

Utilities



New Florida Gas Transmission Agreements

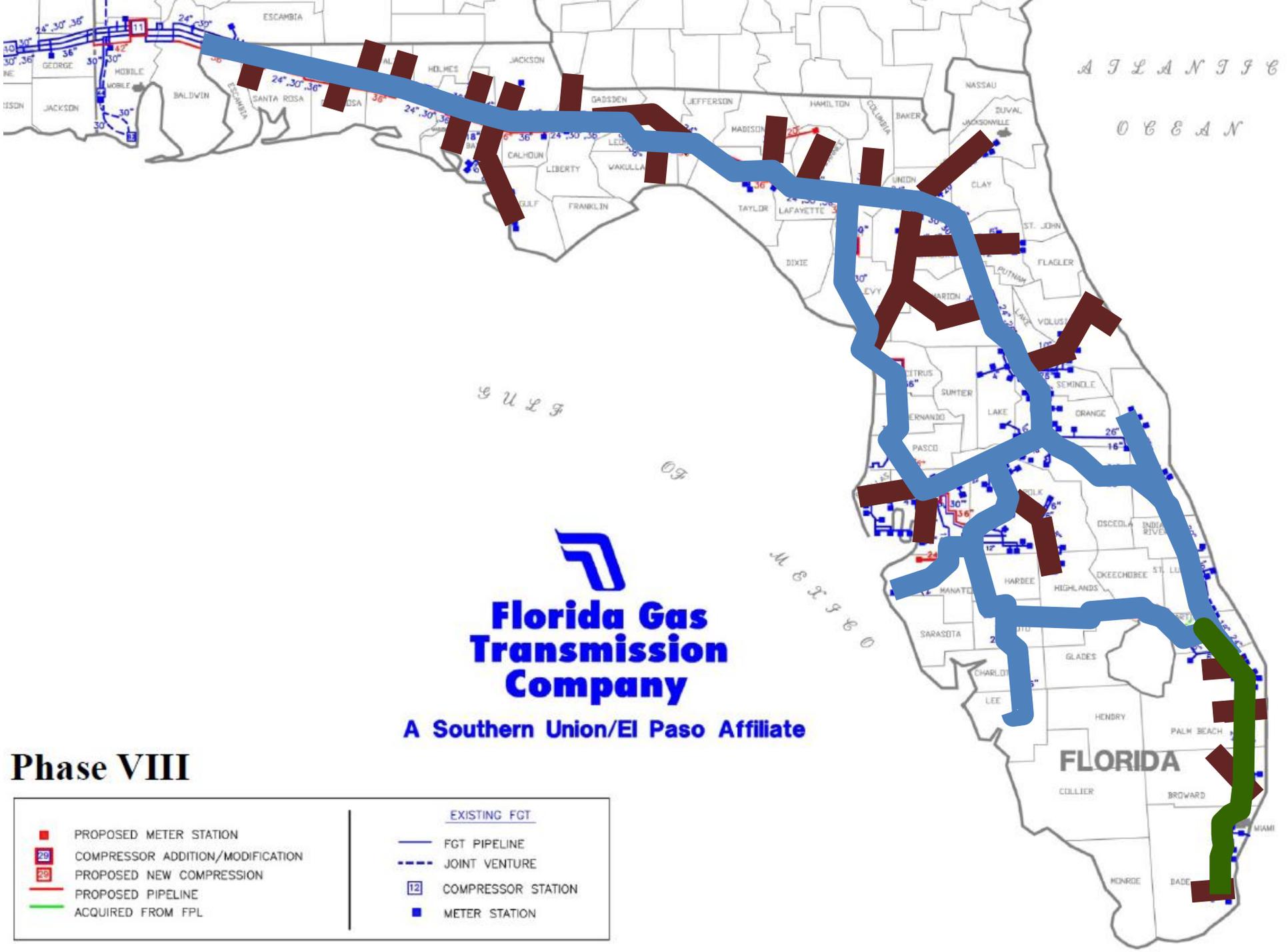


FGT Global Agreement Design and Maintenance Impacts

Private Easements

Permitted Locations

Turnpike's "Substitute Easement"



Florida Gas Transmission Company

A Southern Union/El Paso Affiliate

Phase VIII

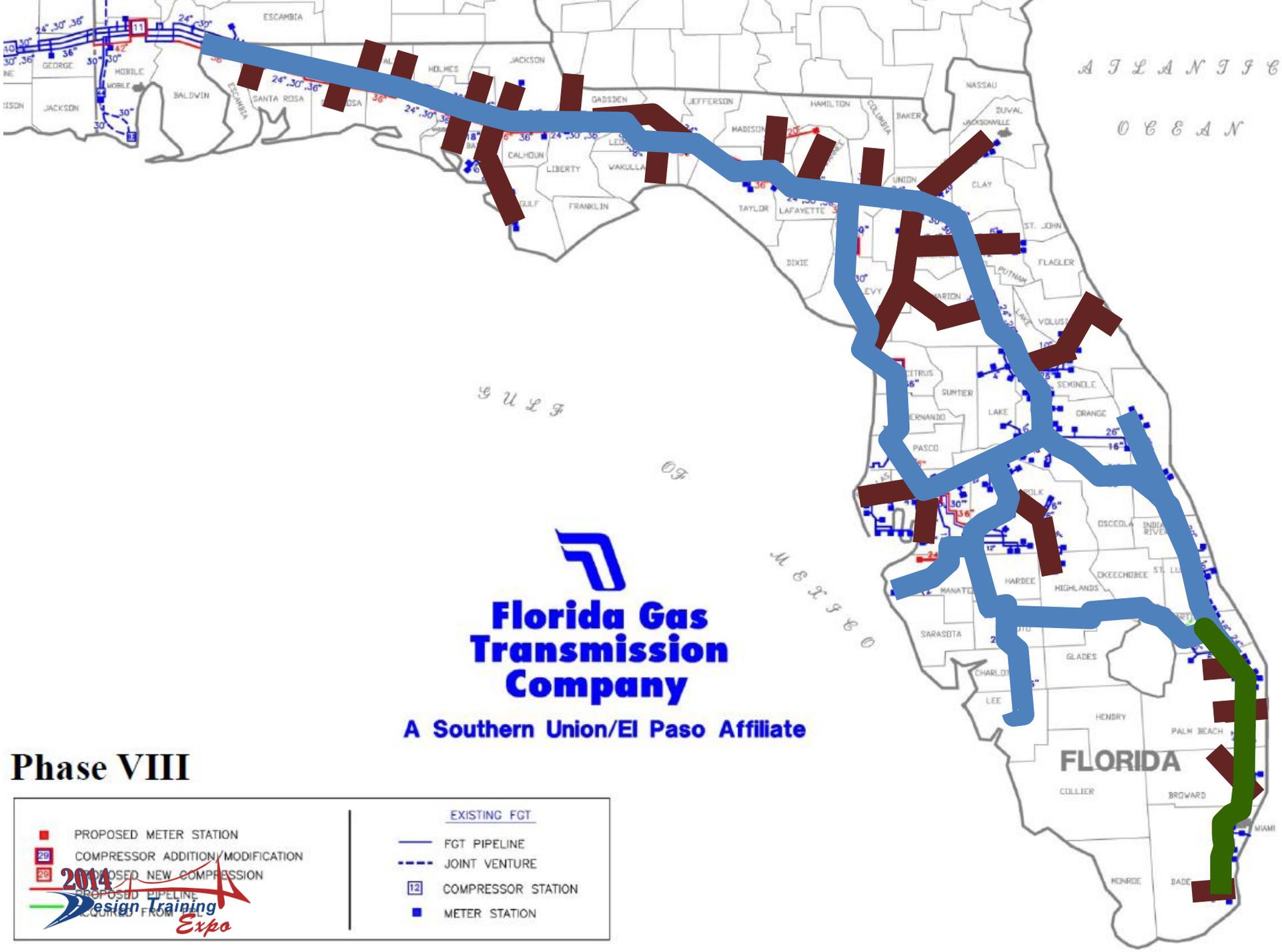
	PROPOSED METER STATION		EXISTING FGT PIPELINE
	COMPRESSOR ADDITION/MODIFICATION		JOINT VENTURE
	PROPOSED NEW COMPRESSION		COMPRESSOR STATION
	PROPOSED PIPELINE		METER STATION
	ACQUIRED FROM FPL		

FGT Global Agreement Design and Maintenance Impacts

- 1. Project Timelines**
- 2. Selection of Design Alternatives**
- 3. Acquisition of Right-of-Way**
- 4. Encroachment Agreements Replacing Subordination Agreement**

FGT Global Agreement Design and Maintenance Impacts

5. Review of permit applications
6. Permitting of other utilities
7. “Abandonment”
8. Sunshine 811



ATLANTIC OCEAN



Florida Gas Transmission Company

A Southern Union/El Paso Affiliate

Phase VIII

	PROPOSED METER STATION		EXISTING FGT PIPELINE
	COMPRESSOR ADDITION/MODIFICATION		JOINT VENTURE
	PROPOSED NEW COMPRESSION PIPELINE		COMPRESSOR STATION
	PROPOSED PIPELINE ACQUIRED FROM		METER STATION



“Private Easements”

FDOT, in its sole discretion, will attempt to avoid encroachments onto FGT Private Easement Facilities where possible . . .

FGT, in its sole discretion, will determine if the encroachment is a conflict and if an encroachment agreement or a Suitable Private Location is needed. . .

Private Location Cost Sharing

FDOT

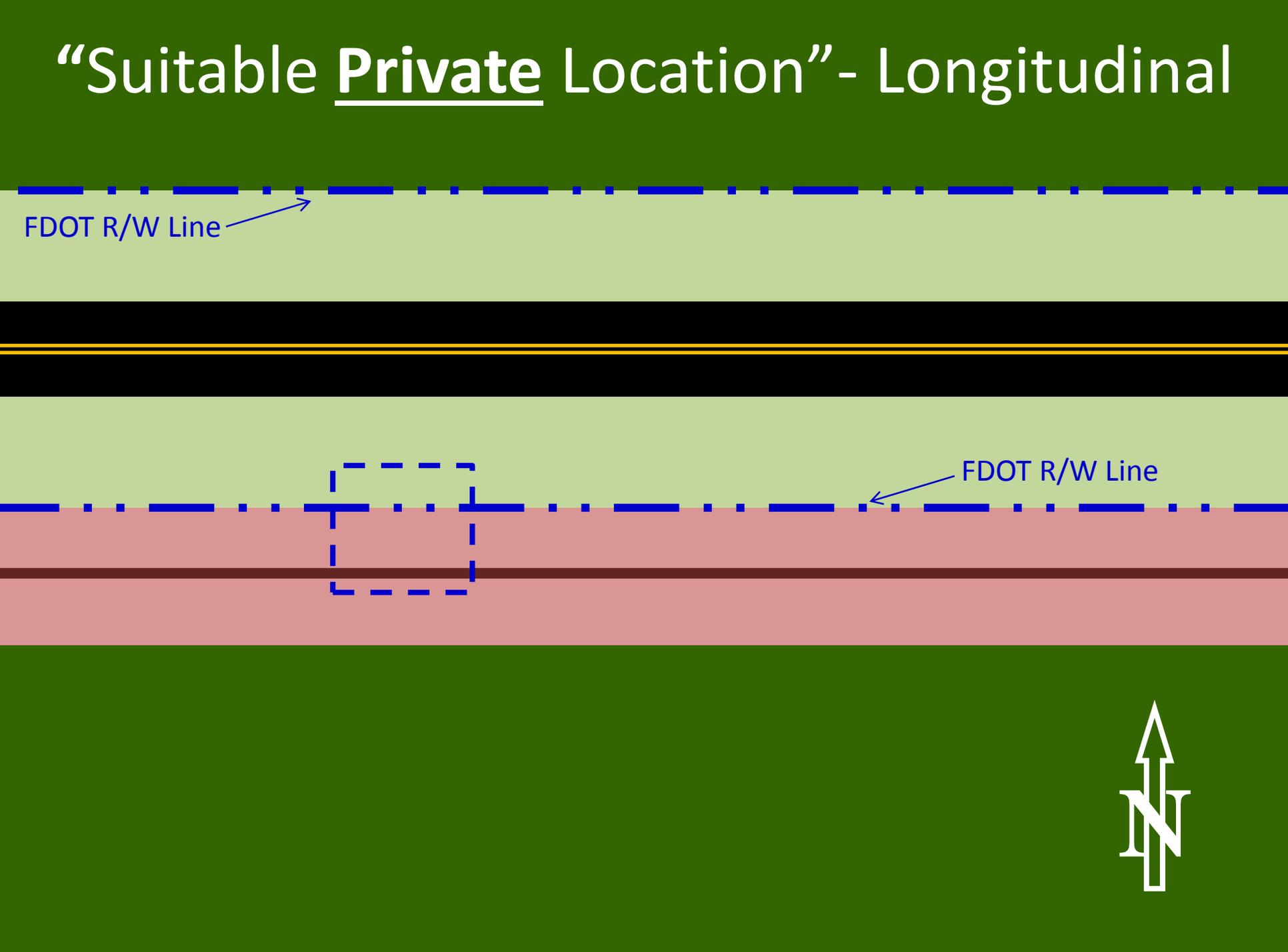
- Relocation Costs
- Right-of-Way Costs.

FGT

\$0

“Suitable Private Location” - Longitudinal

FDOT R/W Line

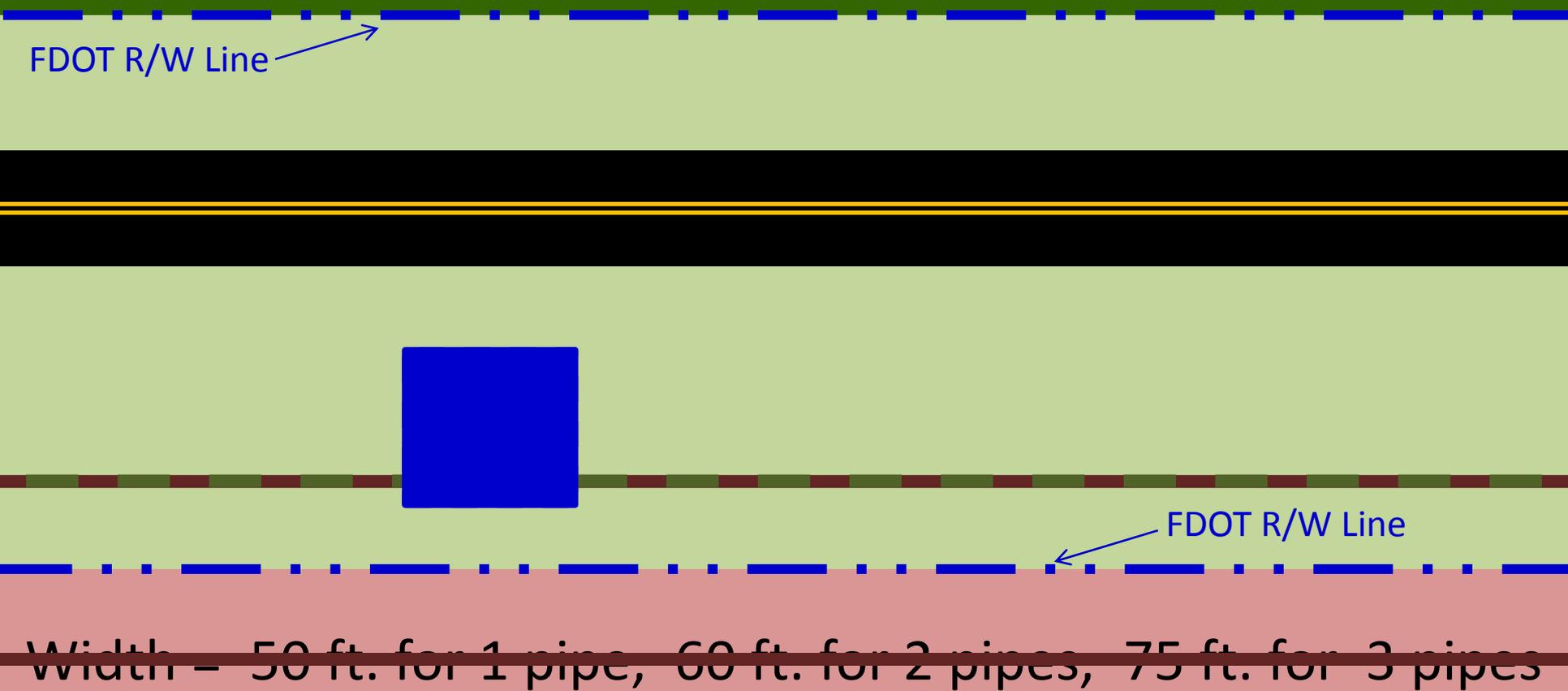


The diagram illustrates a longitudinal cross-section of a road. At the top, a blue dashed line represents the FDOT Right-of-Way (R/W) Line. Below this, a black horizontal band represents the road surface. Underneath the road surface, a light green layer represents the subgrade. A red layer, representing a private location, is situated below the subgrade. A dashed blue box highlights a specific area within this red layer. A second blue dashed line, also labeled 'FDOT R/W Line', is positioned below the red layer. A north arrow is located in the bottom right corner of the image.

FDOT R/W Line



“Suitable Private Location” - Longitudinal



Temporary construction easement of an agreeable width.



“Suitable Private Location” - Crossing

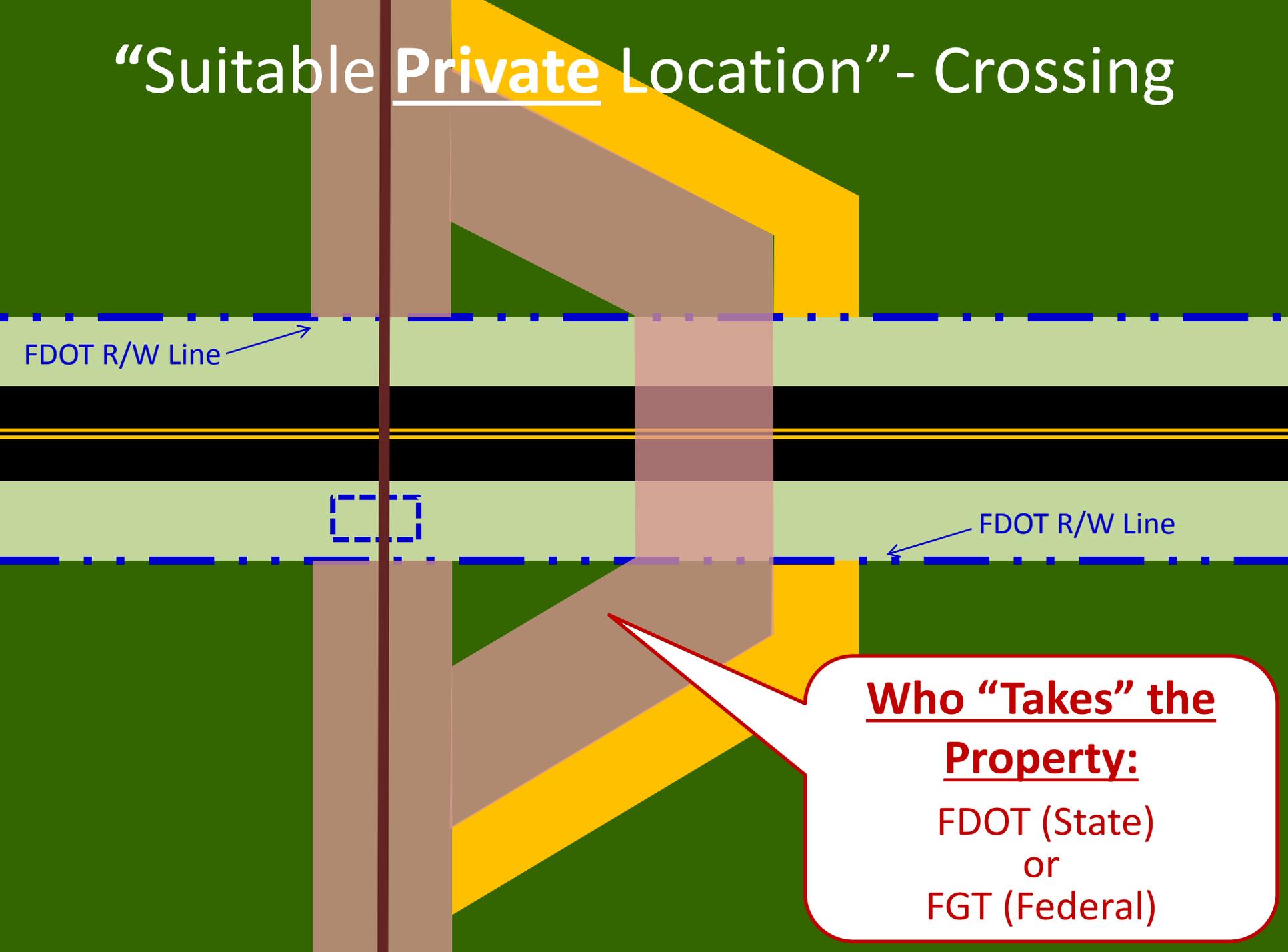
FDOT R/W Line

FDOT R/W Line

Which governs?

**The old Subordination Agreement
or
The New Global Agreement?**

“Suitable Private Location” - Crossing



FDOT R/W Line

FDOT R/W Line

Who “Takes” the

Property:

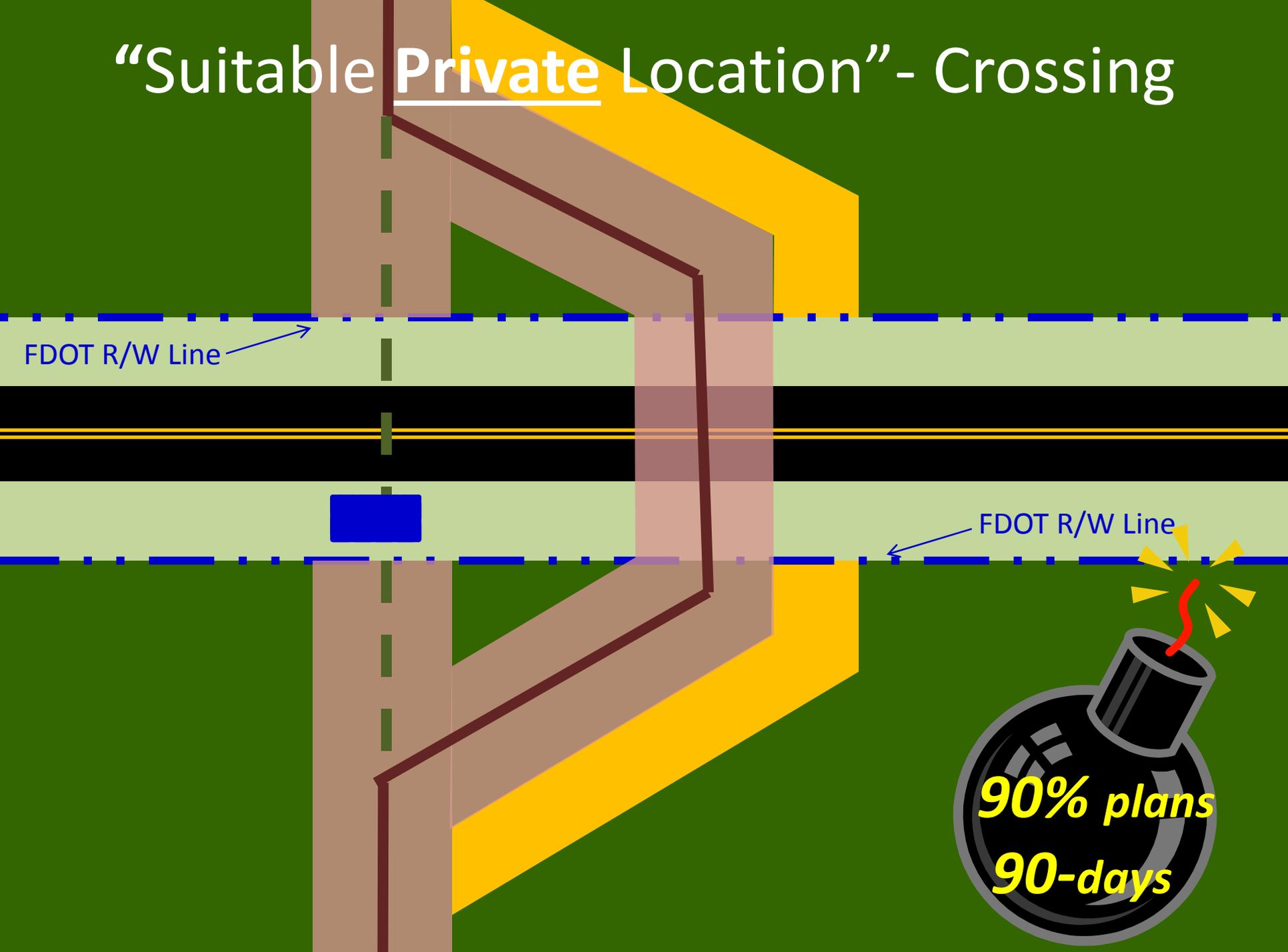
FDOT (State)
or
FGT (Federal)

“Suitable Private Location” - Crossing

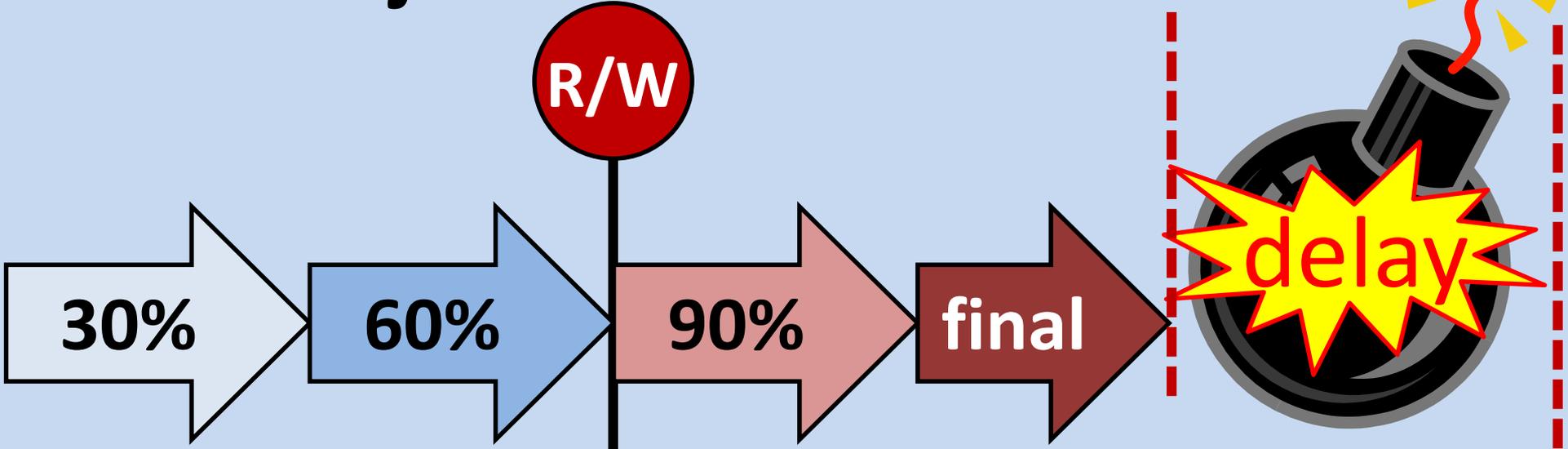
FDOT R/W Line

FDOT R/W Line

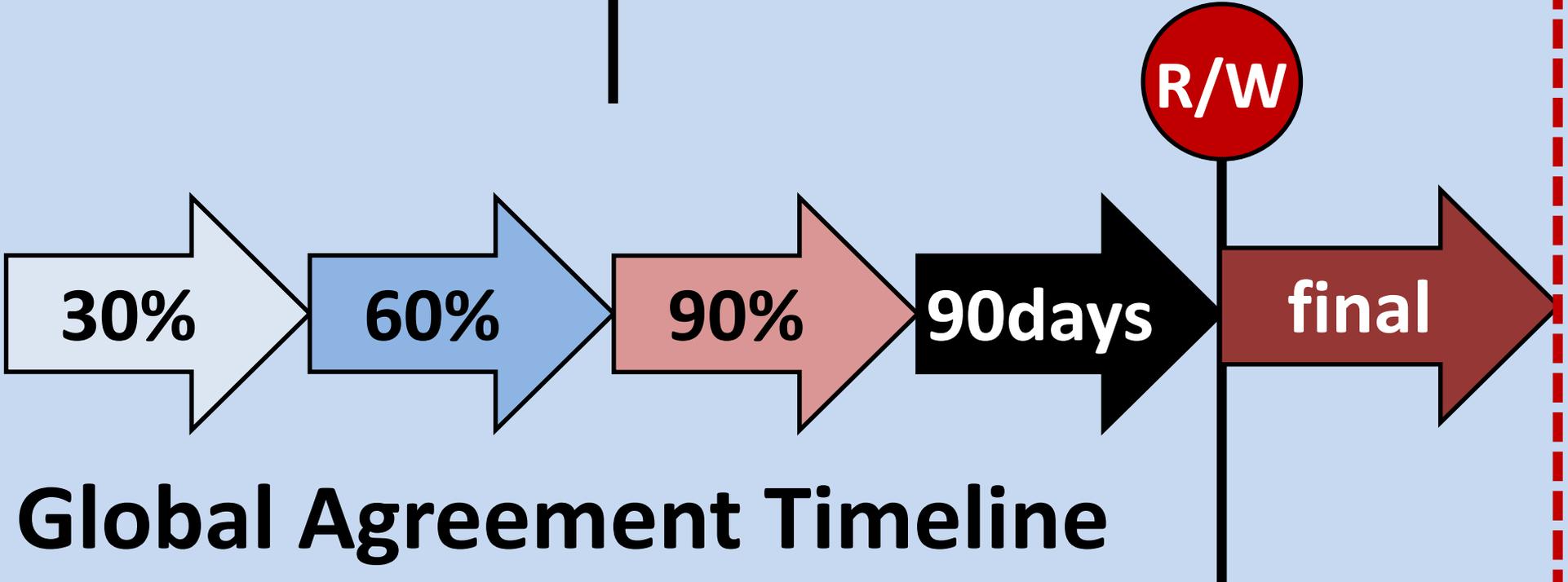
**90% plans
90-days**



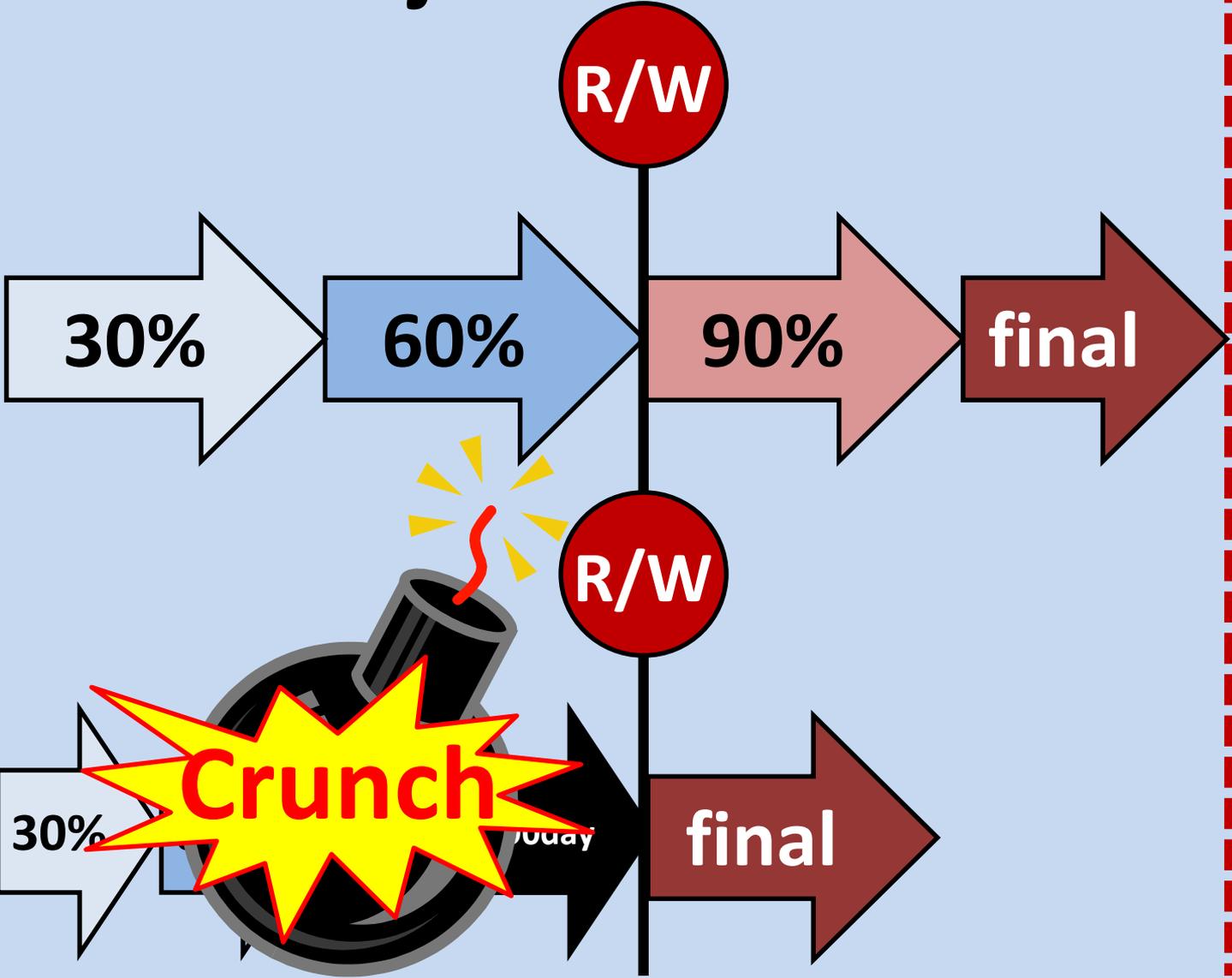
FDOT Project Timeline



Global Agreement Timeline



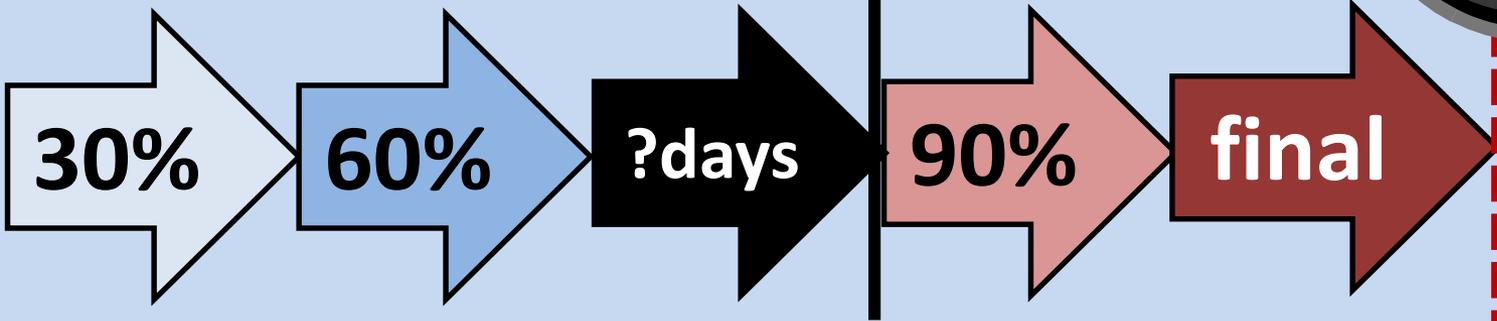
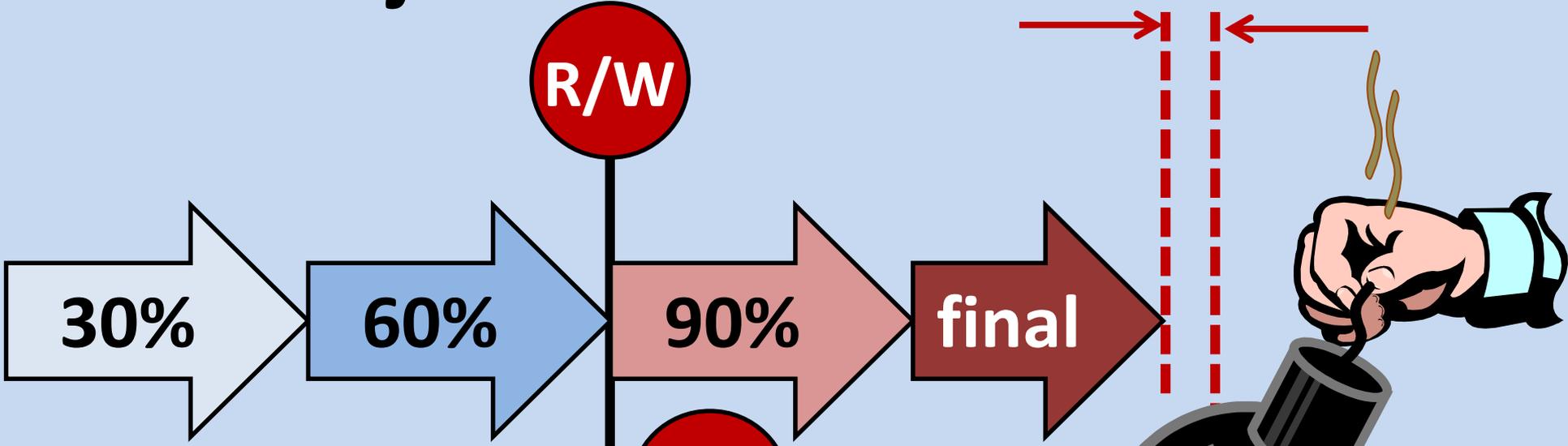
FDOT Project Timeline



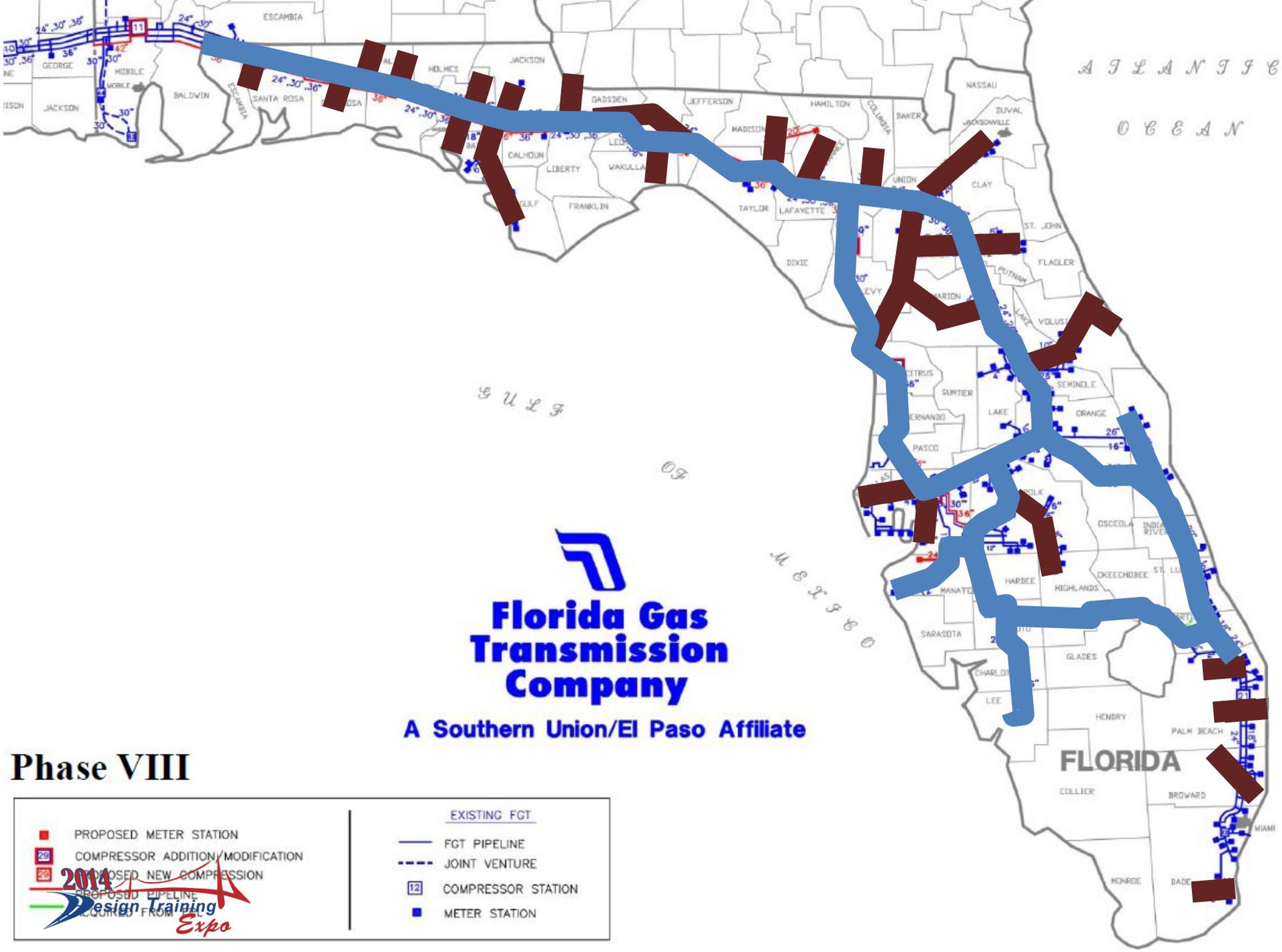
no
delay

Global Agreement Timeline

FDOT Project Timeline



Global Agreement Timeline



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Florida Gas Transmission Company

A Southern Union/El Paso Affiliate

Phase VIII

	PROPOSED METER STATION	<u>EXISTING FGT</u>
	COMPRESSOR ADDITION/MODIFICATION	
	PROPOSED NEW COMPRESSION	
	PROPOSED PIPELINE	
	PIPELINE ACQUIRED FROM	
		COMPRESSOR STATION
		METER STATION



“Permitted Facilities”

FDOT will in “good-faith” avoid conflicts encroachments onto FGT Permitted facilities . . .

FGT, in its sole discretion, will determine if there is a conflict and a resolution or a need for another Suitable Permit Location . . .

Permit Location Cost Sharing

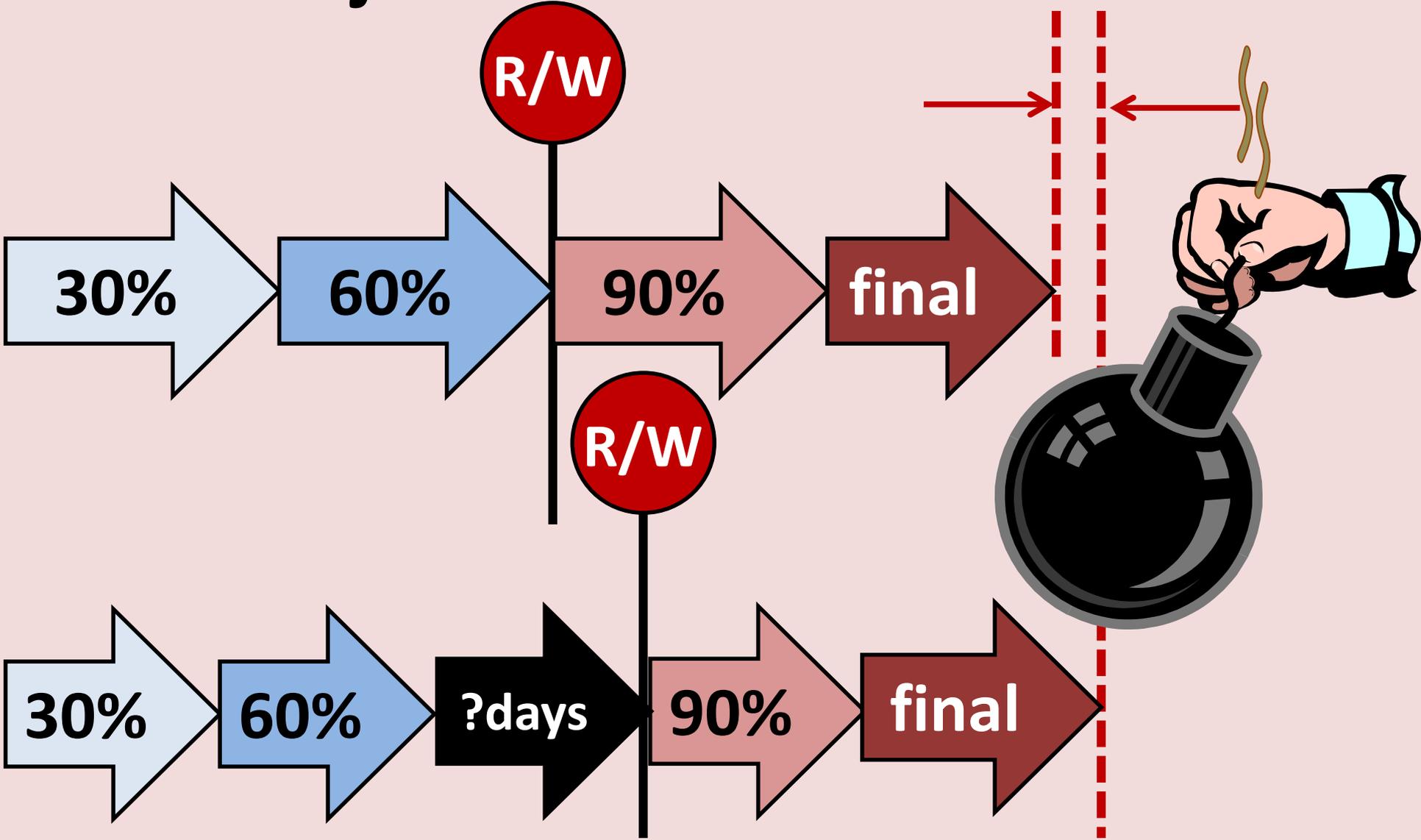
FDOT

Relocation Costs

Right-of-Way Costs

FGT

FDOT Project Timeline



Mutually Agreeable Timeline

“Suitable Permit Location”

FDOT R/W Line

FDOT R/W Line

Width = 60 ft. for 2 pipes, 75 ft. for 3 pipes



“Suitable Permit”

“Abandoned”?
Not- “Out of Service”?

FDOT R/W Line



25'

25' temp. workspace for one pipe

15'

30' Permit Location

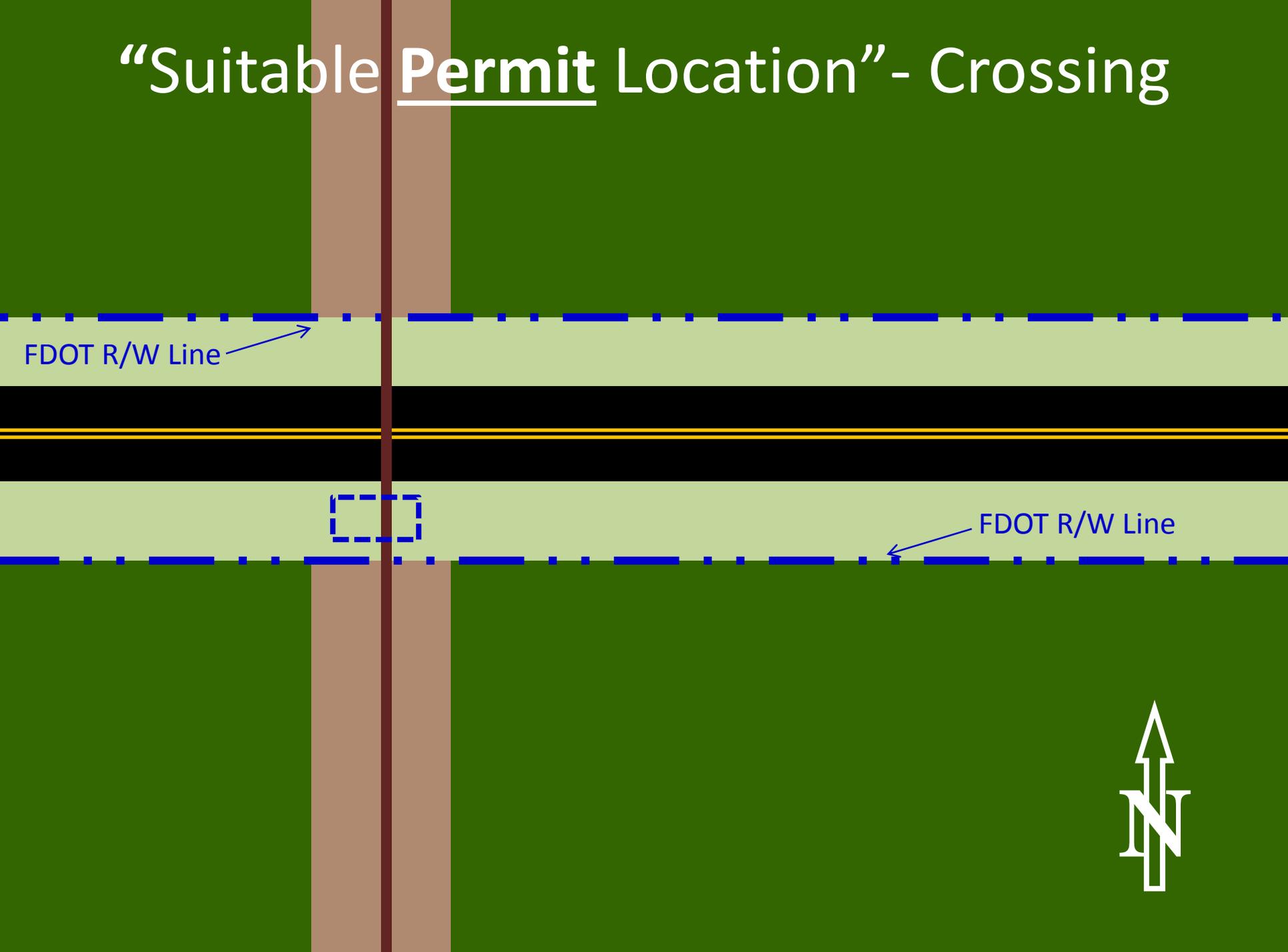
15'



“Suitable Permit Location” - Crossing

FDOT R/W Line

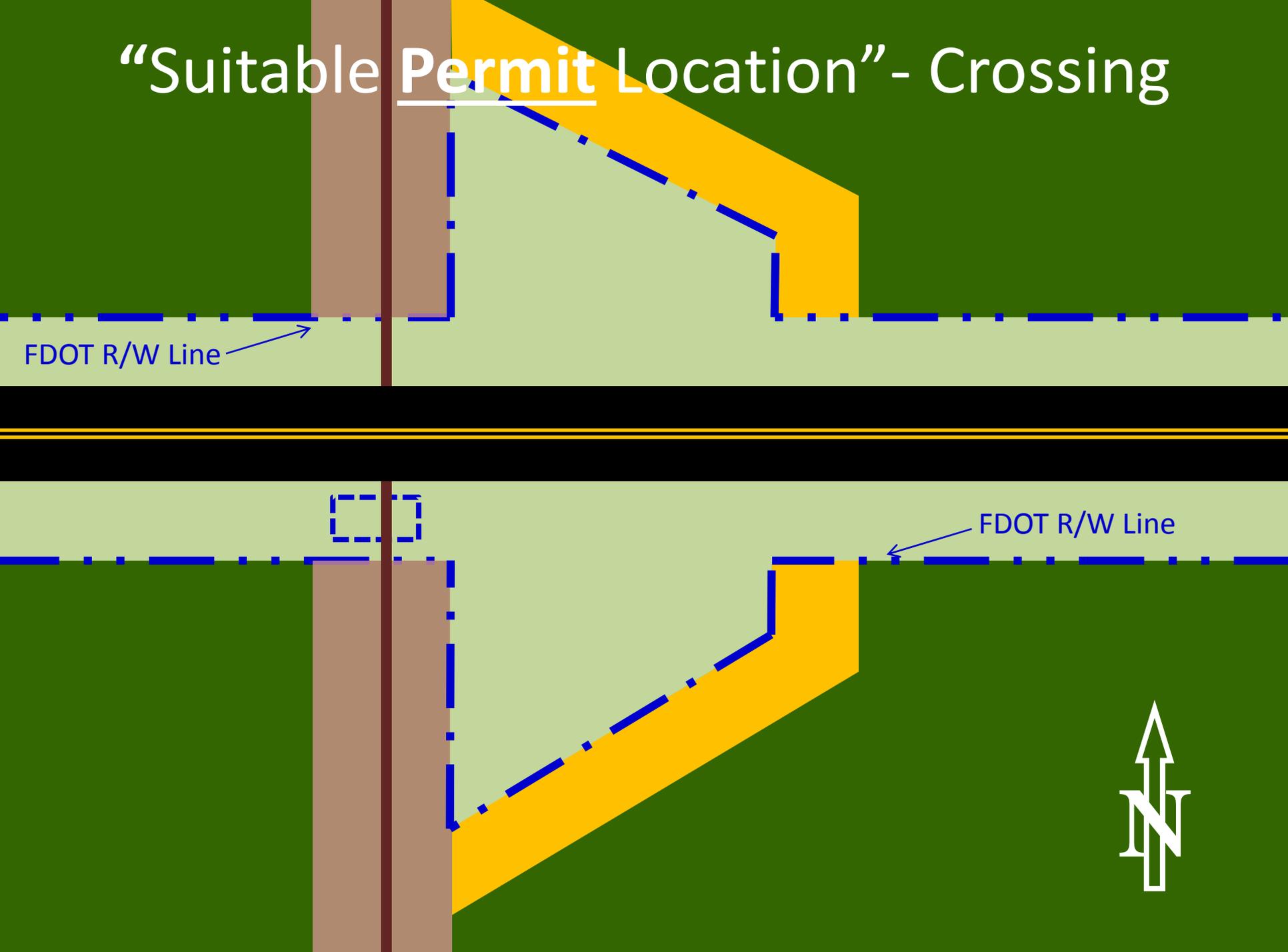
FDOT R/W Line



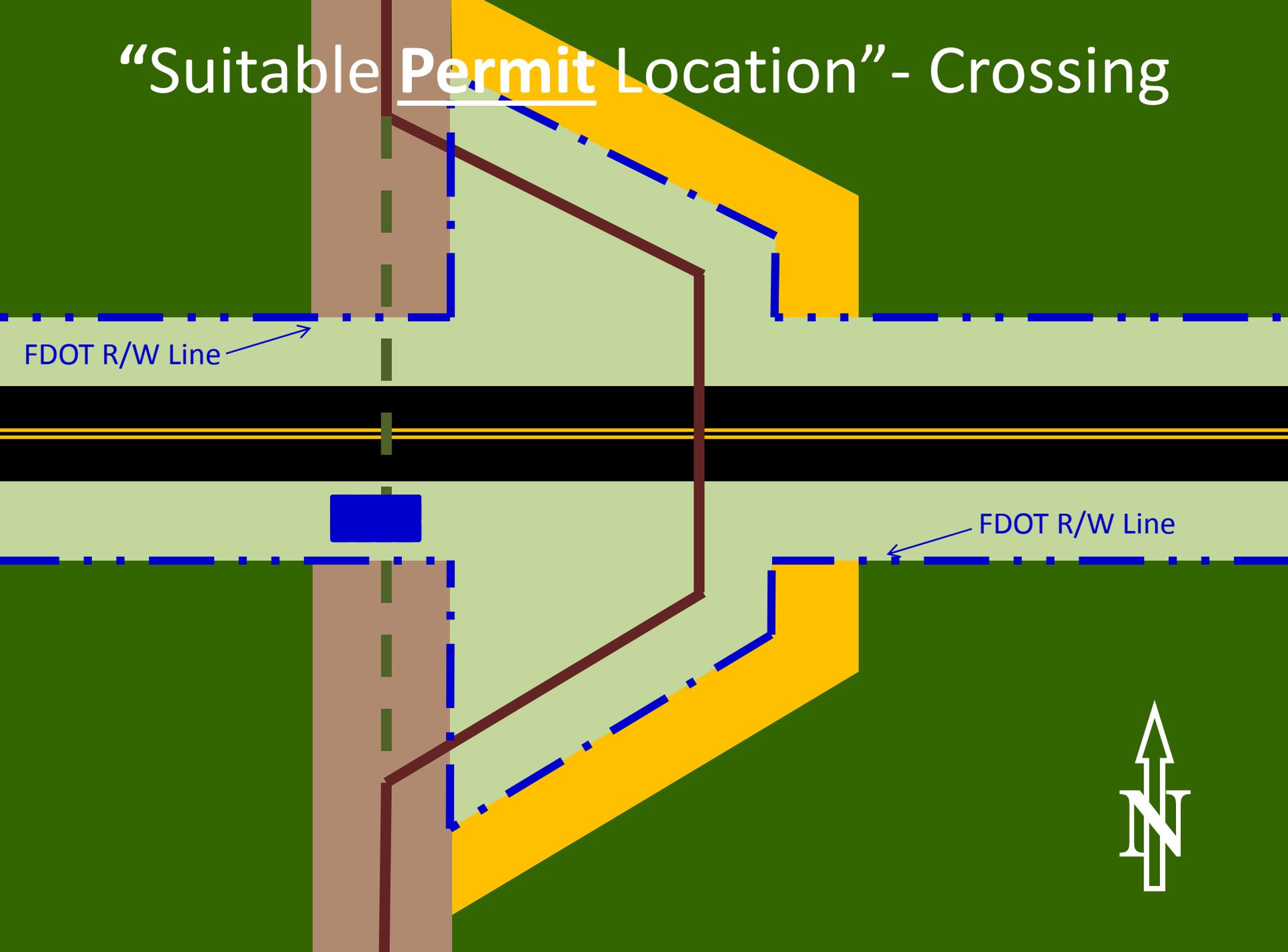
“Suitable Permit Location” - Crossing

FDOT R/W Line

FDOT R/W Line



“Suitable Permit Location” - Crossing



FDOT R/W Line

FDOT R/W Line



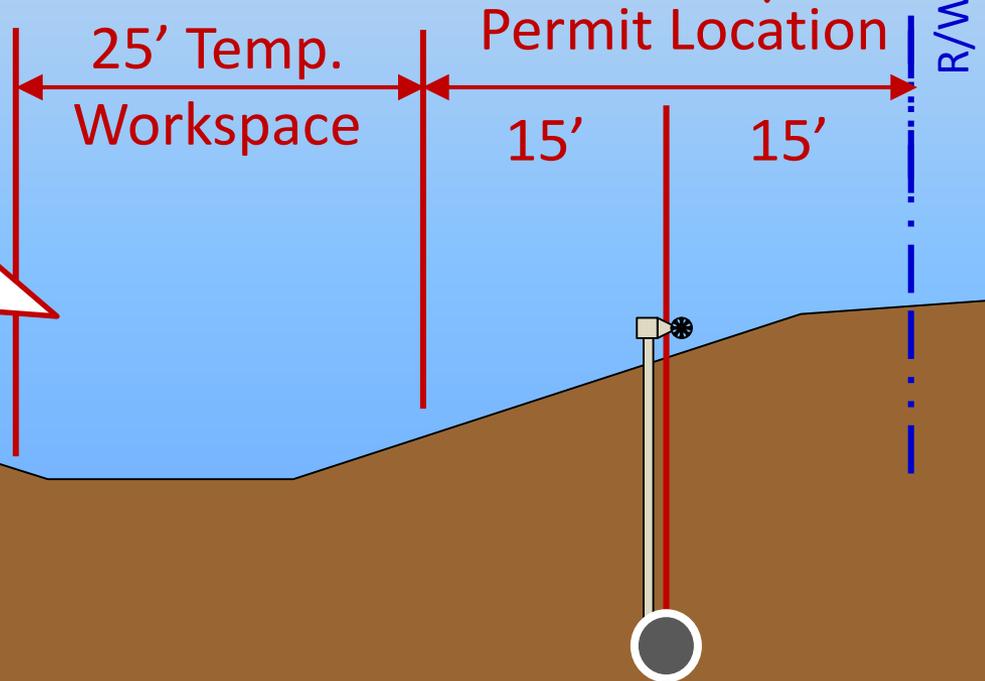
Switcheable Permit Location

Things prohibited in the temporary workspace

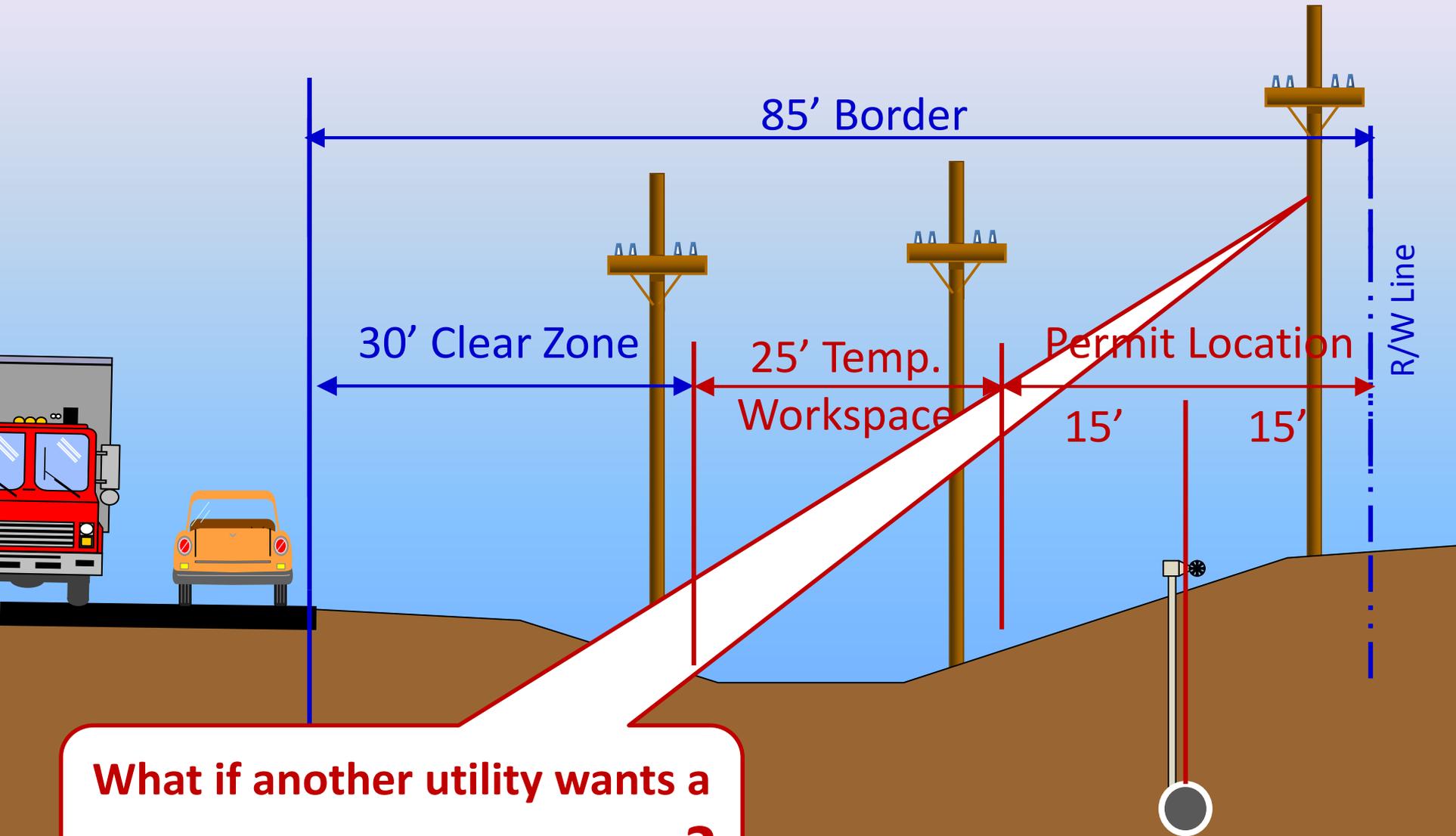
MSE walls,
Barrier walls,
Sound walls,
Bridge piers,
Box culverts,
Standing bodies of water

Things allowed in the Permit Location

The gas line

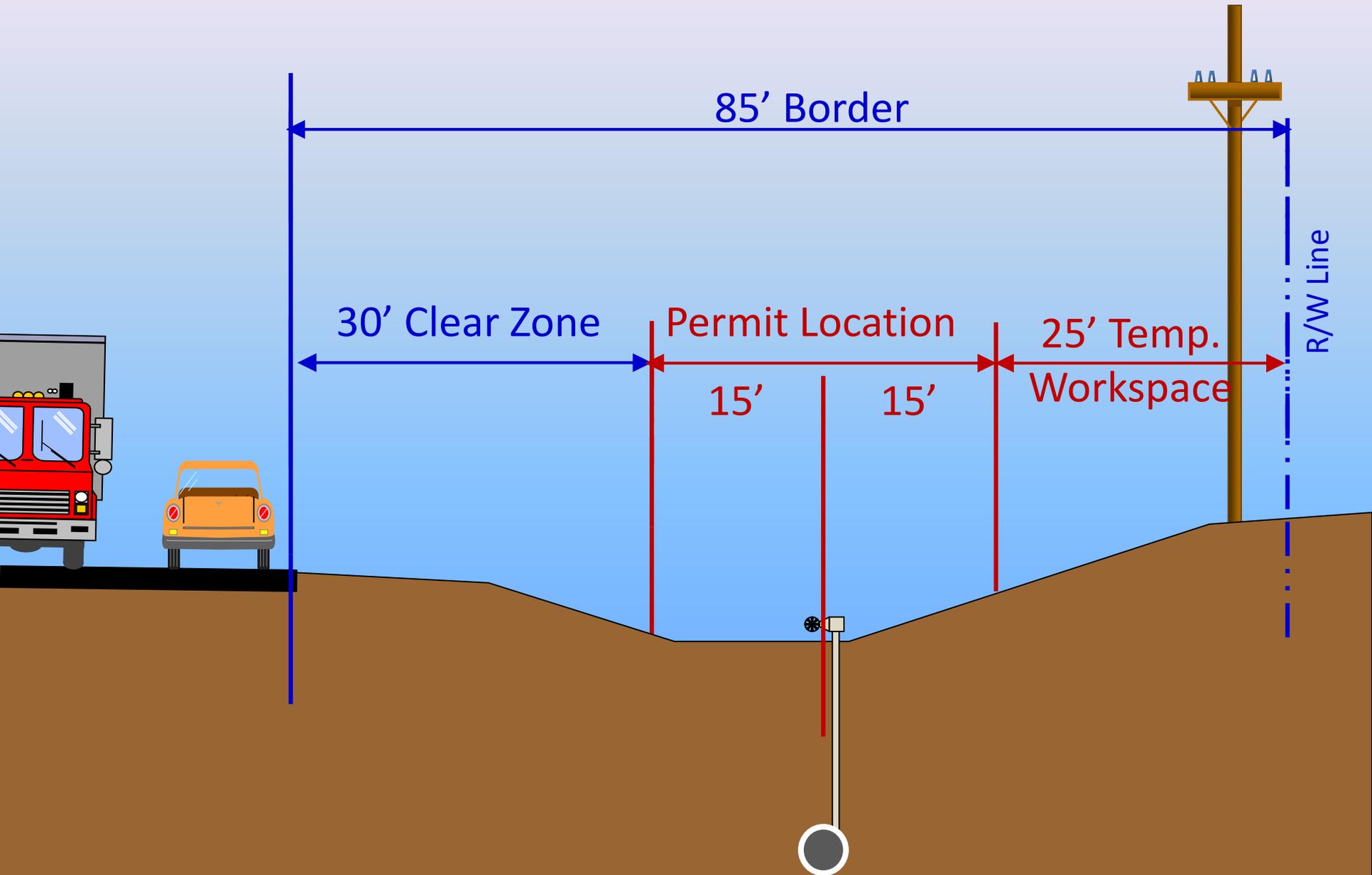


Suitable Permit Location - Longitudinal

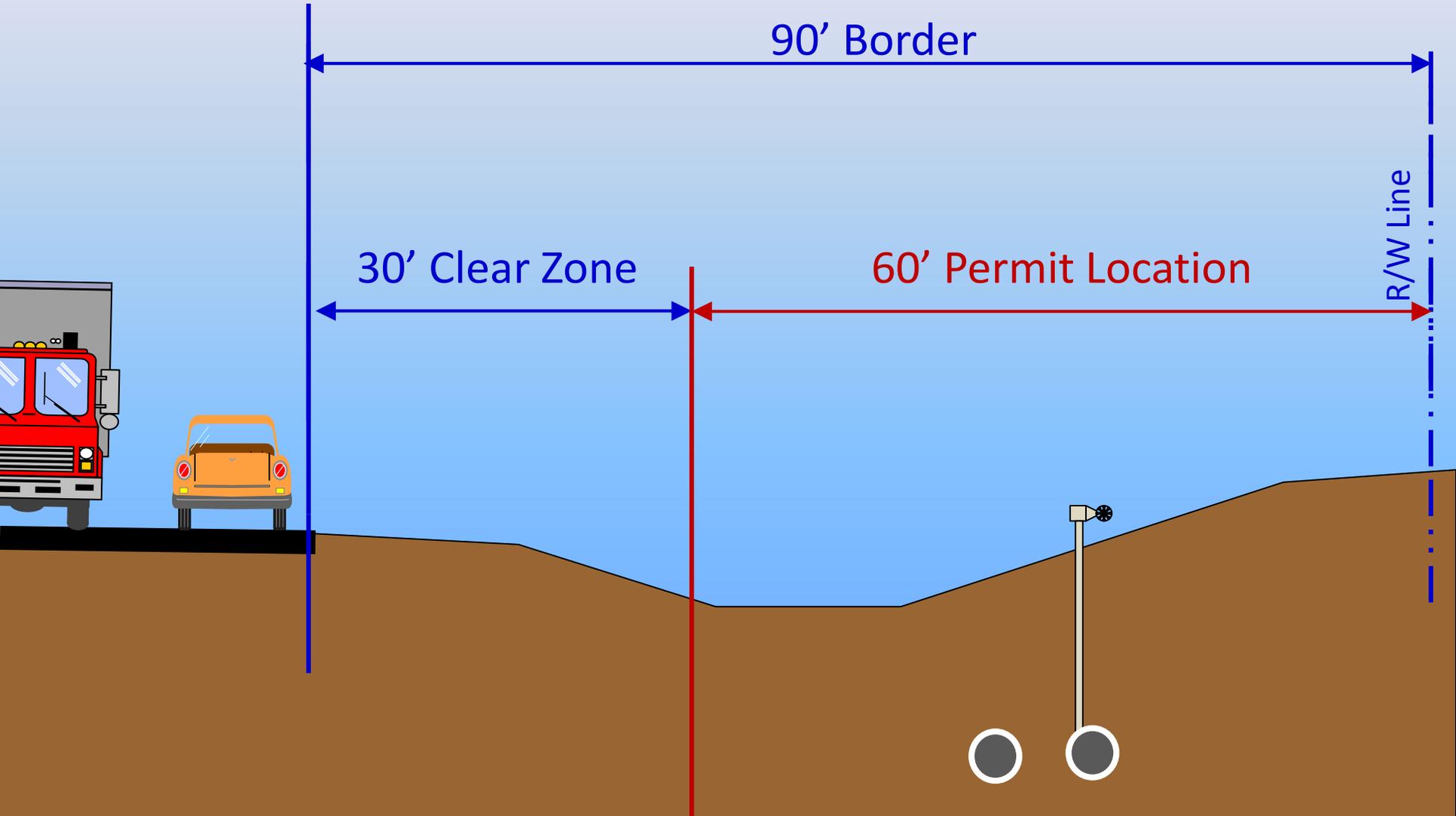


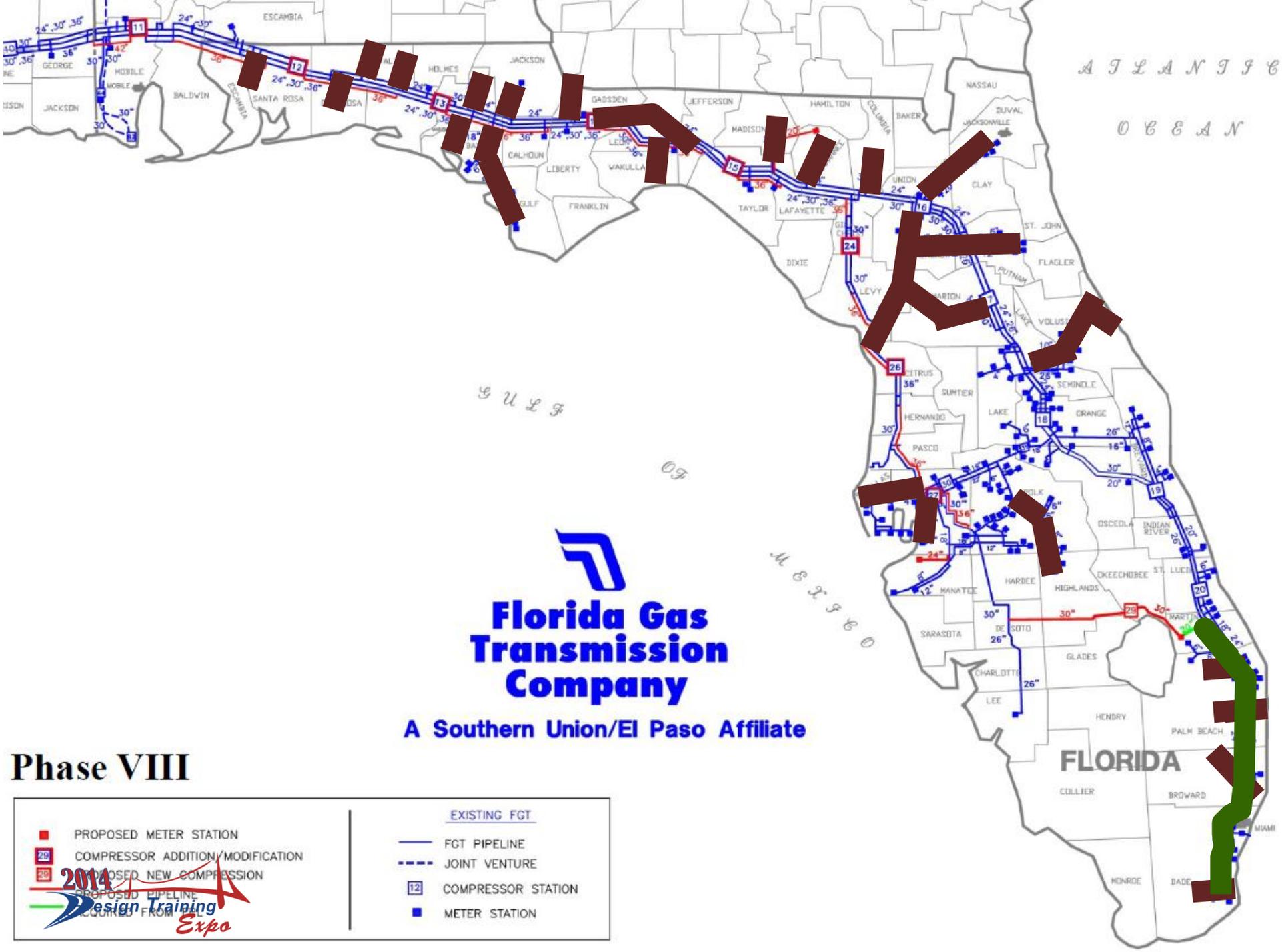
What if another utility wants a pole in FGT's permit location ?

Suitable Permit Location - Longitudinal



Suitable Permit Location - Longitudinal






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	PROPOSED METER STATION	<u>EXISTING FGT</u>
	COMPRESSOR ADDITION/MODIFICATION	 FGT PIPELINE
	PROPOSED NEW COMPRESSION	 JOINT VENTURE
	PROPOSED PIPELINE	 COMPRESSOR STATION
	EXISTING PIPELINE	 METER STATION



Turnpike Easement Facilities

**Natural Gas
Pipeline**

**Easement
Agreement**

1958

1967

1987

**Easement
Agreement**

“Substitute Easement” Facilities

**Natural Gas
Pipeline**

**Easement
Agreement**

1958

1967

1987

Easement
Agreement

“Turnpike Easements” – ’58 ‘67 ‘87

FDOT R/W Line

FDOT R/W Line



“Turnpike Easements” – ’58 ‘67 ‘87

FDOT R/W Line

FDOT R/W Line



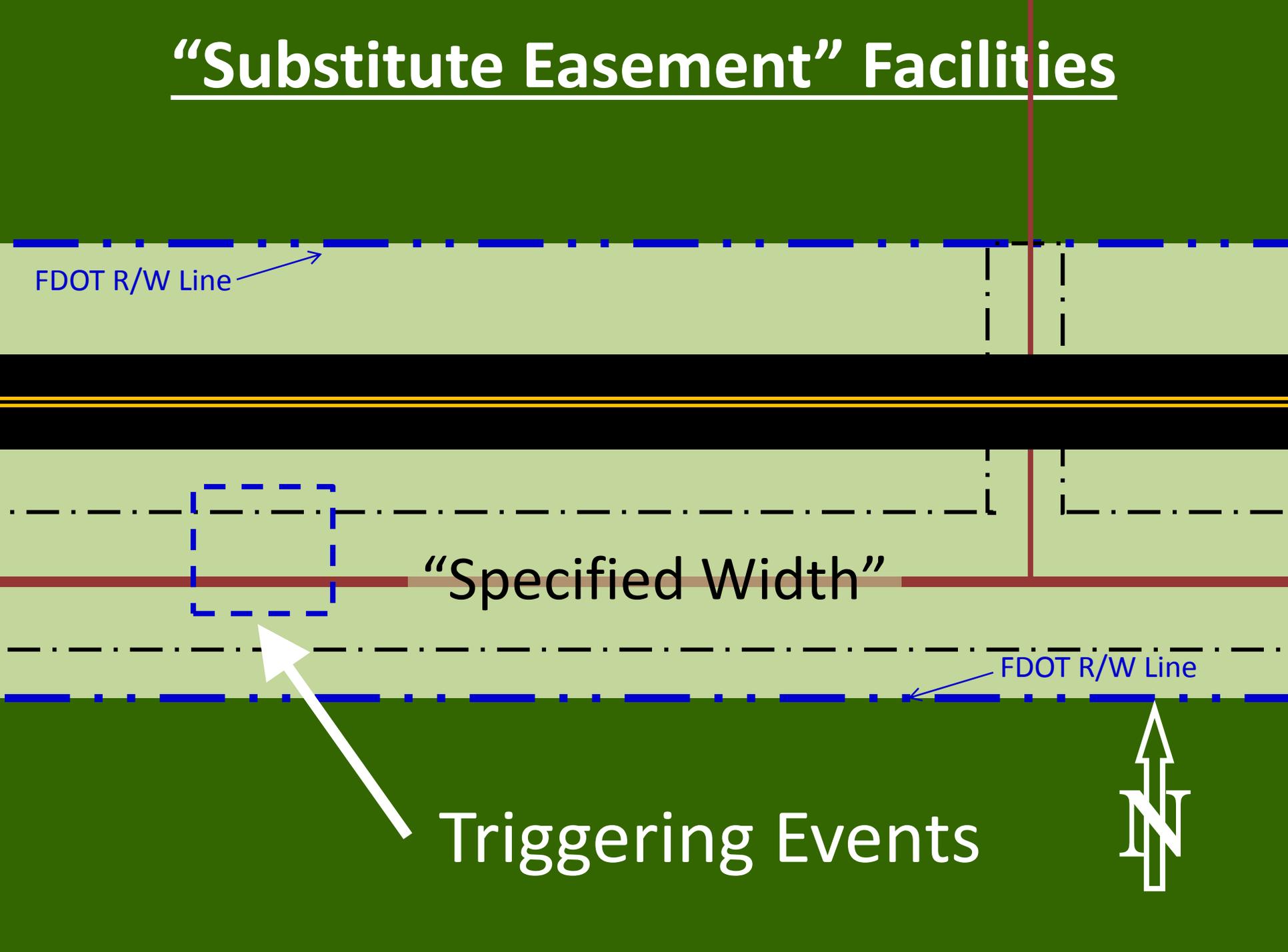
“Substitute Easement” Facilities

FDOT R/W Line

“Specified Width”

FDOT R/W Line

Triggering Events



“Substitute Easement” Facilities

NOT a Triggering Event.

Repairs to or maintenance or resurfacing of “**Exempt Improvements**” are not Triggering Events so long as the footprint after the repair, maintenance, or resurfacing is the same as or less than the footprint as of 8/21/13 and....

- (1) it is not moved or widened,
- (2) is of the same nature and quality,
- (3) changes in height or depth are subject to FGT’s approval.

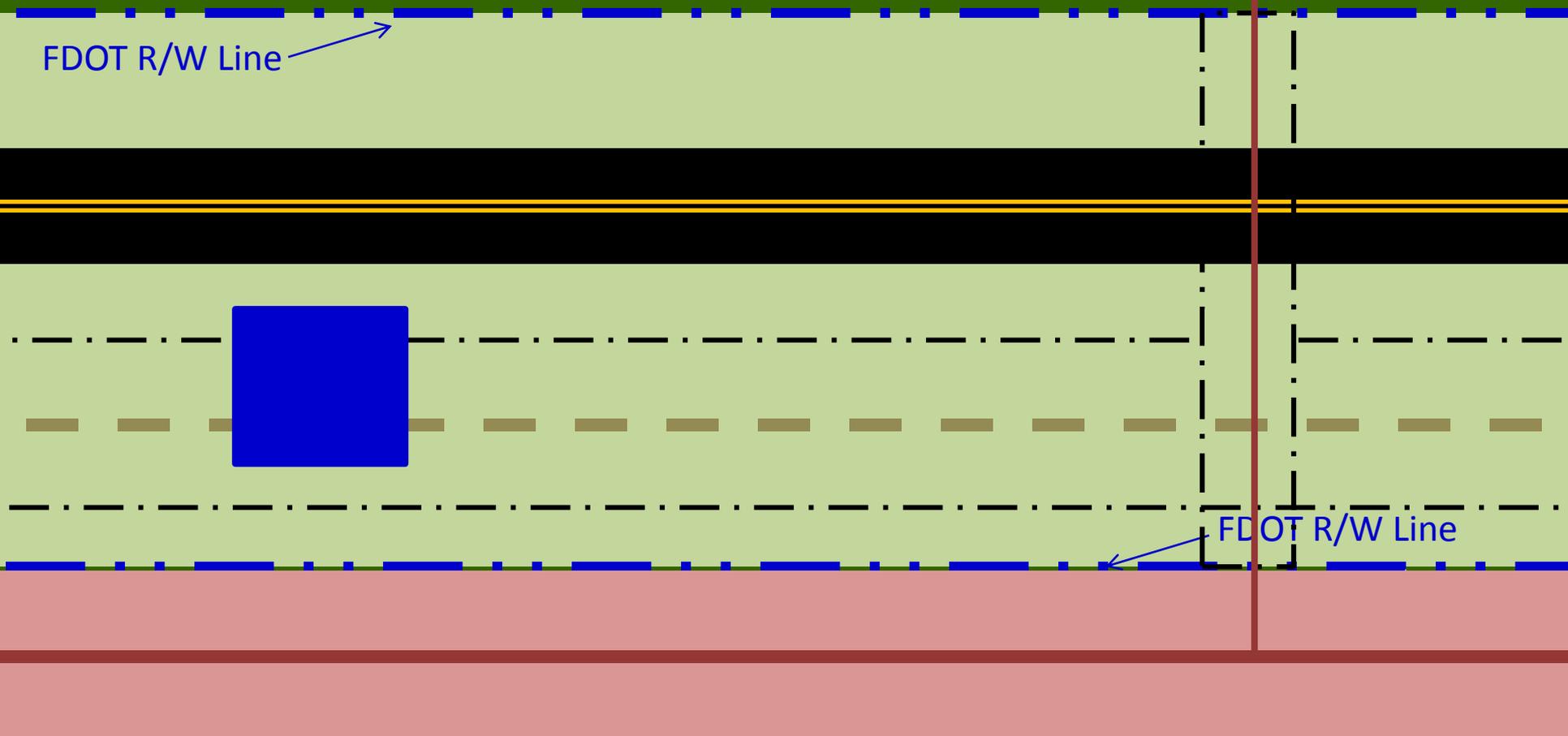
FLO
the
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Width =



“Substitute Easement” Facilities



Suitable TP Replacement Location Cost Sharing

FDOT

FGT

Relocation Costs

50% Right-of-Way Costs

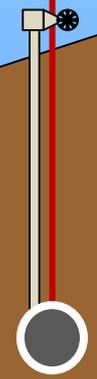
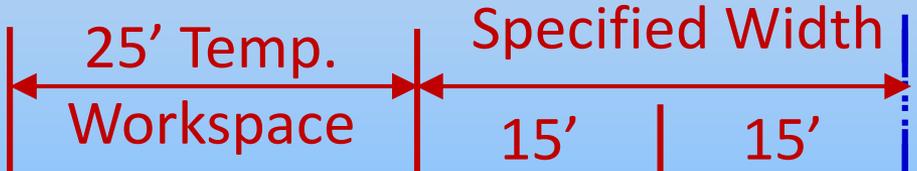
Location - Location

Things prohibited in the temporary workspace after width specified

- MSE walls,
- Barrier walls,
- Sound walls,
- Bridge piers,
- Box culverts,
- Standing bodies of water

Things allowed in the Specified Width

- The gas line,
- &
- Things there when width was specified



Suitable Location - Longitudinal

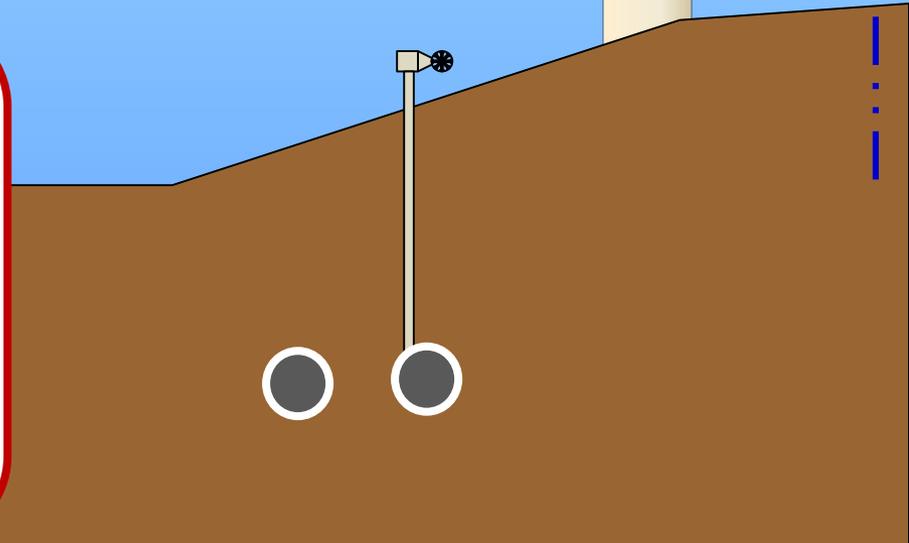
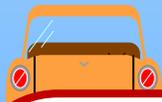
2012

“Exempt Improvements”

60' Specified Width

R/W Line

Knowing if every feature existed before or after the width was specified maybe difficult to determine, but needed to know if the feature is exempt or not.



SUNSHINE 811



SUNSHINE 811

GLOBAL AGREEMENT

Article VII, Paragraph 21.

Sunshine 811. Regardless of any notice exemption that may be provided under Sunshine 811, FDOT agrees to provide at least 48 hours notice to FGT through the Sunshine 811 process prior to conducting any excavation with mechanized equipment within fifteen (15) feet of FGT's pipelines

556.108 (4)(a) F.S.

Maintenance activities performed by a state agency and its employees when such activities are within the right-of-way of a public road; however, if a member operator has permanently marked facilities on such right-of-way, mechanized equipment may not be used without first providing notification...



Buy America

FDOT shall use non-federal funds on projects that could impact FGT wherever prudent and feasible so that the material certification provisions of Buy America are not applicable,

However;

FGT is required to deliver to Buy America Certification(s), where the requirement is applicable.



Buy America

FDOT shall hire and pay for a consultant to a procurement of materials for the applicable program in compliance with Buy America.

Prior to installation of such materials, the Department of Transportation confirming FGT's procurement of materials for the applicable program in compliance with Buy America.

Maybe difficult to get done with Design-Build



A contract will need to be completed before any utility work can start.





Buy America

FDOT shall reimburse FGT for all costs including attorneys' fees arising out of any audit, review, enforcement action, lawsuit, or other proceeding conducted or commenced by any third party, including the Federal Highway Administration, provided that FGT has installed materials in accordance with the FDOT Confirming Letter.

FDOT shall reimburse FGT for all costs incurred in connection with any replacement of materials required as a result of any non-compliance with Buy America.

FDOT shall not require FGT to disgorge, relinquish, return, or provide any monies or funds expended on any relocation, replacement or adjustment because of any non-compliance with Buy America.

Avoiding Pitfalls

design - bid

Identify the need to relocate FGT as early as possible.

Use the attachments in the Global Agreement.

Educate those dealing with FGT that they are not subject to FDOT as other utilities are.

Make sure other utilities with work schedules also have encroachment agreements with FGT before utility certification.

Understand relocation, even when agreeable, takes time due to FERC involvement and material procurement.

Avoiding Pitfalls

design - build

Identify the need to relocate FGT as early as possible.

Use the attachments in the Global Agreement.

Educate those dealing with FGT that they are not subject to FDOT as other utilities are.

Understand other utilities need encroachment agreements with FGT before the utility can enter the easements or specified widths.

Understand relocation, even when agreeable, takes time due to FERC involvement and material procurement.