

- c. Are located in legally established easements or rights-of-way, or
- d. Are located by other written agreements either designated by or recognized by public service commissions, utility commissions, or other regulatory agencies having jurisdiction for such installations. These written agreements shall be limited to installations for the purpose of communications, metering, generation, control, transformation, transmission, energy storage, or distribution of electric energy where legally established easements or rights-of-way cannot be obtained. These installations shall be limited to federal lands, Native American reservations through the U.S. Department of the Interior Bureau of Indian Affairs, military bases, lands controlled by port authorities and state agencies and departments, and lands owned by railroads.

Informational Note to (4) and (5): Examples of utilities may include those entities that are typically designated or recognized by governmental law or regulation by public service/utility commissions and that install, operate, and maintain electric supply (such as generation, transmission, or distribution systems) or communications systems (such as telephone, CATV, Internet, satellite, or data services). Utilities may be subject to compliance with codes and standards covering their regulated activities as adopted under governmental law or regulation. Additional information can be found through consultation with the appropriate governmental bodies, such as state regulatory commissions, the Federal Energy Regulatory Commission, and the Federal Communications Commission.

Section 90.2(B)(5) is not intended to prevent the *NEC* from being used as an installation regulatory document for these types of installations. The *NEC* is fully capable of being utilized for electrical installations in most cases. Rather, 90.2(B)(5) lists specific areas where the nature of the installation requires specialized rules or where other installation rules, standards, and guidelines have been developed for specific uses and industries. For example, the electric utility industry uses ANSI C2, *National Electrical Safety Code (NESC)*, as its primary requirement in the generation, transmission, distribution, and metering of electric energy. See Exhibit 90.1 for examples of electric utility facilities covered or not covered by the *NEC*. In most cases, utility-owned installations are on legally established easements or rights of way. Easements or rights of way might not be available on federally owned lands, Native American reservations, military bases, lands controlled by port authorities or state agencies or departments, and lands owned by railroads. In those limited applications, a written agreement complying with this section can be used to establish the extent of the utility installation.

Utility installations of energy storage are outside the scope of the *NEC*. Utility-owned energy storage would be covered by the *NESC*. Energy storage that is not under the exclusive control of an electric utility is governed by Article 706 of the *NEC*.

Δ (E) Relation to Other International Standards. The requirements in this *Code* address the fundamental principles of

protection for safety contained in Section 131 of International Electrotechnical Commission Standard 60364-1, *Low-voltage Electrical Installations – Part 1: Fundamental Principles, Assessment of General Characteristics, Definitions*.

Informational Note: See IEC 60364-1, *Low-voltage Electrical Installations – Part 1: Fundamental Principles, Assessment of General Characteristics, Definitions*, Section 131, for fundamental principles of protection for safety that encompass protection against electric shock, protection against thermal effects, protection against overcurrent, protection against fault currents, and protection against overvoltage. All of these potential hazards are addressed by the requirements in this *Code*.

In addition to being an essential part of the safety system of the Americas and the most widely adopted code for the built environment in the United States, the *NEC* has been adopted and is used extensively in many other countries. The *NEC* is compatible with international safety principles, and installations meeting the requirements of the *NEC* are also in compliance with the fundamental principles outlined in International Electrotechnical Commission (IEC) 60364-1, *Electrical Installations of Buildings*, Section 131. Countries that do not have formalized rules for electrical installations can adopt the *NEC* and be fully compatible with the safety principles of IEC 60364-1, Section 131.

(F) Special Permission. The authority having jurisdiction for enforcing this *Code* may grant exception for the installation of conductors and equipment that are not under the exclusive control of the electric utilities and are used to connect the electric utility supply system to the service conductors of the premises served, provided such installations are outside a building or structure, or terminate inside at a readily accessible location nearest the point of entrance of the service conductors.

90.3 Code Arrangement. This *Code* is divided into the introduction and nine chapters, as shown in Figure 90.3. Chapters 1, 2, 3, and 4 apply generally. Chapters 5, 6, and 7 apply to special occupancies, special equipment, or other special conditions and may supplement or modify the requirements in Chapters 1 through 7.

Chapter 8 covers communications systems and is not subject to the requirements of Chapters 1 through 7 except where the requirements are specifically referenced in Chapter 8.

Chapter 9 consists of tables that are applicable as referenced.

Informative annexes are not part of the requirements of this *Code* but are included for informational purposes only.

An example of how the general rules of Chapter 3 are modified is 300.22, which is modified by 725.3(B) and 760.3(B) and is specifically referenced in 800.3(C) and (D). Figure 90.3 is a graphic explanation of the *NEC* arrangement.

The requirements in Chapters 5 through 7 can modify the requirements in Chapters 1 through 7. Prior to the 2017 edition, Chapters 5 through 7 could modify only the requirements in Chapters 1 through 4.