

## Utility Occupancy Agreement 2022 Fee Schedule

The fee schedule included herein is provided for summary purposes only. Complete fees and/or fee categories may not be included in this document. All fee calculations will be verified through the Occupancy Agreement review process.

### 1. General

All fees are subject to an annual escalation and may change without notice. All Occupancy Agreements providing for periodic payments will include an annual escalation rate in the License Fee.

All Applicants shall complete NCRR Form 210 for Wireline Occupancies or NCRR Form 220 for Pipeline Occupancies thru the Web Portal and pay the applicable Engineering Review Fee and Application Fee.

All Occupancy Agreements and License Fees will be subject to the following:

- New Occupancy Agreements will be subject to the NCRR Occupancy Agreement Application, Engineering and License Fees in effect at time of preparation of the Agreement.
- Transverse Occupations Annual License Fee
  - Estimated license fees for a specific occupancy may be obtained by contacting NCRR Infrastructure Manager.
- Longitudinal Occupations Annual License Fee
  - Longitudinal occupations will incur the same license fees as those for transverse occupations on a per foot basis with the minimum charges as stated.
- Previously issued Norfolk Southern (NS) and CSX Agreements will be cancelled by NCRR and new Occupancy Agreements will be prepared.
  - Those Occupancy Agreements issued at a nominal fee by either NS or CSX will be subject to payment of full License Fees in accordance with the current NCRR Fee Schedule.
  - All Occupancy Agreements will be subject to full Engineering Review Fee.
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- Occupancy Agreements may be canceled by either party on 60 days written notice.
- Occupancy Agreements for Pipelines will be granted only to municipal utilities or utilities regulated by the North Carolina Utilities Commission or other similar governmental agency.
- Any existing utility encroachment that exists without a prior Occupancy Agreement will be processed as an application for a new Occupancy and subject to current Engineering and Licensee Fees.
- Applicants will pay Engineering Review Fees to an engineering firm of NCRR's choosing. Currently this engineering firm is HNTB North Carolina, P.C. (HNTB) located at 343 East Six Forks Road, Suite 200, Raleigh, NC 27609. All correspondence including application submittals shall be addressed to:

HNTB North Carolina, P.C.  
Attn.: Mgr., NCRR Pipe and Wire Occupancy Agreement Process  
343 East Six Forks Road, Suite 200  
Raleigh, NC 27609

- Licensee shall pay all labor and material furnished by NCRR in connection with the construction, reconstruction, repair, relocation or removal of any occupation of its property.
- Licensee shall pay all services of watchmen, flagmen, inspectors and any other costs incurred by NCRR, the Operating Railroads and NCRR's Engineering Representative.
- All fee calculations are verified by North Carolina Railroad Company's (NCRR) Infrastructure Manager who may be contacted as follows:

NCRR Infrastructure Manager  
North Carolina Railroad Company  
2809 Highwoods Boulevard  
Raleigh, NC 27604  
(919) 954-7601

- Exceptions will be referred to NCRR VP of Engineering for consideration.

## 2. Application Review Process Fees

The fees associated with the application review process are intended to cover the costs of processing and reviewing the application. These fees are in addition to the license fees.

The engineering review fee is payable directly to an engineering firm of NCRR's choosing. Currently this engineering firm is HNTB located at 343 East Six Forks Road, Suite 200, Raleigh, NC 27609. All correspondence including application submittals will be addressed to:

HNTB North Carolina, P.C.  
Attn.: Mgr., NCRR Pipe and Wire Occupancy Agreement Process  
343 East Six Forks Road, Suite 200  
Raleigh, NC 27609

### A. HNTB Engineering Review Fee

Current (**2022**) engineering review fees for pipe and wire applications are as follows:

- Stripe/Credit Card thru Web Portal - **\$2266** (includes 3% service fee)
- ACH payment directly to HNTB - **\$2200**
- Engineering Review Fees are nonrefundable.

Engineering review fees for unusually complicated or unique applications will be determined on a case-by-case basis. Examples may include projects that include, but are not limited to:

- Longitudinal occupancies longer than 500'.
- Occupancies with unusual or unique facilities that require additional railroad coordination.
- Occupancies that have a significant design change during the review process.

HNTB may charge an additional engineering review fee at its discretion to process applications that require more than four (4) review iterations.

NCRR's Engineering Representative will notify the Applicant if additional review fees are required prior to processing the Application.

B. North Carolina Railroad Application Fee

Current (**2022**) application fees for pipe and wire applications are as follows:

- Stripe/Credit Card thru Web Portal - **\$1,545** (includes 3% service fee)
- ACH payment directly to NCRR - **\$1,500**
- Application Fees are nonrefundable.

**3. Notes**

- A. Coal and water slurry lines are not allowed on NCRR property.
- B. A proportionate additional license fee calculated to the nearest dollar will be made for any transverse and longitudinal crossing in excess of 200 feet.
- C. Attachments of wires, cables, etc. to bridges, buildings, poles or structures of Railroad Company subject to special consideration in each case.
- D. Reasonable effort must be made to locate poles, guys and anchors off the railroad right-of-way. When poles, towers, guys and anchors must be located within the right-of-way, sufficient evidence of necessity will be required.
- E. Guys, stubs, anchors and push or pull braces definitely not required by specifications for the support of a crossing pole and placed on the Railroad right-of-way solely at the request of the Railroad Company, will be considered as a part of the crossing pole and no charges made thereof.
- F. License fees for non-circular pipes will be determined by the diameter of a circular pipe having an equivalent cross-sectional area.
- G. License fees for pipe tunnels or other special underground construction will be subject to special consideration.
- H. Pipelines carried over Railroad Company's property on bridges or other supports subject to special consideration in each case.