FEE SCHEDULE FOR UTILITY OCCUPATIONS OF SEDA-COG JOINT RAIL AUTHORITY PROPERTY

Effective – October 14, 2026

I. INTRODUCTION

1. **Scope**. This Fee Schedule for Utility Occupations provides an overview of various standard charges for wires, cables, fiber optics, poles and electrical conduits, and pipe occupations on, over, across, or under rights-of-way and properties of SEDA-COG Joint Rail Authority ("Rail Authority"). The Rail Authority reserves the right to make case-specific modifications to the requirements of this Schedule in the Rail Authority'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 Rail Authority. This Fee Schedule shall not apply to operating agreements for the use of joint facilities. This Fee Schedule shall be interpreted under and in accordance with the Pennsylvania Municipality Authorities Act, 53 Pa. C.S. § 5601 et seq. (the "Act"), and other applicable law. To the extent any provision of this Fee Schedule is inconsistent with the Act or other applicable law, the Act or other applicable law shall control.

2. **Reimbursements to Rail Authority**. In any grant of rights to occupy Rail Authority property, the Rail Authority will be reimbursed for:

a. All labor and materials furnished by the Rail Authority in connection with the construction, reconstruction, repair, relocation, or removal of any occupation of its property.

b. The services of any watchman, flagman, inspector, professional engineers, or any other employee (whether provided by the Rail Authority or its Rail Operator) as may, in the opinion of the Rail Authority, be necessary to maintain rail operations and promote safety.

c. The cost of all drawings and engineering review/services furnished by the Rail Authority's consulting engineer, including field inspections.

d. The cost of all insurance that may be required by the Rail Authority.

e. The cost of all legal services incurred by the Rail Authority and any document recording fees.

3. **Public Highways/Rights-of-Way**. There shall be no rental, easement or license fees charged by the Rail Authority 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 Rail Authority for those holding proper franchise rights; however, an agreement memorializing the occupation of Rail Authority 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 Rail Authority holds title, subject to the ultimate jurisdiction of the Pennsylvania Public Utility Commission ("PUC"). Additionally, a review fee of $2,000.00 may be assessed by the Rail Authority for the review of plans and drawings, preparation and review of agreements by the Rail Authority staff and Rail Authority Solicitors, as well as any field views attended by the Rail Authority's engineer or staff. The Commonwealth 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 Pennsylvania 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 Rail Authority.

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

a. *Easements* – The Rail Authority may grant an easement upon the following conditions/criteria:

i. Any and all easements granted will be limited to a 10-year term, except where circumstances otherwise justify. The Rail Authority may, in its sole

discretion, grant an easement for a longer term. The easement fee shall be charged on an annual basis at the rates set forth below, except the applicant may elect to pay the easement fee for the easement in one up front lump sum payment.

ii. Any easement for a term exceeding 10 years, or any grant for a renewal of an easement for an additional 10-year term, shall be subject to a renegotiated easement fee of no less than a minimum fee increase of 15%.

iii. The grant of an easement will be considered based upon the requested dimensions of permanent occupancy

iv. The utility location or occupation shall not preclude or prevent the Rail Authority from granting other easements adjacent to any easement site, either horizontally or vertically.

v. Dimensions for occupancy deemed excessive by the Rail Authority may result in additional charges.

vi. Damage fees will be assessed at time of construction/removal of facility and anytime required maintenance will disturb the track bed. Damages shall be assessed as follows:

1. Construction/Removal of facility – One-half of the annual rate for occupation.

2. Maintenance of facility – One-quarter of the annual rate for occupation.

b. *Licenses* – The Rail Authority may grant licenses to the applicant for access to and occupation of Rail Authority property for uses not customarily subject to an easement agreement (which shall be determined at the Rail Authority's discretion). The license agreement will be in a form acceptable to the Rail Authority and shall include appropriate indemnification and insurance provisions.

c. *Leases* – The Rail Authority may enter into land leases with tenants for occupation of the Rail Authority's lands. *This Fee Schedule shall not apply to such leases*. Given the unique nature of land and the variety of Rail Authority sites, which may be leased, the rental and other terms for a particular land lease shall be negotiated by the Rail Authority and the applicant on a case-by-case basis.

d. *Entry Permit* – The Rail Authority may grant entry permits to temporarily access Rail Authority property, which shall be approved and executed by the Rail Authority's Property Manager and Executive Director. The Entry Permit shall be in a form acceptable to the Rail Authority and shall include appropriate indemnification and insurance provisions. All Entry Permits are subject to a minimum fee of $1,000.00.

II. FEE SCHEDULE FOR LICENSE/EASEMENT AGREEMENTS

All license or easement agreements are subject to a one-time preparation fee of $1,100.00.

Subject to the following, this fee includes plan review, document preparation, one site visit by the Rail Authority's Property Manager, Rail Authority attorney fees, and recording fees. Review by the Rail Authority's engineer shall be an additional charge. All preparation fees are non-refundable. The Rail Authority reserves the right to pass on any legal fees incurred by the Authority in connection with any particular application, if such application requires a significant amount of time by the Authority staff and its solicitor for review. In addition, all agreements must be signed and returned by the applicant to the Authority within sixty (60) days of the Authority's execution of the Agreement. If applicant fails to return a signed agreement in such time period, the Authority 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 or easement fee for any occupation of Rail Authority property shall be …….$ 500.00

All annual fees shall be subject to increase annually, in accordance with increases in the Consumer Price Index. 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.

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

A. TRANSVERSE CROSSINGS (Not to exceed 200 feet in length)

1. **Wire and Composite Coaxial Cable (Aerial and Underground)**

   a. Less than 69,000 volts line capacity (maximum width 30 feet) …..…… **$550.00**
   b. 69,000 volts line capacity but less than 138,000 volts line capacity (maximum width 60 feet) …… …… **$840.00**
   c. 138,000 volts line capacity but less than 300,000 volts line capacity (maximum width 80 feet) ……..……..……**$1,400.00**
   d. 300,000 volts line capacity but less than 345,000 volts line capacity (maximum width 145 feet)…….**$2,120.00**
   e. 345,000 volts line capacity and above volts line capacity (maximum width 180 feet) …….. **$3,500.00**

Note: 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.

Note: 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**.

2. **Fiber Optical Telephone Line (Aerial and Underground)**

   a. Serving a single private residence ……..……..…….. **$500.00**
   b. Serving a single business……..…..……...…. **$1,050.00**
   c. Serving multiple businesses, carrier, all others……. …. ...**$2,800.00**

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

3. **Poles, Towers, Guys, and Anchors (per structure)**

a. Utility pole ……..…….**$1,100.00**
b. All other supporting structures other than the auxiliary and appurtenances listed below …….…...**$250.00**
c. Brace, stub pole or anchor ……...…….....**$185.00**
d. Guy anchored on or crossing Rail Authority property ……..…..……..**$125.00**
e. Span guy wire crossing ……..……...……....**$220.00**

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

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

4. **Pipes and Sewers**

a. All pipe sizes reference outside diameter of pipe

1. Fees assessed at $110.00 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. Pipelines carried over Rail Authority property on bridges or other supports shall be subject to special consideration in each case.

d. Manhole ……..**$1,210.00**

e. Inlets……...…….**$3,630.00**

f. Charges for attachments of pipes to bridges, buildings or structures of the Rail Authority subject to case specific consideration in each instance, determined on an individual basis.

g. Because protective encasements are utilized for the benefit of the Authority, 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.

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

B. LONGITUDINAL OCCUPATIONS

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

1. **Aerial Wire and Cable (Per Mile)**

a. Power Cable

1. Less than 69,000 volts line capacity (maximum width 30 feet)…… **$4,840.00**
2. 69,000 volts capacity but less than 138,000 volts line capacity (maximum width 60 feet) ……..……...**$21,175.00**
3. 138,000 volts line capacity but less than 300,000 volts line capacity (maximum width 80 feet) ……**$30,250.00**
   300,000 volts line capacity but less than 345,000 volts line capacity (maximum width 145 feet)……..……**$65,550.00**

4. 345,000 volts line capacity and above volts line capacity (maximum width 180 feet)……..……..……...…**$87,450.00**

2. **Underground Cable (Per Mile)**

ALL UNDERGROUND COMMUNICATION CABLES, MINIMUM CHARGE ….**$2,200.00**

a. Composite coaxial – <u>not</u> less than ……..…… **$4,400.00**
b. Power Cable buried in open trench, surrounded with 6" to 12" thermal sand **$3,055.00**
Encased in steel pipe under inert oil pressure or further encased in larger sand-filled steel pipe …… **$4,400.00**
c. Spare or unoccupied ducts or pipe ……..…….**$730.00**
d. Splicing chamber or pull box …… ……**$485.00**
e. An additional charge shall be made for use of Rail Authority duct lines based on type of facility and number of end users.

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

Note: Attachments to Rail Authority poles and/or structures used in wire line construction, generally $200.00 per attachment, subject to case specific consideration on an individual basis.

3. **Fiber Optic and Telephone (Per Mile)**
a. Line serving fewer than 100 end users …… **$9,600.00**
b. Line serving 100 or more end users…… …… **$23,240.00**

4. **Pipes and Sewers - All longitudinal pipe occupations shall be subject to the following minimum annual fees:**
a. Less than 4 inches …… **$3,750.00**
b. 4 inches to less than 6 inches ….……..…..…… ……**$6,535.00**
c. 6 inches to less than 12 inches ……...…..……**$13,915.00**
d. 12 inches to less than 24 inches…… **$20,900.00**
e. 24 inches or greater……..… **$31,460.00**
f. Rental for pipe tunnels or other specific underground construction shall be subject to case-specific consideration.
g. Pipelines carried along Rail Authority property on bridges or other supports shall be subject to case-specific consideration determined on an individual basis if permitted by current specifications.
h. Manhole …… **$1,210.00**
i. Protective pipe encasement ……..……..….**N/C**

C. PRIVATE GRADE CROSSING LICENSE

1. Type 1
a. Per crossing ……..……**$500.00**

2. Type 2
b. Per crossing ……..**$2,500.00**

3. Type 3
a. Per crossing ……..**$5,000.00**

Note: Notwithstanding any provision of this Fee Schedule to the contrary, any unlicensed Private Grade Crossing in existence prior to January 1, 2020, shall be deemed to be assessed the minimum applicable fee established in Section II of this Fee Schedule.

Note: The crossing type is calculated based on the Private Xing Classification Chart.

D. BUSINESS SIGN/ADVERTISEMENT

1. All non-electrified signs up to 3' by 5' dimension ……..**$1,210.00**
2. All non-electrified signs over 3' by 5' dimension……...…… **$2,420.00**
3. All electrified signs up to 3' by 5' dimension…… **$1,815.00**
4. All electrified signs over 3' by 5' dimension…….. **$6,050.00**

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

Note: Notwithstanding any provision of this Fee Schedule to the contrary, any unlicensed Business Sign/Advertisement in existence prior to January 1, 2020, shall be deemed to be assessed the minimum applicable fee established in Section II of this Fee Schedule.

E. ENTRY ONTO PROPERTY FOR THE PURPOSE OF INSTALLATION AND CONSTRUCTION OF A LONGITUDINAL OCCUPATION FOR WHICH THE AUTHORITY IS NOT AUTHORIZED TO EXECUTE A LICENSE AGREEMENT OR GRANT AN EASEMENT (Per Mile)

1. Minimum entry fee …… **$6,960.00**
2. Subject to additional consideration depending on dimensions, etc..

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

G. OTHER AGREEMENTS

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

1. General guidelines: general use of existing access road……...**$1,000.00**
2. Boring on Rail Authority property (per pit)……..…… **$3,025.00**
3. Logging access, including excavation to improve access ……...……..… **$3,630.00**
4. All tracked vehicles depending upon circumstances ……..**$3,630.00**
5. Land Leases – open to negotiation ……..……...**minimum $3,630.00**
6. Parking Leases – open to negotiation…… **minimum $3,630.00**
7. Assignments of interests in Rail Authority property ……..**$1,100.00**

H. MISCELLANEOUS

IN THE EVENT THAT THE RAIL AUTHORITY IS ASKED TO REVIEW AND/OR PREPARE OTHER DOCUMENTS REGARDING RAIL AUTHORITY PROPERTY, A MINIMUM FEE IN THE AMOUNT OF $1,200.00 SHALL BE ASSESSED TO COVER THE DOCUMENT REVIEW AND PREPARATION COSTS. SUCH FEE MAY BE INCREASED IN THE RAIL AUTHORITY'S SOLE DISCRETION BASED ON THE COMPLEXITY OF THE MATTER.

I. PAYMENT TERMS

EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THIS FEE SCHEDULE, ALL FEES FOR EASEMENTS, LICENSES, OR ANY OTHER OCCUPATION COVERED HEREUNDER SHALL BE PAID ON AN ANNUAL BASIS.

THE AUTHORITY REQUIRES THAT ALL OCCUPATIONS OF ITS PROPERTY BE SET FORTH IN A WRITTEN AGREEMENT APPROVED BY THE AUTHORITY. ANY OTHER PROPOSED TYPE OF AGREEMENT NOT COVERED IN THIS FEE SCHEDULE MAY BE NEGOTIATED UNDER CASE SPECIFIC CONSIDERATION ON AN INDIVIDUAL BASIS. THE AUTHORITY RESERVES THE RIGHT TO DENY ANY REQUEST OR PROPOSED OCCUPATION AT ITS DISCRETION.