

UTILITY OCCUPANCY LICENSE APPLICATION GENERAL PROCESS AND HANDLING



UTILITY OCCUPANCY LICENSE APPLICATION PROCESS

To better serve the needs of utilities, municipalities, and other prospective occupants of its railroad network, Norfolk Southern (NS) has secured the services of RailPros. On NS's behalf, RailPros will receive and review pipe and wire applications through the application management portal: <https://ns.railprospermitting.com>. All applications must be submitted through this platform and all correspondence regarding applications (i.e. questions, updates, and messages) will be handled through this system.

HANDLING PROCESS

- Once an application is submitted and appropriate application fees paid, RailPros will input the assigned NS Activity Number into the online Application System and communicate it to the applicant via email within two (2) business days.
- RailPros will proactively communicate with the applicant within four (4) weeks of receipt should additional information be required to complete the in-depth review or if the design plans do not meet NS standards.
- If no response from applicant is received within 4 weeks of comments being provided, the activity will be cancelled automatically.
- Revised plans will be reviewed within two (2) weeks of submittal.
- When an application is complete and determined to be satisfactory, RailPros will prepare and transmit, within two (2) weeks, the appropriate license agreement and instruction package through the application portal to the applicant for execution via DocuSign.
- License agreements must be executed within sixty (60) days of receipt of the DocuSign envelope, or an extension requested within that same time period, or the activity will be cancelled automatically.
- Once the licensee executes the agreement, RailPros will forward to Norfolk Southern for countersignature, provided that all invoices have been paid and insurance requirements met. Once Norfolk Southern has executed the agreement, the fully executed agreement package will be returned to the applicant.
- The return package will include the contact information for Norfolk Southern approved flagging vendors and instructions for scheduling a Construction Monitor. Prior to any construction on or entry onto NS property, Licensee or its contractor must retain flagging and construction monitoring services.
- RailPros Protection Service Coordinator will work with the Licensee or its contractor to schedule construction.
- The time period to process an application is dependent upon the quality of the information submitted, and applicants are urged to carefully follow the suggested guidelines for submission.
- All applications are given the same priority, and all should receive a response within two (2) weeks. However, complex requests or non-compliant requests require special attention and additional time. You will be notified if additional time is required.
- No verbal authorization for construction will be provided.
- No emailed or mailed submissions will be accepted. All applications must be submitted through the application portal.

UNDER NO CIRCUMSTANCE SHALL ANY FACILITIES BE INSTALLED UNTIL THE ABOVE STEPS HAVE BEEN COMPLETED AND THE APPROPRIATE CONSTRUCTION PROTECTION SECURED.

REQUIREMENTS FOR A COMPLETE APPLICATION

Complete all questions and upload all required documents into the application portal where indicated, including the following:

- 1) BRIEF DESCRIPTION: Applicants will need to provide a description of the project purpose, specific circumstances, objectives, and other information that may be considered pertinent for a thorough understanding of the project.
 - a. The number and expected type of end users of the facility. If fewer than 10, provide contact information of the end user(s).
 - b. If the project is a result of public highway or bridge construction, provide the sponsor's contact information.
 - c. If the facility is required to support NS facilities, provide the requestee's contact information.
- 2) Location Details: Applicants will need to provide the Latitude and Longitude, State, County, and City/Town/Village for the proposed facility.
- 3) Plans and Specifications: Applicants will need to upload a pdf copy of dated and numbered plans that follow the format and contain the data described in NSCE-8 for pipelines and NSCE-4 for wirelines which can be found on NS website and the application portal. NS may require, if requested, that the plans be sealed by a licensed engineer or land surveyor.

NOTE: If the utility will lie within a public right of way when it crosses NS right of way, then you must provide:

 - a. Public Right of Way lines drawn and dimensioned, with control points, on the plans
 - b. The exact source of the public right of way dimensions given
 - c. The dimensioned location of the proposed facility relative to the public right of way
- 4) Application and Processing Fees: All applications will require a one-time, non-refundable processing fee paid to RailPros at the time of submittal. Failure to provide the appropriate processing fee will delay processing.
 - Aerial Wireline Crossing: \$2,000
 - Underground Wireline Crossing: \$2,250
 - Pipeline Crossing: \$2,500
 - Longitudinal Occupancy: \$3,500
 - Supplements (w/in one year of initial application) \$750
 - Multiple Review Fee: \$500
 - Protection Services Coordination Fee: \$700

The 1st and 2nd reviews are covered by the initial application fee. Each additional review after the 2nd review will incur a \$500 charge.

 - Preliminary Engineering and Longitudinal Inspection Review Fees

A preliminary engineering review fee or a Longitudinal Inspection and Review Fee may be required for complex projects that need coordination and review by NS or its representatives prior to application submittal and/or approval. An estimate can be provided by submitting an "Other Services Pre-application Questions" request in the portal.

- 5) License Fees: The application fee does not encompass charges imposed by NS for the utility license, insurance, flagging services, and other matters.

MAINTENANCE OF EXISTING FACILITIES

Entry onto NS property for the purpose of maintaining existing facilities requires advance notice by submitting an online application that shall include the following:

- ♦ A complete application package as stated above
- ♦ Copy of the current agreement, with NS, for the facility, including exhibits
- ♦ Written confirmation that applicant will pay within thirty (30) days after delivery of an invoice, for all protection and construction monitoring costs incurred by NS or its representatives.

EMERGENCY ENTRY

Emergency entry will be coordinated within a reasonable response time depending upon the circumstances.

INSURANCE REQUIREMENTS

The NS insurance requirements will be defined in the license agreement. In general, each agreement will require:

- 1) A certificate of Commercial General Liability Insurance with a combined single limit of not less than \$2,000,000 per occurrence for injury to or death of persons and damage to or loss or destruction of property. *Access will not be authorized until all insurance requirements are satisfied.*
 - a. The certificate must name as Certificate Holders, Norfolk Southern Corporation, Subsidiaries and Affiliates at 650 West Peachtree Street, Box 46, Atlanta, GA 30308 and endorsed to be Additional Insured to all applicable policies as required by written contract. All policies maintained in which Norfolk Southern Corporation, Subsidiaries and Affiliates have been endorsed as Additional Insured shall include a waiver of subrogation and shall be primary and non-contributory. All policies shall be endorsed to provide 30 days' notice of cancellation.
 - b. The Certificate of Insurance (COI) shall be uploaded into the application portal prior to NS executing the license or right of entry agreement.
- 2) Payment of the current risk financing fee (per installation) to add the project to Norfolk Southern's master Railroad Protective Policy. This will satisfy the railroad protective liability insurance requirement in its entirety for the project.

RAILROAD RIGHT OF WAY

It is recommended that you obtain current property ownership information from local sources typically used for this purpose, such as County deeds. After receipt of an application, RailPros will verify and provide railroad right-of-way widths and parcel information for agreement preparation, but without any warranty (by RailPros or NS) as to their accuracy. If the right-of-way width is critical for plan development, please first submit an application, after which RailPros will coordinate final plan preparation with you.

RIGHT OF ENTRY

Entry on NS property for conducting surveys, field inspections, soil examinations, or any other purposes associated with the design and construction of the proposed occupancy will require a proper entry permit. The applicant must pay the associated fees and execute the permit. Right of Entry applications may be obtained through the Norfolk Southern website <http://nscorp.com/content/nscorp/en/real-estate/norfolk-southern-services/access-norfolk-southern-property.html> <https://ns.railprospannitting.com>. The issuance of an entry permit does not constitute authority to proceed with any construction. Construction cannot begin until NS executes a formal agreement, and the applicant receives permission, from the designated NS representative, to proceed with the work.

QUESTIONS?

Contact RailPros via Email or Phone:

Email: NS.Permittting@RailPros.com

Phone: (402) 965-0539

SAMPLE

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

		CONTACT NAME:	
		PHONE (A/C, No, Ext):	FAX (A/C, No):
		E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	NAIC #
Insured		INSURER A :	
The Named Insured needs to match the Licensee identified on the agreement		INSURER B :	
		INSURER C :	
		INSURER D :	
		INSURER E :	
		INSURER F :	

COVERAGES

CERTIFICATE NUMBER: 1156486253

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE			ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X	COMMERCIAL GENERAL LIABILITY		Y	Y	ABC123456			EACH OCCURRENCE	\$ \$2,000,000 Note 1
		CLAIMS-MADE	X OCCUR							\$
										\$
										\$
										\$
										\$
										\$
A		AUTOMOBILE LIABILITY		Y	Y	123456ABC			COMBINED SINGLE LIMIT	\$ \$1,000,000
										\$
										\$
										\$
										\$
B		UMBRELLA LIAB	X OCCUR	Y	Y	XYZ12345				\$
	X	EXCESS LIAB	CLAIMS-MADE							\$
		DED	X RETENTION \$							\$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y / N N	N / A	Y				X PER STATUTE	
									OTH-ER	
									E.L. EACH ACCIDENT	\$ \$1,000,000
										\$
										\$

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Norfolk Southern Corporation, Subsidiaries, and Affiliates, as Certificate Holder has been endorsed to be additional insured to all applicable policies as required by written contract. All policies maintained and in which Norfolk Southern Corporation, Subsidiaries and Affiliates have been endorsed as additional insured shall include a waiver of subrogation and shall be primary and non-contributory. All policies have been endorsed to provide Norfolk Southern Corporation, Subsidiaries and Affiliates 30 days' notice of cancellation.

CERTIFICATE HOLDER

CANCELLATION

Norfolk Southern Corporation, Subsidiaries, and Affiliates
650 W Peachtree Street NW, Box 46
Atlanta GA 30308

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

PLATE I - Conduit Data Sheet

(For Telecom and Power Conduits only, 6" in diameter or less)

	CONDUIT / CASING PIPE
NOMINAL SIZE OF PIPE	
MATERIAL*	
OUTSIDE DIAMETER	
INSIDE DIAMETER	
WALL THICKNESS -	
TYPE OF COATING	

*** STEEL conduits required at least 10' depth below base of rail**
HDPE conduits will be considered at least 15' depth below base of rail

Proposed Method of Installation (Given sections refer to NSCE-8 Specification)

- ☐ Jack & Bore (Section 5.1.3)
- ☐ Directional Boring Method "A" (Section 5.1.6) – *must have at least 10' depth below base of rail*
- ☐ Open Cut (Section 5.1.2) – *All installations directly under any track must be designed as a bored installation. Open cut installations will be considered on a case-by-case basis by Norfolk Southern's Division Superintendent at the time of installation.*
- ☐ Other – Please Specify: _____

MULTIPLE INNERDUCTS

NUMBER OF INNERDUCTS WITHIN CASING PIPE: _____

- Provide a detail or cross section of the casing pipe with innerducts (see below).
- Clearly mark the type of facility that will be installed within each innerduct. If innerduct will be left spare or empty, please identify as such.

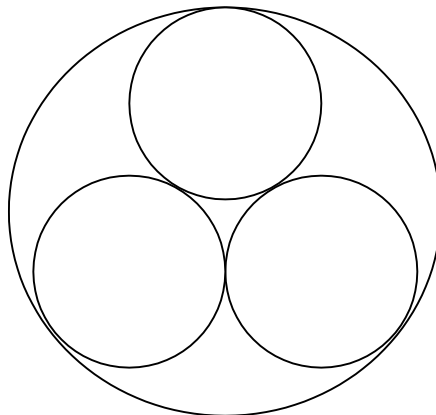


Plate II - Sample Aerial Wire Plan View

Timetable Direction
(N, S, E or W)

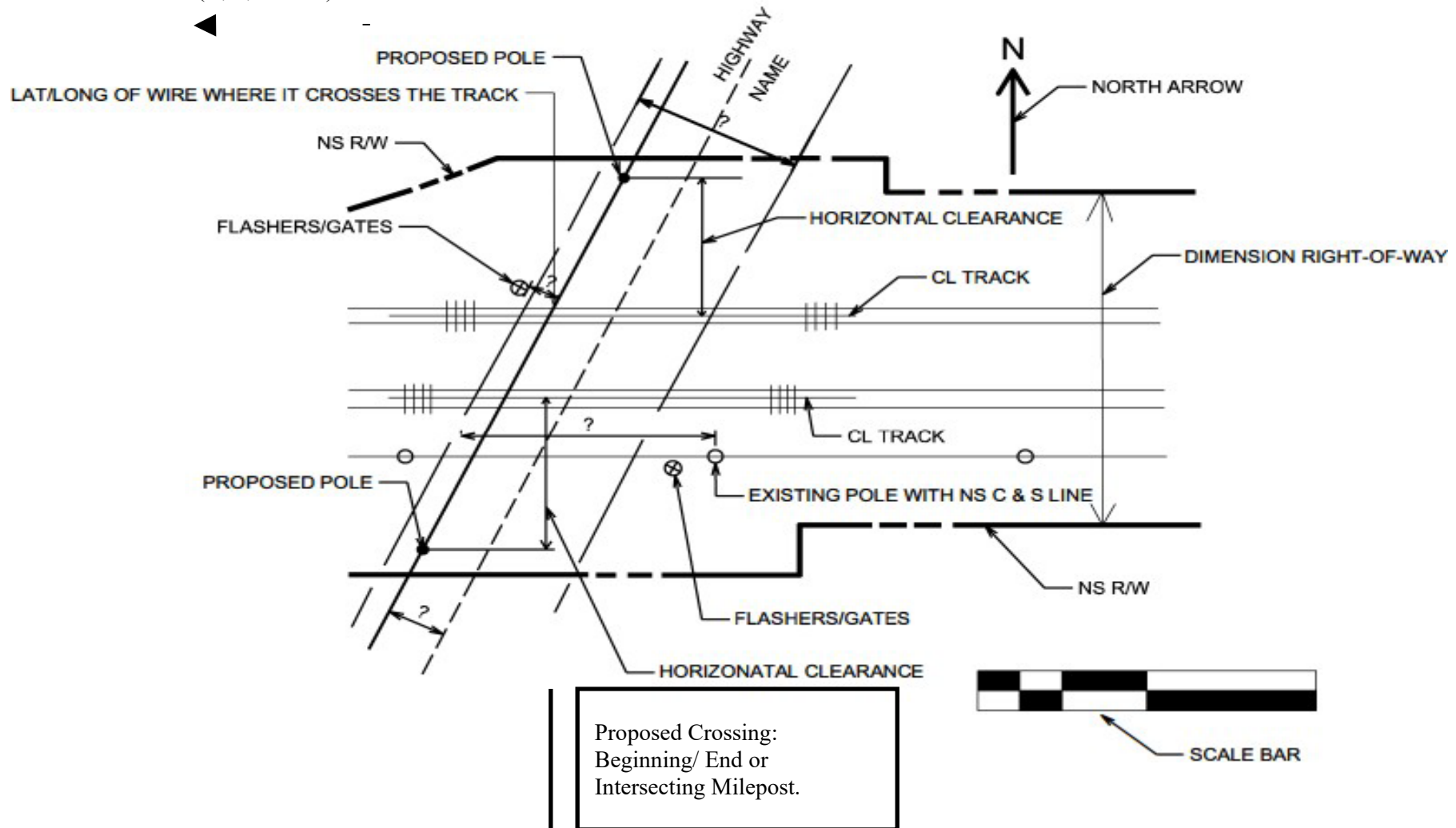
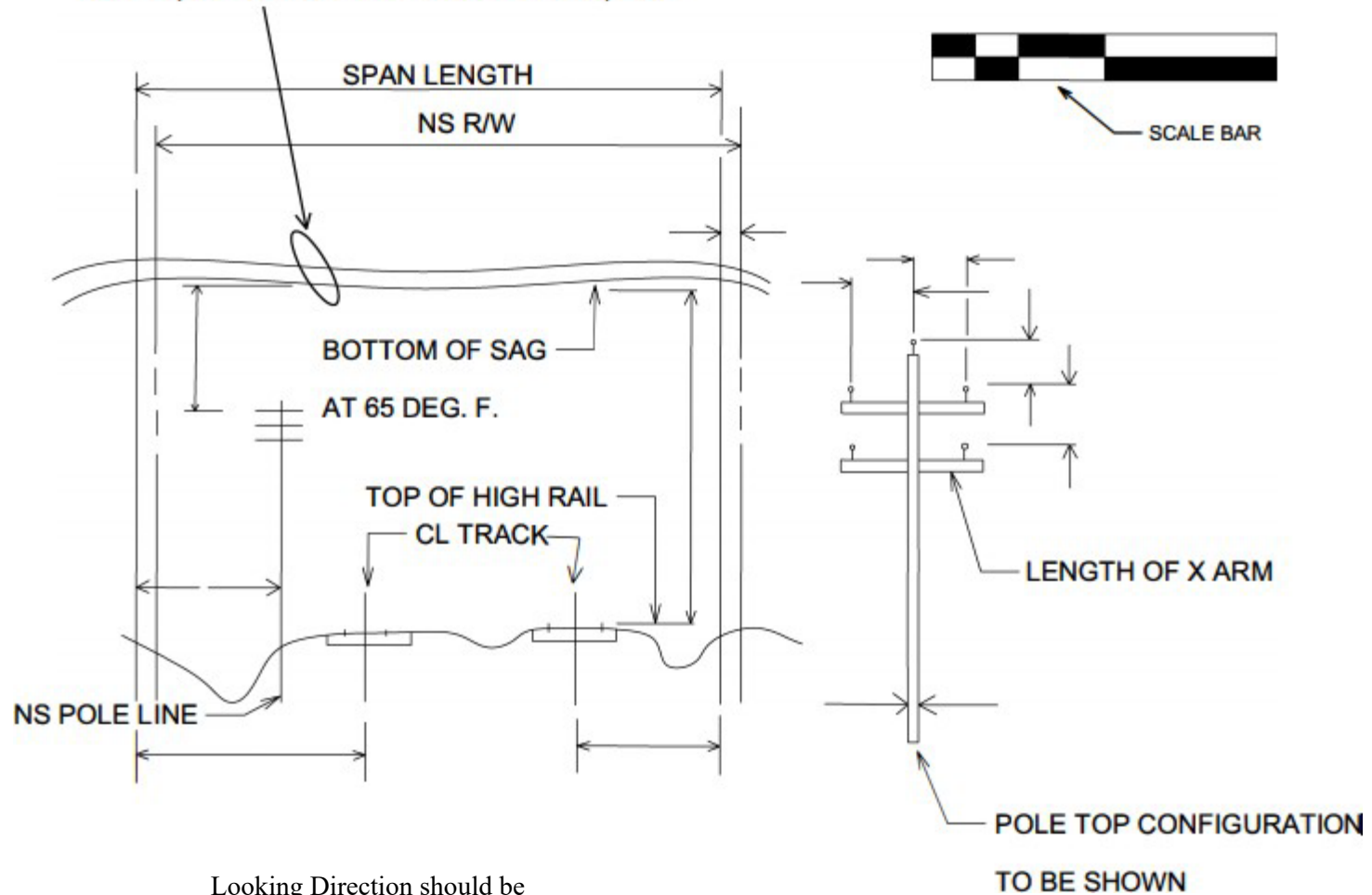


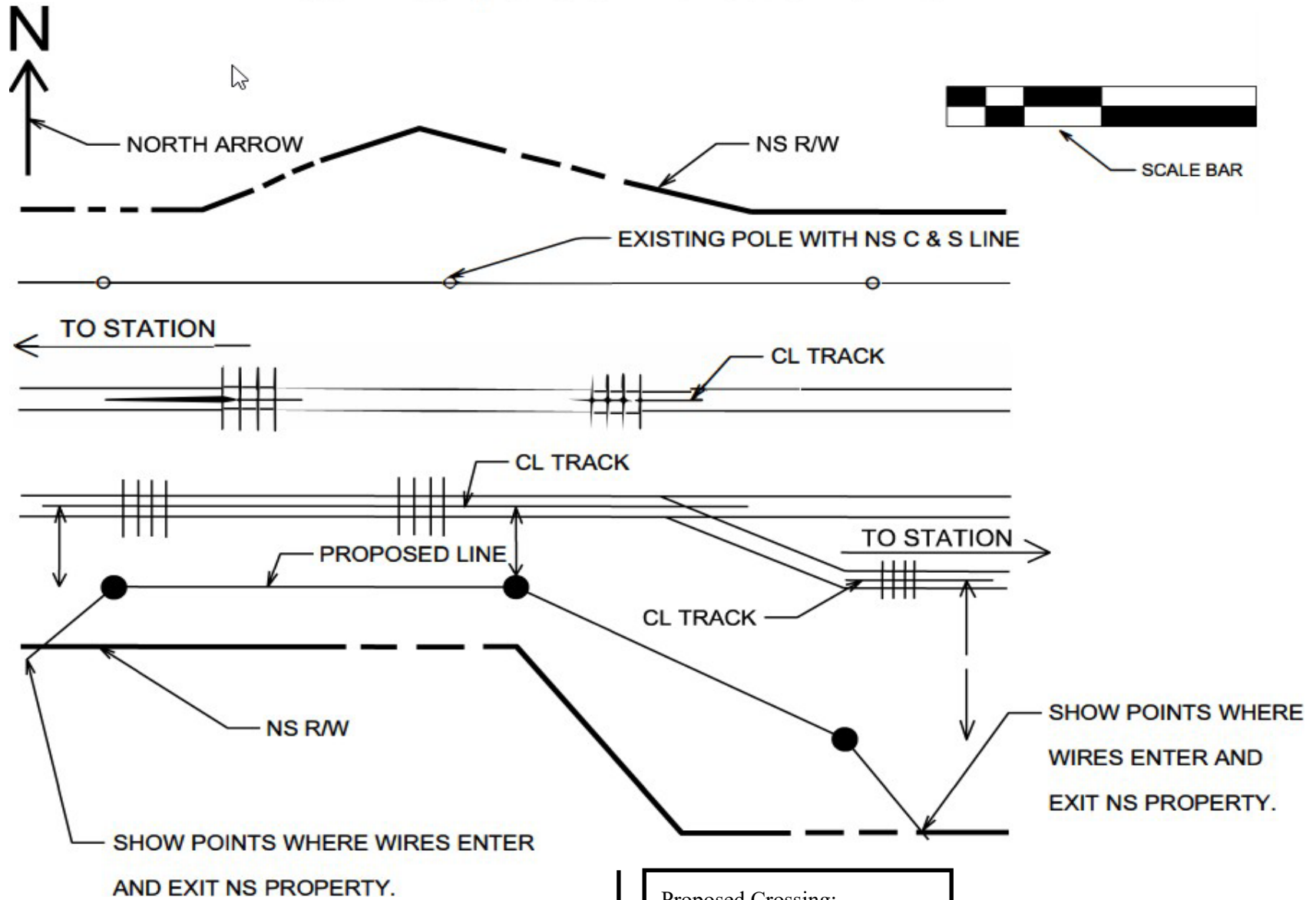
Plate III - Sample Aerial Wire Profile View

NUMBER OF WIRES IN PROPER PERSPECTIVE, VOLTAGE
POWER, GROUND AND NEUTRAL WIRES, ETC.



Timetable Direction
(N, S, E or W)

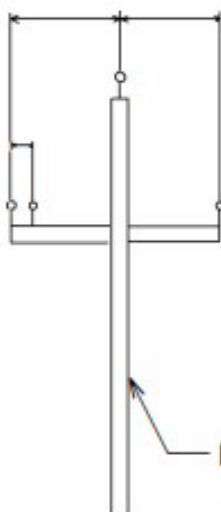
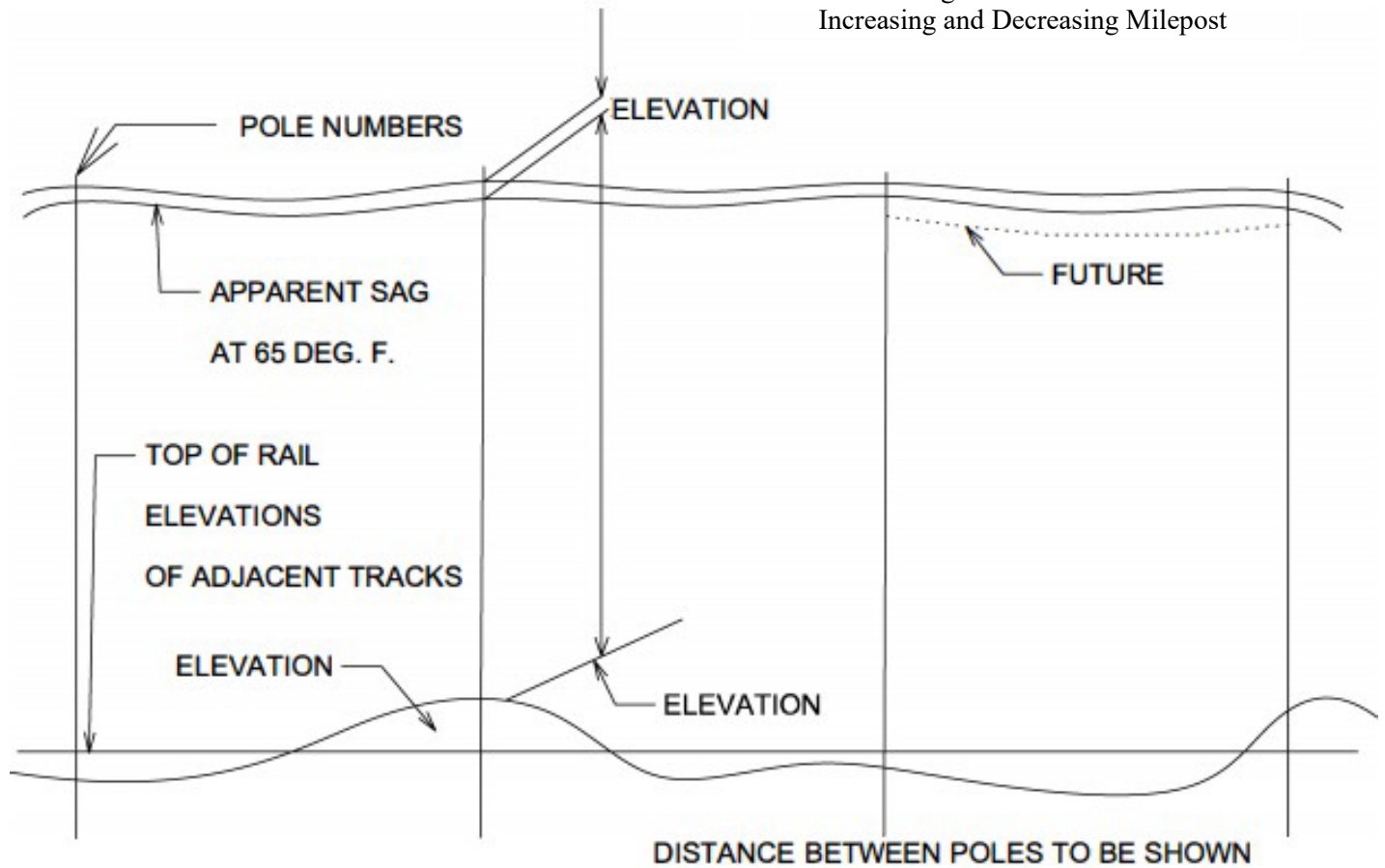
Plate IV - Sample Aerial Wire Parallel Plan View



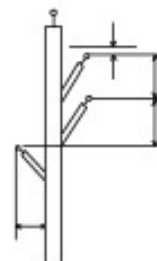
Proposed Crossing:
Beginning/ End or
Intersecting Milepost within
NS Property.

Plate V - Sample Aerial Wire Parallel Profile and Section Views

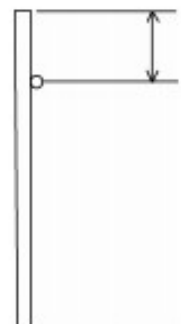
Looking Direction should be
Increasing and Decreasing Milepost



SCALE BAR



LENGTH OF X ARMS



POLE TOP CONFIGURATION TO BE SHOWN SIMILAR TO SAMPLES ABOVE

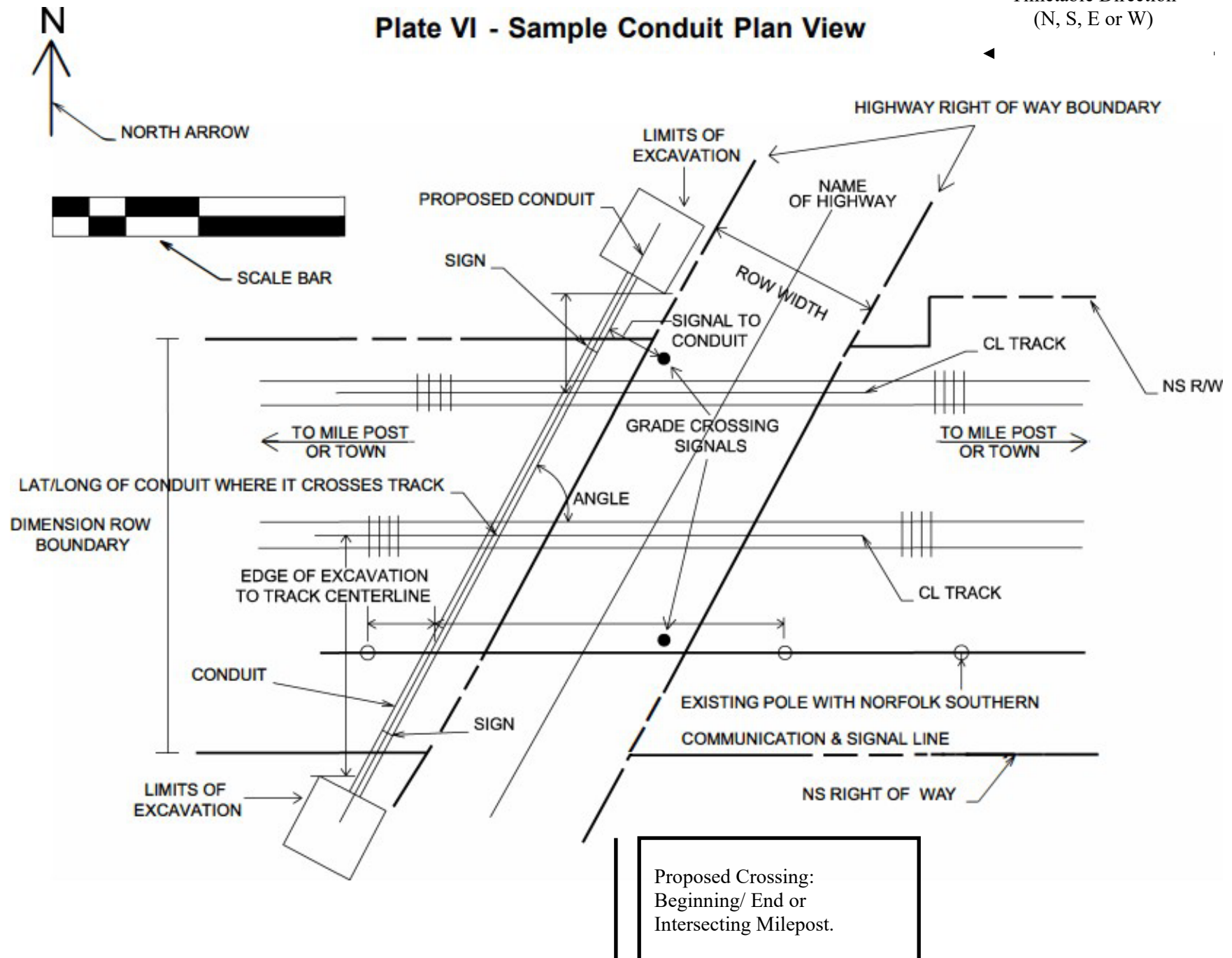
Timetable Direction
(N, S, E or W)

Plate VII - Sample Conduit Profile View

Looking Direction should be
Increasing and Decreasing Milepost

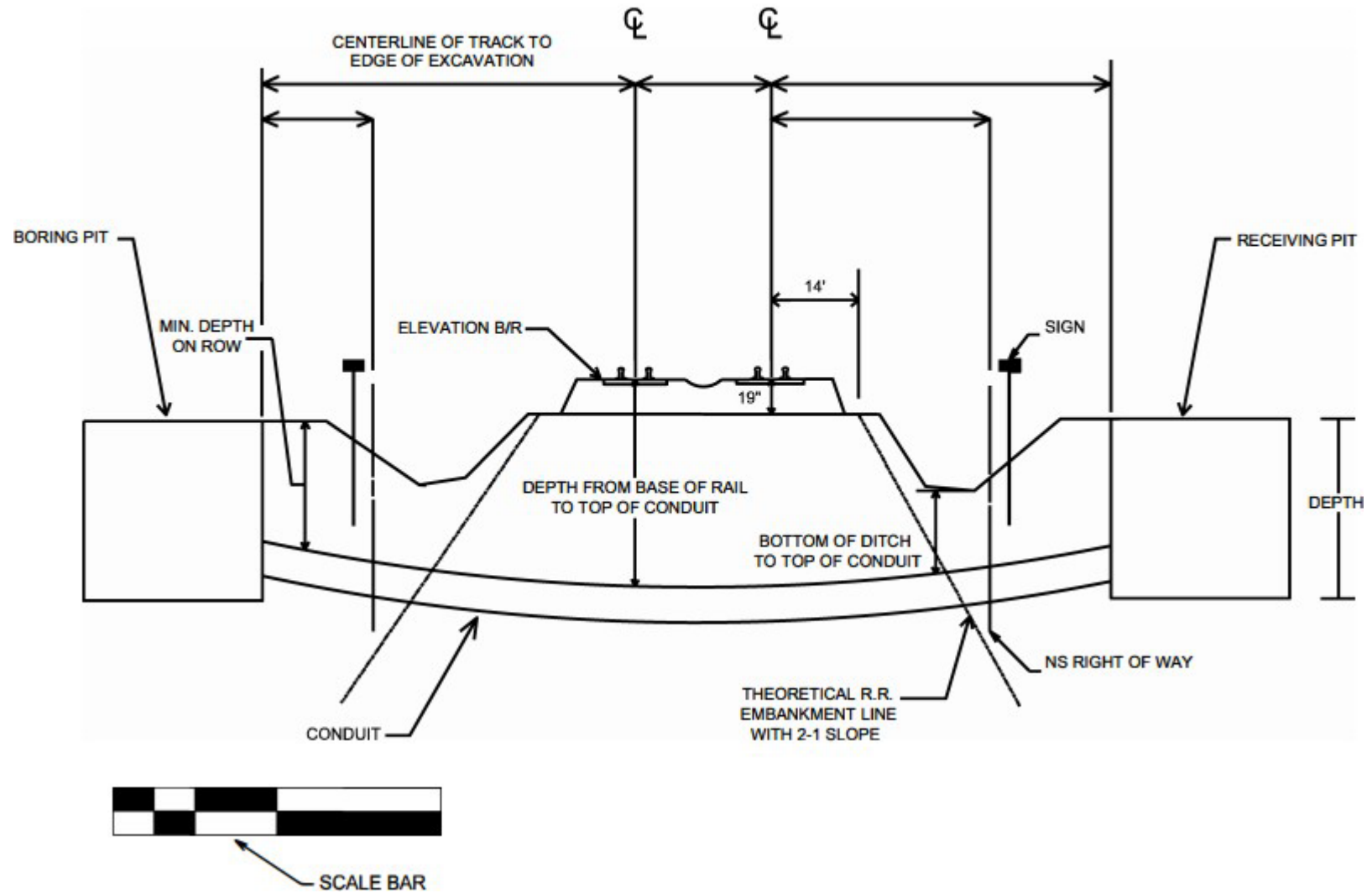
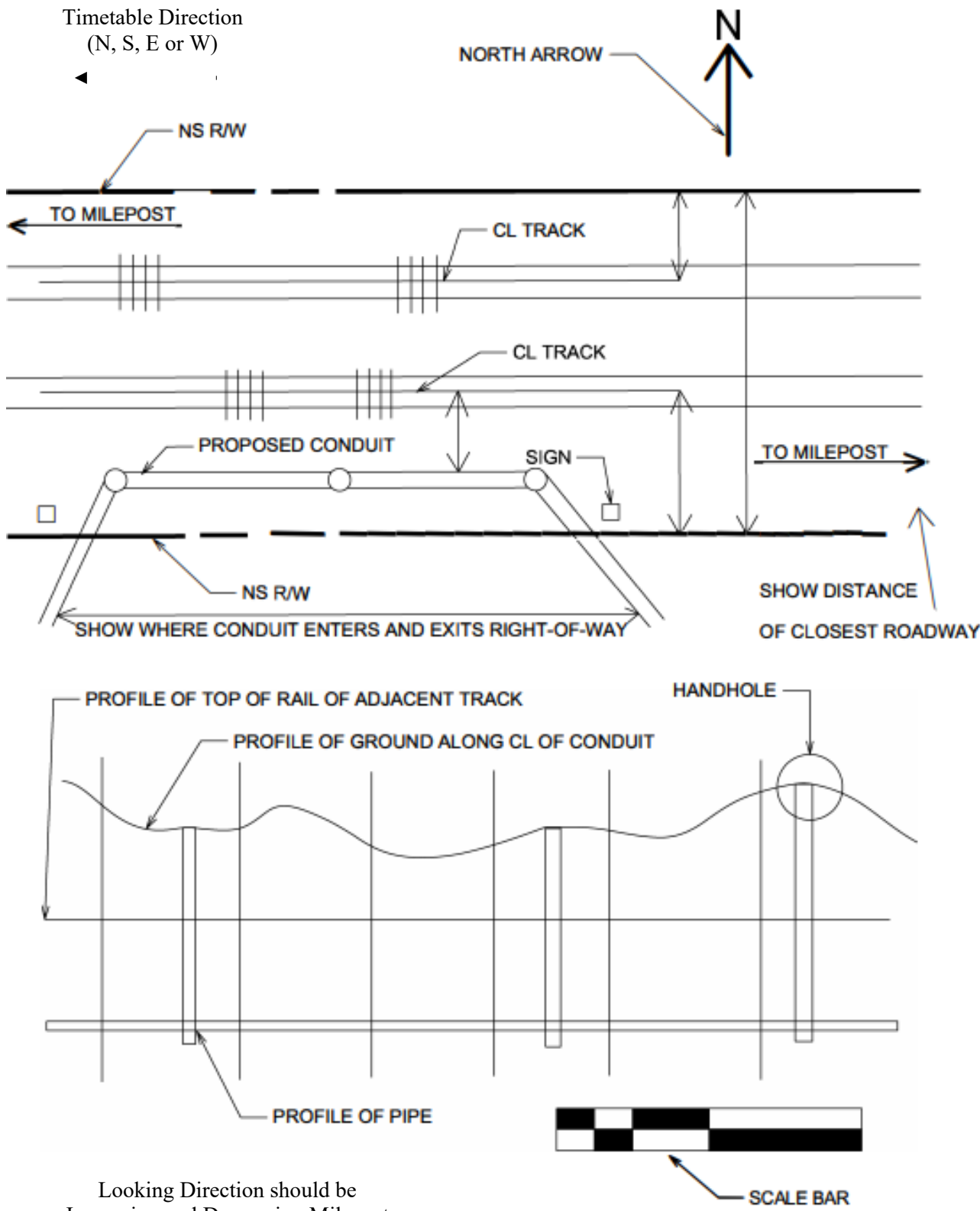
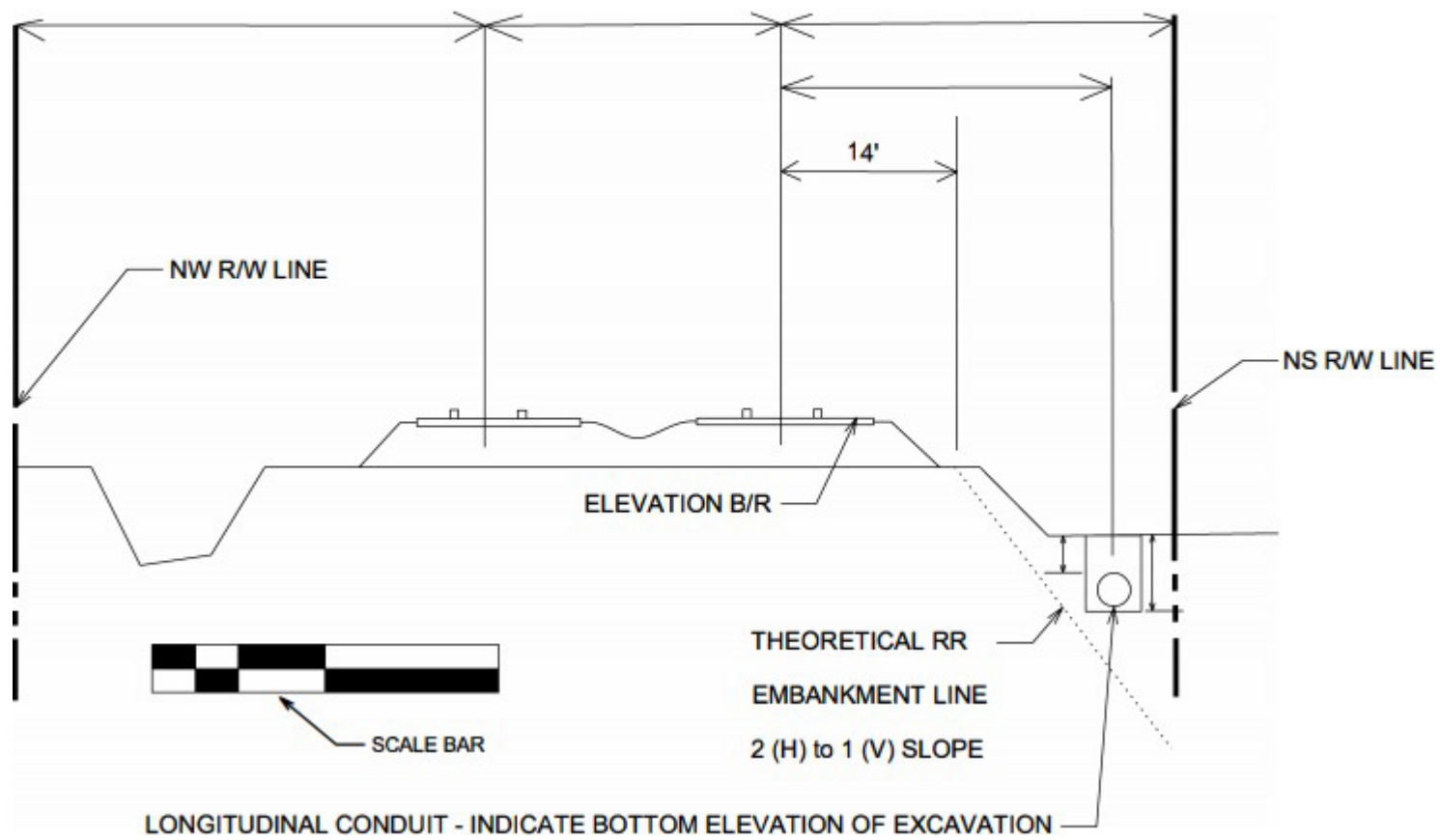


Plate VIII - Sample Conduit Parallel Plan and Profile Views



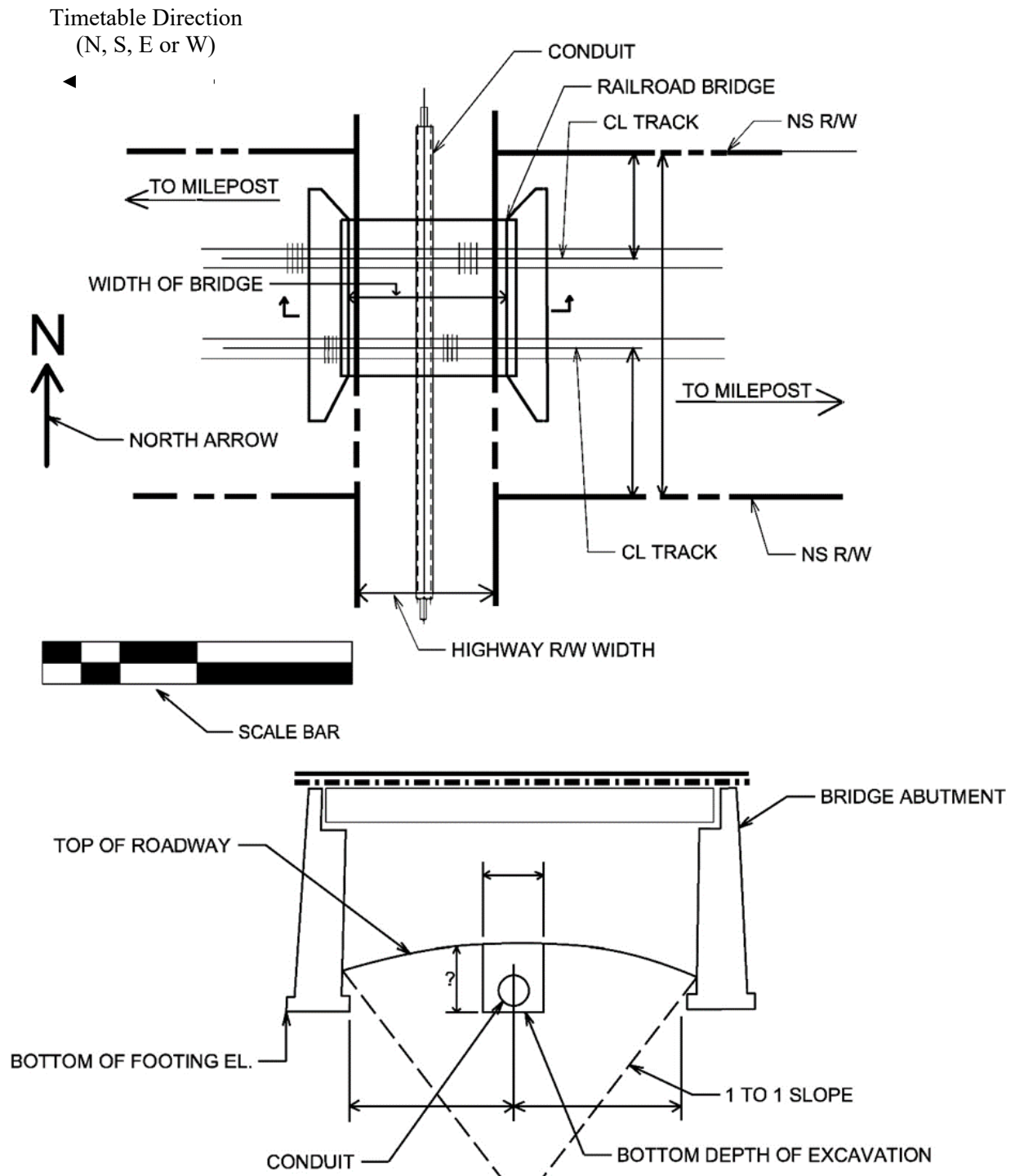
Looking Direction should be
Increasing and Decreasing Milepost

Plate IX - Sample Conduit Parallel Section View



Looking Direction should be
Increasing and Decreasing Milepost

Plate X - Sample Conduit Plan and Section Under Railway Bridge



Looking Direction should be
Increasing and Decreasing Milepost

PLATE XI - Sample Conduit Profile and Section Views Pipe in Highway Over Railway

Looking Direction should be
Increasing and Decreasing Milepost

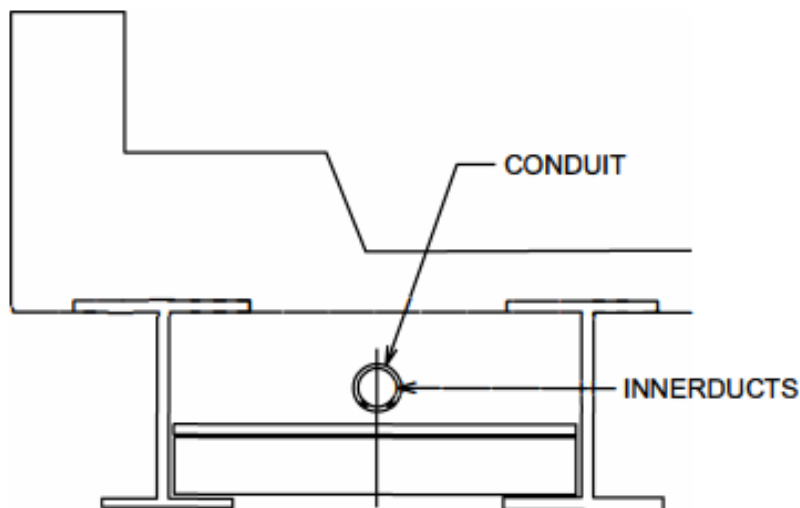
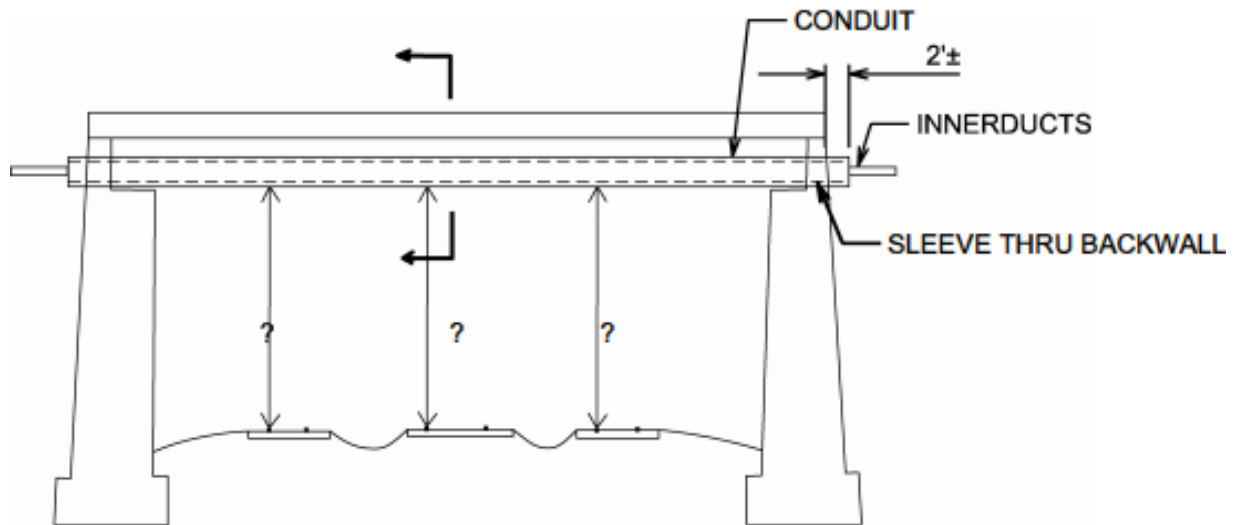
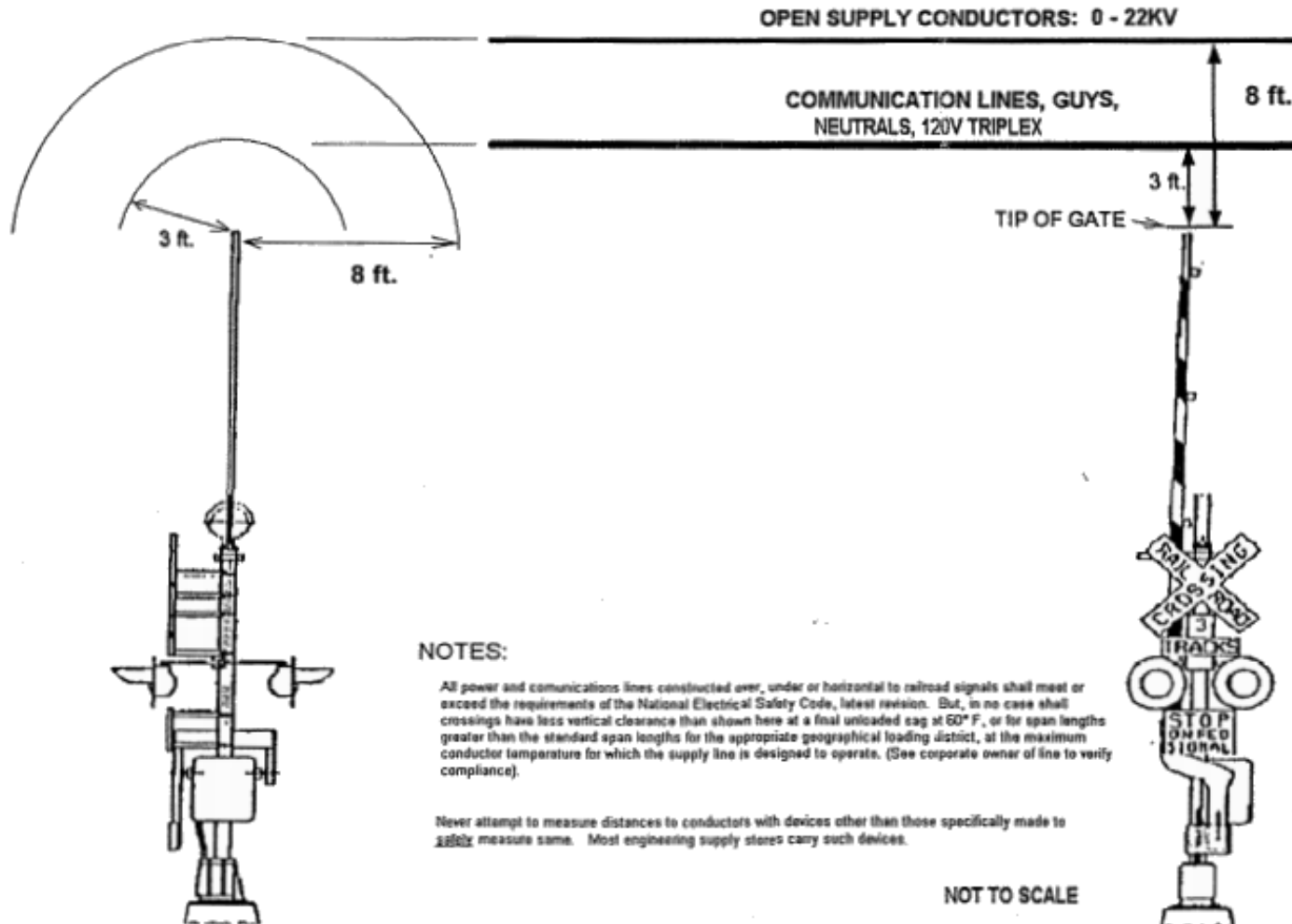


PLATE XII - Signal Clearance Diagram for Mast Mounted Flashers and Gates

NS CORPORATION - CAS DEPARTMENT
STANDARDS & PROCEDURES MANUAL

(2)

SP-303-2



STANDARDS AND PROCEDURES
CLEARANCE DIAGRAM FOR UTILITIES ABOVE SIGNAL APPARATUS
Initial date 7/15/03