



ITR CONCESSION COMPANY LLC

52551 ASH ROAD
GRANGER, INDIANA 46530

APPLICATION FOR UTILITY CROSSING PERMIT

(File in Triplicate)

New Construction (*Kind of Utility*)_____

Alteration of Facility Relocated During Construction of Toll Road under Job No. _____

Alteration of Facility installed after November 15, 1956, under Permit No. _____

To: **ITR CONCESSION COMPANY LLC**

Application is hereby made by the undersigned:

Name: _____

Address: _____

*to _____

**(Describe type of utility and how work will be accomplished)*

Over, under, along or within the bounds of the Toll Road right-of-way in the County of

_____, at Toll Road Centerline Station _____

Milepost _____, and located in the _____ Quarter

of Section _____, Township _____ North, Range _____

all in accordance with the detailed drawings hereto attached and pursuant to the conditions set forth in "Public Utility Crossing Regulations of the ITRCC for the Installation, Construction, Repair, Renewal, Additions, Relocation and Removal of Utility Facilities" forming a part hereof. This applicant will obtain any other consents or permits that may be necessary to accomplish the purpose set forth.



Estimated: Starting Date _____ Completion Date _____

Applicant represents it has insurance required by said Regulations issued by:

Policy No. _____ Expiring _____

Dated this _____ day of _____, 20 _____

In consideration of the granting of the requested permit, the undersigned hereby accepts the same subject to the restrictions therein described.

MAKE SURE DETAILED

DRAWINGS ARE FILED

HEREWITH

By:

Applicant's Signature

Print Name

Title

Company Name

Telephone Number

Fax Number

E-mail Address



ITR CONCESSION COMPANY LLC

52551 ASH ROAD

GRANGER, INDIANA 46530

ITRCC PROCEDURE FOR THE ISSUANCE OF PUBLIC UTILITY CROSSING PERMITS

1. Any Utility desiring to construct, maintain or operate any facility over, under, along or within the bounds of Toll Road property, or to do any work therein must first secure a permit from the ITRCC.
2. Application for permits must be prepared and submitted in triplicate on forms provided by the ITRCC and shall be accompanied by three (3) sets of detailed drawings to indicate where and in what manner the work will be done including detailed plans of any structure to be built. The detailed drawings submitted must locate the proposed crossing by Toll Road centerline station and angle of crossing and shall be not smaller than 8-1/2" by 11" or larger than 11" by 17". Drawings for underground construction shall indicate in detail the location, kind, type and size of facility, depth of trench, clearance under pavement and sufficient measurements to visible fixed objects to indicate the exact location and extent of the facility. Drawings for aerial construction shall show proposed locations of line with spacing of poles or towers and height of same, size and kind of conductors, maximum voltage, and type of insulator, number of lightening arresters per mile and location of transfer houses. The details of all towers and their foundations shall be shown. If poles are used, methods of setting shall be indicated with guys and anchorage. All details as to guys, setting of poles, clearing and material, apply under this heading.
3. When completed, file the application for permit (*in triplicate*) accompanied by three (3) sets of drawings, PLUS SECURE EVIDENCE OF LIABILITY INSURANCE AND SUBMIT A CERTIFICATE OF INSURANCE TO THE ITRCC INFRASTRUCTURE MANAGER AT THE ABOVE ADDRESS IN COMPLIANCE WITH PARAGRAPH PUX 7.2 OF THE PUBLIC UTILITY CROSSING REGULATIONS FOR THE INSTALLATION, CONSTRUCTION, REPAIR, RENEWAL, ADDITIONS, RELOCATION AND REMOVAL OF UTILITY FACILITIES.
4. The ITRCC Infrastructure Management Department will examine the application to determine if there are any Conflicts with existing crossing permits or easements or any reason why such requested permit should not be approved.
5. When all approvals have been obtained, the ITRCC Infrastructure Management Department shall collect the permit fee (*\$25.00 for Application and File and \$0.50 per foot for every foot that crosses Toll Road right-of-way*) made payable to the "Indiana Finance Authority". Prepare the permit and have the permit executed by the authorized officers of the ITRCC & the INDOT Permit Manager. An executed copy of the same will be transmitted to the Utility together with instructions as to how to proceed.
6. Traffic maintenance during alteration or construction of a facility will be billed to the utility based on man-hours, director labor and equipment charges. Repairing damage done to Toll Road property will be on a time and material basis.



ITR CONCESSION COMPANY LLC
PUBLIC UTILITY CROSSING REGULATIONS
FOR THE
INSTALLATION, CONSTRUCTION, REPAIR, RENEWAL, ADDITIONS,
RELOCATION AND REMOVAL OF UTILITY FACILITIES

PUX 1 – DEFINITIONS

(As used in this Public Utility Crossing Regulations the following words and terms shall have the following meanings unless the context shall indicate another or different meaning or intent.)

PUX 1.1 INFRASTRUCTURE MANAGER

ITR CONCESSION COMPANY LLC - ITRCC Infrastructure Manager or any representative of his office acting for him.

PUX 1.2 INDIANA TOLL ROAD

The Indiana Toll Road as created by and acting under and pursuant to Chapter 281, acts of 1951 and acts amendatory thereof.

PUX 1.3 FACILITIES

Includes pipes, mains, conduits, cables, wires, towers, poles and other equipment, property and appliances of any public utility, whether the same be publicly or privately owned and of any carrier by pipe line, whether the same be a common or private carrier.

PUX 1.4 TOLL ROAD PROPERTY

All traffic lanes, acceleration lanes, deceleration lanes, shoulders, medians, strips, bridges, overpasses, underpasses, interchanges, approaches, entrance and exit ramps, toll plazas, service areas, maintenance areas and any and all other areas adjacent thereto under the control or jurisdiction of the ITRCC and comprising a part of the TOLL ROAD.

PUX 1.5 TOLL ROAD RIGHT-OF-WAY

All land acquired or to be acquired by the ITRCC. *(The "Toll Road right-of-way fence" will usually, but not always, be placed along the outer limits of the Toll Road right-of-way.)*

PUX 1.6 UTILITY

The person(s), firm, corporation, body politic, political subdivision, or other legal entity which owns or is the lessee of any utility facilities requesting or holding a permit to cross TOLL ROAD property.

PUX 1.7 ROAD

Includes street, alley, and highway.

PUX 2 - GENERAL

- PUX 2.1** The acceptance of a crossing permit or the doing of any work thereunder shall constitute the acceptance by the permit holder of all conditions, provisions and regulations herein set forth and shall evidence the agreement of the permit holder to act in compliance herewith.
- PUX 2.2** The permit holder agrees to notify the ITRCC Infrastructure Manager at least forty-eight (48) hours in advance of the initiation of construction, indicating the specific date and hour that the work is to commence.
- PUX 2.3** It shall be the permit holder's responsibility to pay the ITRCC and the permit holder agrees to pay the expense of having the ITRCC provide such signs, flagmen and police as the ITRCC shall deem necessary to insure the safety and convenience of Toll Road patrons. The permit holder shall reimburse the ITRCC for all costs therefore in accordance to the ITRCC's regularly adopted fee schedule.
- PUX 2.4** All facilities within the Toll Road right-of-way shall be installed or constructed in such a manner that access thereto for the maintenance thereof can be had from the land adjoining that portion of the Toll Road right-of-way upon which said facilities are located, provided, that the Utility, with the consent of the Infrastructure Manager, may enter upon and leaving the Toll Road right-of-way at places designated by said Engineer in order that the Utility may properly operate and maintain its facilities.
- PUX 2.5** All facilities crossing the Toll Road, except crossing under bridges or grade-separation structures, shall be at as near right angles to the Toll Road centerline as is practicable and economical.
- PUX 2.6** All installations, construction, repair, relocations, renewals, additions, modifications, replacements or removals shall be at the expense of the Utility.
- PUX 2.7** The permission granted does not relieve the Utility from obtaining consent otherwise required from the owner or owners of the abutting property and does not confer upon the Utility the right to cut, remove or destroy trees or shrubbery within the right-of-way limits of the Toll Road except under such conditions, restrictions and regulations as the Infrastructure Manager may prescribe. If any trees are removed from within the limits of the Toll Road, the stumps must be cut to the ground level, or removed entirely.
- PUX 2.8** The work authorized under the permit shall be done by the Utility at such time and in such manner as shall be consistent with the safety of the public. The Utility shall use due diligence in the execution of the work authorized in order not to obstruct or endanger travel along the said Toll Road. Operations must be conducted at all times to permit safe travel over the Toll Road within the limits of the work herein prescribed.

PUX 3 – CONSTRUCTION RULES

- PUX 3.1** All trenching for underground facilities shall be backfilled as rapidly as possible following placing of subsurface structures. The trench shall be tamped as filled and no layer within Toll Road right-of-way prior to tamping shall be greater than four (4) inches in thickness. Approved mechanical tampers shall be used exclusively for backfilling, unless the ITRCC approves other methods. All parts of the shoulder or special subgrade disturbed or damaged in the performance of the work shall be reconstructed and restored in as firm, strong and durable condition as before the commencement of work by the Utility.



- PUX 3.2** In case dynamite or other explosives are used on the work, all possible precautions, including supervision by the Infrastructure Manager, shall be observed to prevent injury or loss to person property.
- PUX 3.3** Excavation or other material shall be placed or stored on the side of the operation farthest from the road shoulder, in such a manner that there will be no interference with the flow of water to any gutter, drain, pipe, culvert, or waterway. Unless otherwise authorized by the Infrastructure Manager.
- PUX 3.4** All excess excavated material shall be removed and disposed of outside the right-of-way limits of the Toll Road as the work progresses, unless the approval of the Infrastructure Manager is obtained for the disposal of the material within the right-of-way limits of the Toll Road. All parts of the Toll Road and any structures disturbed shall be restored to a condition equal to that, which existed before starting the work. Fencing and guardrail shall be replaced to the present alignment and any fence or guardrail through the work of the Utility shall be refinished by washing or recoating.
- PUX 3.5** After each and every excavation made by the Utility within the right-of-way limits of the Toll Road incident to the erection, repair, resetting or removal of any poles, manholes, conduits, water, steam, oil, gas pipes, sewers or any other obstructions or construction, the Utility shall, under the supervision and direction of the Infrastructure Manager, restore the Toll Road right-of-way to as good condition as existed prior to such excavation unless otherwise herein provided. So long as said Utility operates and leaves in place such structures and facilities, in, upon, or along said Toll Road, the Utility shall maintain and keep in good order and repair the said structures and facilities.
- PUX 3.6** Where a tile drain or other structure or facility is encountered, it shall be replaced or restored by the Utility in accordance with the prevailing standards of the ITRCC.
- PUX 3.7** The conditions, restrictions and regulations herein before cited shall govern all excavations, openings and trenches for the purpose of making repairs to any poles, conduits, water, steam, oil or gas pipes or sewers, or other structures or property and appurtenances thereto belonging, erected on or in the Toll Road right-of-way.
- PUX 3.8** The Utility shall place the top of any manholes to conform to the elevation and slope of the right-of-way, unless a lower elevation shall be approved.
- PUX 3.9** The Utility shall restore the ground surface within the limits of the work to a condition equal to that existing prior to the start of the work. Upon termination of the work to be performed under this permit the permit holder shall be responsible for and required to clean the area of all rubbish, excess materials, temporary structures, and equipment and leave the area in a neat and presentable condition.

- PUX 3.10** In case it is necessary to cross under the improved surface of the Toll Road, the opening for the underground facilities shall be drilled, bored, or driven, so that a minimum depth of three (3) feet of cover over the top of the facilities below the surface of the graded area of the Toll Road will be maintained. The facilities may be placed by tunneling when approved by the Infrastructure Manager. Trenching will be authorized where tunneling would impose danger to life. Where necessary to cross the Toll Road right-of-way by tunneling, the crossing shall be made, except in solid rock formation, under one lane of the improved road width and the facilities placed and the hole carefully backfilled with 1:3:6 concrete of a dry consistency thoroughly tamped and allowed to stand twenty-four (24) hours before traffic is permitted to use that lane of the road. Tunneling under the second lane is to be completed in the same manner, so at least one lane of traffic will be maintained each way over the Toll Road while the rest of the Toll Road is being tunneled. In solid rock formation, the crossing may be made by trenching when approved by the Infrastructure Manager, but not more than one lane of pavement shall be opened, the facilities placed, the trench backfilled and tamped with an approved mechanical tamper, unless other methods are approved, before disturbing any other lane.
- PUX 3.11** Openings made for the purpose of placing facilities under the improved surface of the Toll Road by drilling, boring, driving, or tunneling, shall be made outside the graded area of the roadway, unless the Infrastructure Manager shall otherwise designate in writing.
- PUX 3.12** All underground facilities must be identified with markers placed outside the Toll Road right-of-way limits.

PUX 4 – POWER AND TELEPHONE FACILITIES

- PUX 4.1** All poles, guys, anchors, and towers shall be located outside the Toll Road right-of-way fence unless otherwise specifically permitted by the ITRCC. All poles that may be erected shall be numbered and said number together with the initials of the Utility shall be plainly designated thereon by and at the expense of the Utility.
- PUX 4.2** All aerial wire crossings passing over the Toll Road shall be constructed to conform with the requirements for the highest grade of construction for mainline railroad crossings, specified in the National Electrical Safety Code as adopted by the State of Indiana Public Service Commission, Docket 17689, effective January 1, 1946, as revised and amended. Alteration and additions to existing wire crossings shall be in accordance to the requirements of the specifications under which they were originally constructed. When aerial lines occupy public road crossings they shall be permanently located within such public road right-of-way, or outside the Toll Road right-of-way fence. No attachments shall be made to any bridge or other structure within the limits of the Toll Road right-of-way.
- PUX 4.3** Where feasible, underground cables shall cross the Toll Road under bridges or grade-separation structures, or at a place where the Toll Road is or will be on a fill or in a shallow cut.
- PUX 4.4** Where an underground cable passes under the Toll Road it shall be installed in conduit of sufficient strength to support the superimposed load and satisfactory to the Infrastructure Manager. The conduit shall be of adequate length and diameter to allow the cable to be readily services from points outside the Toll Road right-of-way fence.

PUX 5 – PIPELINES

- PUX 5.1** Included in this category are pipe lines carrying petroleum, petroleum products, natural gas, artificial gas, water, and other fluids under pressure, whether or not solids be carried in suspension.
- PUX 5.2** Pipelines passing under the Toll Road shall be installed in steel casings, reinforced concrete conduits, precast pipe, or cast-in-place boxes and shall be approved by the Infrastructure Manager. Depending upon the requirements of the installation, all such conduits shall be watertight and of sufficient strength to support the superimposed loads. Wherever practical, the conduit shall be constructed on a grade to provide drainage.
- PUX 5.3** Vent pipes where required on casings shall be installed with the outlets beyond the Toll Road fenced right-of-way. All construction of facilities across the Toll Road shall comply with the industry's standards for the highest grade of design and construction, which shall not be lower than the minimum requirements of the applicable American Society of Mechanical Engineers Code and American Petroleum Institute Specifications for the pressure-temperature classification of the respective facility.

PUX 6 –SEWERS

- PUX 6.1** Included in this category is storm and sanitary sewers.
- PUX 6.2** Where a sewer passes under the Toll Road, it shall be installed in conduit of sufficient strength to support the superimposed load and satisfactory to the Infrastructure Manager. Wherever the Infrastructure Manager deems it necessary, sewers shall be constructed of concrete or vitrified-clay pipe set in concrete cradles, or of cast-iron pipe. All joints shall be watertight. All manholes shall be located outside the Toll Road right-of-way fence.

PUX 7 –SPECIAL RULES

- PUX 7.1** The permit holder shall repair or replace any property of the ITRCC damaged or destroyed by it on the TOLL ROAD in connection with the performance of the work, or shall pay for any and all damage to the real estate and to the improvements thereon or both, if the same be not restored, caused by its construction work and shall further indemnify and save harmless the ITRCC from any and all losses resulting from injury to any person or persons or property arising out of, resulting from, or in any manner caused by the construction, installation repair, renewal, relocation, operation, use or removal of said facilities, or by the acts or omissions of the permit holder, or its contractors, agents, employees, or representatives.



PUX 7.2 The holder of a Public Utility Crossing Permit from the ITRCC shall, before commencing any work, furnish the ITRCC with a Certificate of Insurance, which shall be approved by the General Counsel. Such Certificate of Insurance shall, if single limit liability in nature; provide such single limit coverage in the amount of \$1,000,000. In the event such coverage is divided into personal injury and property damage coverage, the Certificate of Insurance shall show coverage in the amount of \$300,000 for one (1) claim and \$500,000 for one (1) incident in each personal injury and property damage unit. The Certificate shall provide thirty (30) days' notice of cancellation or material change in coverage and it shall name the INDIANA TOLL ROAD CONCESSION COMPANY LLC, STATE OF INDIANA, INDIANA FINANCE AUTHORITY and CITI as an additional named insured. It shall also contain the following endorsement:

“The inclusion of the Indiana Toll Road Concession Company LLC, Indiana Finance Authority, State of Indiana and CITI as an Additional Insured shall not exclude the coverage of liability of the Named Insured for damage to property of the Additional Insured, or for injury to or death of any person working with or for the Additional Insured.”

PUX 7.3 If, at any future time, the authorization granted by this permit shall interfere with the maintenance and operation of the Toll Road or any enlargement, improvement, or alteration of the same, the permit holder shall, upon written request from the ITRCC, promptly change the location of said facilities to another location or alter them in such manner as to avoid any interference with the maintenance or operation of the Toll Road.