/o Department of Veterinary Biology, University of Minnesota, St. Paul, Minnesota 55101. It is also available for inspection at the Office of the Federal Register Information Center, 800 North Capitol Street, NW., suite 700, Washington, DC. This incorporation by reference has been approved by the Director of the Office of the Federal Register. Any deviation from the RUS construction standards for the purpose of raptor protection, which is not in accordance with the above report, must be approved by RUS prior to construction.

(b) *Transformer neutral connections.* Where it is necessary to separate the primary and secondary neutrals to provide the required electric service to a consumer, the RUS standard transformer connections may be modified in

accordance with Rule 97D2 of the National Electrical Safety Code.

[49 FR 11620, Mar. 27, 1984. Redesignated at 55 FR 39395, Sept. 27, 1990, and amended at 55 FR 53487, Dec. 31, 1990]

PART 1726—ELECTRIC SYSTEM CONSTRUCTION POLICIES AND PROCEDURES

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