

14-46.001 Utilities Installation or Adjustment.

(1) Purpose. This rule is established to regulate the location and manner for installation and adjustment of utility facilities on any Florida Department of Transportation (FDOT) right of way, in the interest of safety and the protection, utilization, and future development of such rights of way, with due consideration given to public service afforded by adequate and economical utility installations, and to provide procedures for the issuance of permits.

(2) Permits.

(a) FDOT will issue permits for the construction, alteration, operation, relocation, removal, and maintenance of utilities upon the right of way in conformity with the FDOT *Utility Accommodation Manual* (UAM), ~~January 2013~~, ~~August 2010~~ edition, FDOT Document No. 710-020-001-~~h~~~~g~~, which is hereby incorporated by reference and made part of this rule. The UAM also incorporates by reference additional documents contained in the UAM Section 6.1, Incorporated References. Copies of the UAM are available from the FDOT Maps and Publications Office at 605 Suwannee Street, MS 12, Tallahassee, Florida 32399-0450, or the FDOT Utility Web Site: <http://www.dot.state.fl.us/rddesign/utilities>.

(b) The Utility Permit, FDOT Form 710-010-85, Rev. ~~01/1308/40~~, is incorporated herein by reference, and available from the FDOT Utility Web Site listed above.

(3) The FDOT Chief Engineer shall approve permit applications for longitudinal placement along FDOT controlled roadways within limited access right of ways of aerial and underground electric utility transmission lines designed to operate at 69 or more kilovolts that are needed to accommodate the additional electrical transfer capacity on the transmission grid resulting from new electric power plants that are certified under part II of chapter 403 when the application shows there is no other practicable alternative available and the utility agency/owner (UAO) complies with the following:

(a) The installation, operation, and maintenance will be limited to areas outside the minimum clear zone requirements found in the UAM.

(b) The installation, operation, or maintenance of the transmission lines will not interfere with the operational requirements or future improvements of the transportation facility. The UAO shall provide a schedule of all anticipated maintenance, activities, upgrades, expansions, and periodic inspections.

(c) To demonstrate the use of the right of way is the only practicable alternative, the UAO shall provide an analysis of all other alternatives. For each alternative, including the use of FDOT limited access right of way, the UAO shall address all of the following:

- i. Impacts to adjacent property owners;
- ii. Cost of acquiring land to accommodate the transmission lines;
- iii. Installation cost of the transmission facility;
- iv. Environmental impacts.

(d) Prior to the issuance of the permit, the UAO shall pay a non-refundable permit fee to FDOT based upon the area of land needed to accommodate the installation, operation, and maintenance of the utility facility. The area shall include all lands where the FDOT's future use is limited, restricted, or conditioned on account of the underground, ground level or aerial portions of the electric transmission lines. For lands located within an urban area, as defined in Section 334.02(32), F.S., the permit fee shall be \$543,193 per acre. For any portion of the facility located outside an urban area, the permit fee shall be \$93,654 per acre. Should FDOT require the electric transmission lines to be relocated or removed for future improvement of the transportation facility, the UAO will relocate or remove the electric transmission lines at its sole expense, and is not eligible for any state or federal or FDOT reimbursement.

(4) Electric transmission lines designed to operate at 69 or more kilovolts within FDOT non-limited access right of way, electric transmission lines designed to operate at 69 or less kilovolts within FDOT right of way, longitudinal transmission lines designed to operate at 69 or more kilovolts for purposes other than the accommodation of additional electrical transfer capacity on the transmission grid resulting from new base-load generating facilities, and utilities not subject to the conditions in (3) above, shall be permitted under the provisions of the UAM.