

 PA TURNPIKE COMMISSION POLICY <i>This is a statement of official Pennsylvania Turnpike Policy</i>		NUMBER: 6.05 APPROVAL DATE: 06-19-2001 EFFECTIVE DATE: 07-05-2001 REVISED DATE: 06-06-2017
POLICY SUBJECT: Utility Crossing License Agreements	RESPONSIBLE DEPARTMENT: Engineering	

A. PURPOSE:

This policy letter establishes the process by which the PTC will grant permission for the crossing of utility facilities over, under, or through the Commission’s operating right-of-way.

B. SCOPE:

The policy and the procedures outlined within this policy letter apply to all utility facilities using, crossing and occupying Turnpike operating right-of-way and infrastructure. The fee structure for this policy does not apply to those utility crossings that are within public right-of-way (as defined below) or service lines to Commission facilities.

C. GENERAL POLICY:

The PTC will review and process all requests for placement of utility facilities crossing over, under, or through the Commission’s operating right-of-way upon receipt of a \$1,000.00 (one thousand dollars) non-refundable administrative processing fee. Utilities occupying public right-of-way are exempt from the processing fee, however, the Commission must review a request and upon approval, the Utility would be required to enter into a license agreement with the Commission. Service lines to Commission facilities are exempt from the processing fee, however, the Utility would be required to enter into a right-of-way agreement with the Commission. No fees will be charged for requests for an alteration, upgrade, or removal of a Utility’s authorized existing facilities.

D. DEFINITIONS:

Commission’s operating right-of-way - The area owned and utilized by the Commission for the specific purpose of providing for and operating a limited access highway, along with all supporting infrastructure, including areas encumbered by a specific Turnpike use to which no other entity has been given a transferable right to use. Occupation by utilities can only be by license specifically authorized by the Commission.

Public right-of-way - Areas owned by PennDOT or other governmental entities that provide a defined right-of-way corridor for public transportation under their exclusive control where utilities may install their facilities in accordance with 15 Pa. C. S. A. §1511(e). Any utility, private or public, which desires to utilize PTC operating right-of-way, must file a request with the PTC's Engineering Department. All requests must be reviewed and approved by the Chief Engineer or designee.

Unauthorized Crossing - A utility using, crossing or occupying Commission operating right-of-way and infrastructure without approval by the Commission.

E. **PROCEDURES:**

All requests for placement of utility facilities within the Commission's operating right-of-way, exclusive of those utilities occupying public right-of-way, require a non-refundable \$1,000.00 (one thousand dollars) administrative processing fee. The request will not be processed until the fee is received. This fee is routed to the Accounting Department for deposit and record keeping.

Engineering will review each request and prepare a standard crossing license agreement, with input from the Departments of Legal, Risk Management, and Traffic Engineering and Operations, and the Consulting Engineer, as needed. All such agreements may be prepared and executed under the blanket authority granted by the Commission and may be executed by the Commission upon recommendation by the Chief Engineer or designee.

Unauthorized Crossings are subject to additional fees including, but not limited to, costs associated with project delay if, for example, an unauthorized crossing impacts the schedule of any project, as well as any alteration, removal or relocation of the utility facility.

Requests for the utilization of Commission property that is not considered operating right-of-way will continue to be reviewed and processed in accordance with Policy Letter 9.1-- Land Use Policy.

This Policy Letter supersedes all previous Policy Letters on this subject.