



FEE SCHEDULE FOR OCCUPATIONS OF PROPERTY MANAGED BY CARLOAD EXPRESS, INC.

**CARLOAD EXPRESS, INC.
AND SUBSIDIARY RAILROADS**

**ALLEGHENY VALLEY RAILROAD COMPANY (AVR)
DELMARVA CENTRAL RAILROAD COMPANY (DCR)
OHIO TERMINAL RAILWAY COMPANY (OHIO)
SOUTHWEST PENNSYLVANIA RAILROAD COMPANY (SWP)**

**CARLOAD EXPRESS, INC.
519 CEDAR WAY
BUILDING 1, SUITE 100
OAKMONT, PA 15139
(412) 426-2000**

INTRODUCTION

This **Fee Schedule for Occupations** provides an outline of the standard charges for wires, cables, fiber optics, poles and electrical conduits, and pipe occupations, and the associated engineering drawing review fees, on, over, across, or under rights-of-way and properties managed by Carload Express (“Railroad”). The Railroad reserves the right to make case-specific modifications to the requirements of this Schedule in the Railroad’s sole discretion. In all cases, any proposed utility occupation, and location, dimensions, nature or use associated with such occupation shall be subject to prior review and approval of the Railroad.

FOR RAILROAD EMERGENCIES CALL TOLL FREE 1 (844) 426-6400

REIMBURSEMENTS TO THE RAILROAD.

In any grant of rights to occupy Railroad property, the Railroad will be reimbursed for:

1. All labor and materials furnished by the Railroad in connection with the construction, reconstruction, repair, relocation or removal of any occupation of its property.
2. The services of any watchman, flagman, inspector, professional engineers, or any other employee as may, in the opinion of the Railroad, be necessary to maintain rail operations and promote safety.
3. The cost of all drawings and engineering review/services furnished by the Railroad’s Chief Engineer or consulting engineer, including field inspections.
4. The cost of all insurance which may be required by the Railroad.
5. The cost of all legal services incurred by the Railroad and any document recording fees.

PUBLIC HIGHWAYS/RIGHTS-OF-WAY.

There shall be no rental or license fees charged by the Railroad for crossings to be located wholly within the limits of a public highway or right-of-way and not supported by or attached to poles or structures of the Railroad for those holding proper franchise rights; however, an agreement memorializing the occupation of Railroad property will be required, which may allocate the costs of maintenance, construction, reconstruction, repair, relocation or removal of any occupation of a public right of way on, under or above property to which the Railroad holds title. The State or the applicable municipality should first be contacted to determine the confines of the public right-of-way. If the proposed occupation is found to be within the public right-of-way, the State’s Public Utility Commission should then be contacted. No work shall begin until the Public Utility Commission has issued its Order or Secretarial Letter sanctioning the facility and the applicant has entered into an agreement with the Railroad.

TYPES OF OCCUPATIONS.

If the occupation is deemed to be on or within Railroad property, the Railroad must be contacted and provided with a proposed site plan. The Railroad may then consider one of the following grants of occupation rights, depending on the nature of the occupation:

1. *Licenses* – The Railroad may grant licenses to the applicant for access to and occupation of Railroad property. The license agreement will be in a form acceptable to the Railroad and shall include appropriate indemnification and insurance provisions.
2. *Leases* – The Railroad may enter land leases with tenants for occupation of the Railroad’s lands. *This Fee Schedule shall not apply to such leases.* Given the unique nature of land and the variety of Railroad sites, which may be leased, the rental and other terms for a land lease shall be negotiated by the Railroad and the applicant on a case-by-case basis.

LICENSE AGREEMENTS AND ASSOCIATED ENGINEERING REVIEW FEES

All license agreements are subject to a one-time preparation fee of \$500.00. This fee includes document preparation and one site visit by the Railroad's Manager of Real Estate. Review by the Railroad's engineer shall be an additional charge. All preparation fees are non-refundable. The Railroad reserves the right to pass on any legal fees incurred by the Railroad in connection with any application, if such application requires a significant amount of time by the Railroad staff and its solicitor for review. In addition, all agreements must be signed and returned by the applicant to the Railroad within thirty days of the Railroad's approval of the Agreement. If applicant fails to return a signed agreement in such time period, the Railroad reserves the right to cancel the applicant's application, without refund.

Subject to the specific charges set forth in the foregoing schedule, the minimum annual license fee for any occupation of Railroad property shall be \$500.00

All annual fees shall be subject to increase annually in accordance with increases in the Consumer Price Index or by three percent, whichever is greater. The Consumer Price Index utilized shall be the Consumer Price Index for All Urban Consumers (CPI-U) All Items less food and energy, published by the Bureau of Labor Statistics, United States Department of Labor, or a similar index published by the United States Department of Labor or three percent, whichever is greater.

The following is a list of specific occupations and the fees associated with each occupation.

TRANSVERSE CROSSINGS (NOT TO EXCEED 200 FEET IN LENGTH)

WIRE AND COMPOSITE COAXIAL CABLE (AERIAL AND UNDERGROUND)

- a. Less than 69,000 volts line capacity (maximum width 30 feet) - **\$500.00**
- b. 69,000 volts line capacity but less than 138,000 volts line capacity (maximum width 60 feet) - **\$650.00**
- c. 138,000 volts line capacity but less than 300,000 volts line capacity (maximum width 80 feet) - **\$1,000.00**
- d. 300,000 volts line capacity but less than 345,000 volts line capacity (maximum width 145 feet) - **\$1,500.00**
- e. 345,000 volts line capacity and above volts line capacity (maximum width 180 feet) - **\$2,500.00**

A proportionate additional fee calculated to the nearest dollar shall be made for any crossing in excess of 200 feet in length. For purposes of determining voltage all guy wires, messengers, and grounded conductors shall be considered zero voltage. All other conductors shall be rated at voltage to ground, or voltage to other.

Crossing of right-of-way by pipe type crossing cable consisting of one or more high voltage cables encased in a steel pipe under inert oil pressure, and/or further encased in a larger steel pipe and the space between the pipes filled with compacted sand should be subject to case specific consideration.

- f. Ducts or pipes carrying conductors - **No cost.**

FIBER OPTICAL AND COAXIAL CABLE COMMUNICATION LINE (AERIAL AND UNDERGROUND)

- a. Serving a single private residence - **\$750.00**
- b. Serving a single business - **\$1,500.00**
- c. Serving multiple businesses, carrier, all others - **\$3,000.00**

Attachment of wires, cables, etc., to bridges, buildings, poles or structures of Railroad subject to case specific consideration in each instance.

POLES, TOWERS, GUYS, AND ANCHORS (PER STRUCTURE)

- a. Wooden pole - **\$500.00**
- b. Steel poles - **\$1,000.00**
- c. All other supporting structures other than the auxiliary and appurtenances listed below - **\$200.00**
- d. Brace, stub pole or anchor - **\$150.00**
- e. Guy anchored on or crossing Railroad property - **\$100.00**
- f. Span guy wire crossing - **\$200.00**

Guys, stubs, anchors and braces not definitely required by specification for the support of a crossing pole placed on Railroad right-of-way at the request of the Railroad shall be considered as part of the crossing pole and no charges will be made.

The above charges are in addition to the wire or cable occupation charges.

PIPES AND SEWERS

- a. All pipe sizes reference outside diameter of pipe
 - 1. Fees assessed at \$100.00 per inch of outside diameter, **minimum charge \$500.00**
- b. Rental for pipe tunnels or other special underground constructions shall be subject to special consideration.
- c. Pipe-lines carried over Railroad property on bridges or other supports shall be subject to special consideration in each case.
- d. Manhole - **\$1,000.00**
- e. Inlet - **\$3,000.00**
- f. Charges for attachments of pipes to bridges, buildings or structures of the Railroad subject to case specific consideration in each instance, determined on an individual basis.
- g. Because protective encasements are utilized for the benefit of the Railroad, reasonable protective encasements of a larger diameter than the utilities housed within shall not incur any additional cost to the cumulative fees charged for all such enclosed utilities.

Additional occupation fee calculated to the nearest dollar shall be made for any of the above crossings in excess of 200 feet in length.

LONGITUDINAL OCCUPATIONS

Recognizing the many variables and intangibles involved in each longitudinal occupation of Railroad property, each application shall be considered on an individual basis and merit, with suggested minimum annual fees being applied as set out below.

AERIAL WIRE AND CABLE (PER MILE)

- a. Less than 69,000 volts line capacity (maximum width 30 feet) - **\$4,000.00**
- b. 69,000 volts capacity but less than 138,000 volts line capacity (maximum width 60 feet) - **\$17,500.00**
- c. 138,000 volts line capacity but less than 300,000 volts line capacity (maximum width 80 feet) - **\$25,000.00**
- d. 300,000 volts line capacity but less than 345,000 volts line capacity (maximum width 145 feet) - **\$55,000.00**
- e. 345,000 volts line capacity and above volts line capacity (maximum width 180 feet) - **\$70,000.00**

UNDERGROUND CABLE (PER MILE)

- a. Composite coaxial encased in steel pipe – **minimum \$3,500.00**
- b. Power Cable buried in open trench, surrounded with concrete - **\$2,500.00**
 - 1. Encased in steel pipe - **\$3,500.00**
- c. Spare or unoccupied ducts or pipe - **\$500.00**
- d. Splicing chamber or pull box - **\$250.00**
- e. An additional charge shall be made for use of Railroad duct lines based on type of facility and number of end users.

Charges shown under c, d, and e are in addition to charges for the utility occupation.

Attachments to Railroad poles and/or structures used in wire line construction, generally \$100.00 per attachment, subject to case specific consideration on an individual basis.

FIBER OPTIC AND TELEPHONE (PER MILE)

- a. Line serving fewer than 100 end users - **\$7,500.00**
- b. Line serving 100 or more end users - **\$18,500.00**

PIPES AND SEWERS

All longitudinal pipe occupations shall be subject to the following minimum annual fees:

- a. Less than 4 inches - **\$3,000.00**
- b. 4 inches to less than 6 inches - **\$5,500.00**
- c. 6 inches to less than 12 inches - **\$11,500.00**
- d. 12 inches to less than 24 inches - **\$18,000.00**
- e. 24 inches to less than 36 inches - **\$27,500.00**
- f. **All pipes 36" and larger will be subject to special cost consideration**
- g. Rental for pipe tunnels or other specific underground construction shall be subject to case-specific consideration.
- h. Pipelines carried along Railroad property on bridges or other supports shall be subject to case specific consideration determined on an individual basis if permitted by current specifications.
- i. Manhole - **\$1,000.00**
- j. Charges for attachments of pipes to bridges, buildings or structures of the Railroad shall be subject to case-specific consideration determined on an individual basis.
- k. Protective pipe encasement – **No cost**

PRIVATE GRADE CROSSING LICENSE

- 1. Limited access (residential or farm) - **\$350.00 MINIMUM**
- 2. Commercial/Industrial - **\$2,500.00**

BUSINESS SIGN/ADVERTISEMENT

- 1. All non-electrified signs up to 3' by 5' dimension - **\$1,000.00**
- 2. All non-electrified signs over 3' by 5' dimension - **\$2,000.00**
- 3. All electrified signs up to 3' by 5' dimension - **\$2,500.00**
- 4. All electrified signs over 3' by 5' dimension - **\$5,000.00**

Sign must comply with applicable municipal ordinance and Railroad requirements. Sign must identify business adjacent to tracks. The Railroad reserves the right to deny any request for a sign at its own discretion.

ENTRY ONTO PROPERTY FOR THE PURPOSE OF INSTALLATION AND CONSTRUCTION OF A LONGITUDINAL OCCUPATION FOR WHICH THE RAILROAD IS NOT AUTHORIZED TO EXECUTE A LICENSE AGREEMENT

- 1. Minimum entry fee**\$5,000.00**
- 2. Subject to additional consideration depending on dimensions, etc..

ANNUAL OCCUPATION CHARGES FOR ANY OTHER FACILITY NOT COVERED BY THIS SCHEDULE WILL BE SUBJECT TO CASE SPECIFIC CONSIDERATION ON AN INDIVIDUAL BASIS.

OTHER AGREEMENTS AND ACTIVITIES

TEMPORARY AGREEMENTS ARE SUBJECT TO A CASE-SPECIFIC CONSIDERATION DETERMINED ON AN INDIVIDUAL BASIS.

- 1. Temporary Entry Permit - **\$2,750.00 (Application Fee - \$1,250.00 & Permit Fee - \$1,500.00)**
- 2. Utility Occupation Application - **\$1,250.00**
- 3. Site Assessment - **\$2,500.00**
- 4. Boring on Railroad property (per pit) - **\$2,500.00**
- 5. All tracked vehicles depending upon circumstances - **\$3,000.00**

ENGINEERING DRAWING REVIEW

- 1. **TRANSVERSE CROSSINGS (Not to exceed 200 feet in length)**
 - a. **Aerial Crossings**
 - 1. Wireline - **\$1,250.00**
 - 2. Pipeline – **Overhead pipe structures are not accepted – Contact Carload Express**
 - b. **Subgrade Crossings (Based on casing diameter size)**
 - 1. 0 to less than 10 inches - **\$1,450.00**
 - 2. 10 inches to less than 24 inches - **\$1,950.00**
 - 3. 24 inches to less than 30 inches - **\$2,500.00**
 - 4. 30 inches to less than 42 inches - **\$3,500.00**
 - 5. 42 inches to less than 66 inches - **\$4,000.00**
 - 6. 66 inches to less than 96 inches* - **\$6,000.00**
 - 7. Greater than 96 inches* - **Contact Carload Express**
- 2. **LONGITUDINAL OCCUPATIONS (Paralleling the tracks)**
 - a. 0 to less than 500 linear feet* - **\$2,500.00**
 - b. Greater than 500 linear feet* - **Contact Carload Express**
- 3. **OTHER ACTIVITIES**
 - a. Private grade crossing* - **\$3,000.00**
 - b. Business sign/advertisement* - **\$2,000.00**

*This fee includes the review and approval of engineering drawings associated with an application for a license agreement. The Railroad reserves the right to charge an additional \$750 review fee for any permit submittal that requires 3 or more reviews of revisions to the engineering drawings. **All review fees are non-refundable and per location.***

** Indicates review that may require a site assessment or additional fees for consultant services.*

ANY OTHER PROPOSED TYPE OF AGREEMENT NOT COVERED IN THIS FEE SCHEDULE MAY BE NEGOTIATED UNDER CASE SPECIFIC CONSIDERATION ON AN INDIVIDUAL BASIS. THE RAILROAD RESERVES THE RIGHT TO DENY ANY REQUEST OR PROPOSED OCCUPATION AT ITS DISCRETION.