

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

UTILITY PERMIT
(MAJOR)

Approval

Recommended: Homer Doh
TITLE: REGIONAL PERMIT OFFICERDATE: 05-07-1993
REGION: NORTHERN

Annotated 6/14/00
add bagger
Amended 8/27/01
Remove crossing under Santa Fe and the C4 rd

THE STATE OF ALASKA, acting by and through the DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, hereinafter called the DEPARTMENT, grants a MAJOR Utility Permit to:

TELEPHONE UTILITIES OF THE NORTHLAND, INC. OF: ANCHORAGE, ALASKA
hereinafter called the PERMITTEE, permission to construct, install and thereafter perform routine maintenance, use and operate a:

BURIED 42 STRAND FIBER OPTIC CABLE

hereinafter called the FACILITY, located as follows:

ALONG &/OR CROSSING ~~BADGER RD, OLD RICH HWY, LAURANCE RD & RICHARDSON HWY~~ FROM NORTH POLE TO MOOSE CR BLUFF across, along or under property of the DEPARTMENT, acquired and utilized in the operation and maintenance of a State Transportation System, at the aforementioned locations and/or positions, and in strict conformance with plans, specifications and special provisions attached hereto and made a part hereof, and not otherwise.

A. In accepting this Utility Permit for the FACILITY, the PERMITTEE agrees to comply with the provisions of AS 02.15.102, AS 02.15.106, AS 19.25.010, AS 19.25.200, AS 35.10.210, and AS 35.10.230; the terms, requirements and regulations as set forth in 17 AAC 15 as authorized under Administrative Procedures Act, AS 44.62.010 -- 44.62.650 and the applicable policies, directives and orders issued by the Commissioner of the DEPARTMENT.

B. The entire cost of routine maintenance operations of the FACILITY are to be paid for by the PERMITTEE, and said Facility shall comply with all applicable codes.

C. The PERMITTEE's construction, installation and maintenance operations of the FACILITY shall be accomplished with minimum interference and interruption of the use, operation and maintenance of the DEPARTMENT's right-of-way and/or public facility; or as hereinafter provided in the DEPARTMENT's Special Provisions, attached hereto and made a part hereof, and shall at all times in no way endanger the general public in its use of the public property.

D. The DEPARTMENT, in granting this Utility Permit, reserves the right to use, occupy and enjoy its property for a public transportation system and for public transportation purposes in such a manner and at such times as it deems necessary, the same as if this instrument had not been executed by the DEPARTMENT. If any such use by the DEPARTMENT shall at any time necessitate any change in location or manner of use of said FACILITY, or any part thereof, such change or alteration shall be made by the PERMITTEE according to the terms of one of the two clauses set out below as identified by a checkmark before the applicable clause.

XX (1) The PERMITTEE will be reimbursed in full by the DEPARTMENT for all costs incurred in making such changes or alterations to the FACILITY that qualify under the provisions of AS 02.15.104(c), AS 19.25.020(c), or AS 35.10.220(c).

____ (2) The PERMITTEE shall promptly remove or relocate said FACILITY at no cost to the DEPARTMENT in accordance with the provisions of AS 02.15.104(c)(4) or (5), AS 19.25.020(c)(4) or (5), or AS 35.10.220(c)(4) or (5).

E. On public property being utilized for right-of-way on highways originally established as, or converted to, controlled access highways, ingress or egress thereto for maintenance and operation of the FACILITY is limited to the locations as designated by the DEPARTMENT. However, the DEPARTMENT may allow the PERMITTEE ingress and egress whenever such is necessary to effect repairs and maintenance of the FACILITY and when no other access is available. If the DEPARTMENT determines such access is in conflict with the use of the controlled access highway, the FACILITY will be relocated.

F. The State of Alaska and the DEPARTMENT for the purpose of this Utility Permit, hereby disclaim any representation or implication to the PERMITTEE that the DEPARTMENT has any title in any property other than the interest conveyed to the DEPARTMENT for specific purposes as described by the instrument conveying the land to the DEPARTMENT.

G. The PERMITTEE by these presents accepts notice and agrees that any expenses or damages incurred by the PERMITTEE through the abandonment, removal, reconstruction or alteration of any public facility, or incurred by said PERMITTEE as a result of this disclaimer shall be borne by said PERMITTEE at no expense whatsoever to the DEPARTMENT or the State of Alaska.

H. The waiver or breach of any of the terms or conditions of this Utility Permit or provisions of the Administrative Code, by the DEPARTMENT shall be limited to the act or acts constituting such breach, and shall never be construed as being continuing or a permanent waiver of any such term or condition, unless expressly agreed to in writing by the parties hereto, all of which shall remain in full force and affect as to future acts or happenings, notwithstanding any such individual waiver or any breach thereof.

I. Only the Commissioner of the DEPARTMENT or his delegate shall have the authority to waive any term or condition herein contained.

J. The PERMITTEE shall not assign or transfer any of the rights authorized by this Utility Permit except upon notification to and approval by the DEPARTMENT.

K. The PERMITTEE agrees to comply with all regulations concerning present and future use of the public property acquired, or reimbursed by Federal-aid funds.

L. The PERMITTEE shall give the DEPARTMENT not less than ten (10) days prior written notice, unless otherwise agreed to by the parties hereto, of the PERMITTEE's intention to enter upon the DEPARTMENT's property for the purpose of major maintenance, reconstruction, altering or removal of the FACILITY, provided, however, that normal routine maintenance is excepted from this provision, and provided further, that in any instance of sudden emergency requiring prompt and immediate action to protect the public safety, or to mitigate damage to private or public property, no prior notification to the DEPARTMENT will be required. The PERMITTEE shall notify the DEPARTMENT and the Alaska State Troopers, of the location of the emergency and extent of work required by the most expeditious means of communication as soon as reasonably possible to do so, and the PERMITTEE shall take such measures as are required to protect the health and safety of the traveling public or public facility users for the duration of such emergency operations.

M. The PERMITTEE shall indemnify and hold harmless the State of Alaska and the DEPARTMENT, or either of them, from all liability for damage to property, or injury to or death of persons, arising wholly or in part from any action taken by the PERMITTEE in relation to the PERMITTEE's FACILITIES on DEPARTMENT rights-of-way or other permitted locations. (17 AAC 15.061)

N. The PERMITTEE is subject to all previous easements and Utility Permits and any damage to any other utility will be the PERMITTEE's responsibility.

O. The PERMITTEE agrees to be responsible for the compliance with all applicable Federal, State, and local laws, regulations, codes and ordinances.

P. The PERMITTEE agrees to be responsible for obtaining all other appropriate permits or letters of non-objection needed from Federal, State and local agencies, or conflicting lessees, property owners or utilities.

Q. The PERMITTEE may be required, within thirty (30) days after completion of any improvement placed upon or in the premises herein, deliver to the DEPARTMENT as-built drawings showing the location and construction specifications of said improvement.

R. This Utility Permit is issued under the provisions of applicable Alaska Statutes and Administrative Code effective as of the date of execution of this instrument by the DEPARTMENT.

S. The PERMITTEE agrees that the FACILITY will be constructed in accordance with the attached:

1. Plans dated 3/10/93, consisting of WO# 40-PR93527;
2. Specifications consisting of page _____ thru page _____; and
3. (Other) _____

which, by this reference, are made a part hereof, and in accordance with the applicable codes pertaining to the FACILITY, and not otherwise, unless prior written authorization is obtained from the DEPARTMENT to do so.

T. The PERMITTEE agrees to reimburse the DEPARTMENT for actual costs of inspection and testing as required during the performance of the work proposed by the PERMITTEE. The scope of inspection and testing shall be determined by the Regional Utilities Engineer. The costs billed to the PERMITTEE will be the actual DEPARTMENT's costs incurred while performing the inspection and testing.

U. The PERMITTEE agrees by entering on the DEPARTMENT's property to indemnify the DEPARTMENT and its contractors of all costs tangible or intangible that would be the result of any delay in a construction project of the DEPARTMENT caused by work done under this permit.

V. The PERMITTEE agrees to reimburse the DEPARTMENT for the length of the facility to be installed in excess of 200 feet (as indicated on the attached plans referred to in paragraph 'S' above) which is calculated to be 10000 linear feet at \$0.25 per foot to equal \$2,500.00 (but not to exceed \$2500) payable at the time the permit is executed by the DEPARTMENT, unless arrangements have been made for the PERMITTEE to be billed on a monthly basis.

SPECIAL PROVISIONS:

A COPY OF THE PERMIT MUST BE AT THE WORK SITE DURING CONSTRUCTION AND INSTALLATION OF THE FACILITY.

SHOULD CULTURAL OR PALEONTOLOGICAL RESOURCES BE DISCOVERED AS A RESULT OF THIS ACTIVITY, WORK WHICH WOULD DISTURB SUCH RESOURCES SHALL BE STOPPED AND THE STATE HISTORIC PRESERVATION OFFICE NOTIFIED IMMEDIATELY AT (907) 762-4108.

CLEARING SHALL BE BY MECHANICAL CHIPPING OR HAND CLEARING AND REMOVAL OF DEBRIS.
THE PERMITTEE SHALL LEAVE THE ROW IN A CLEAN CONDITION ACCEPTABLE TO THE DEPARTMENT.
THE PERMITTEE SHALL BORE, JACK, OR HOLE HOG THE BURIED CROSSING.
THE MINIMUM CROSSING DEPTH SHALL BE THE GREATER OF 4' BELOW THE ROAD SURFACE OR 3' BELOW THE DITCH BOTTOM TO THE TOP OF THE FACILITY.
THE TOP OF THE LONGITUDINAL FACILITY SHALL BE A MINIMUM OF 3 FEET BELOW THE GROUND SURFACE.
THE PERMITTEE SHALL RESEED THE RIGHT OF WAY AS DIRECTED BY THE DEPARTMENT'S INSPECTOR.
DITCHES WILL BE RESTORED EQUAL TO OR BETTER THAN EXISTING CONDITION AND DRAINAGE PATTERN WILL BE MAINTAINED.
ALL TRAFFIC LANES SHALL BE KEPT OPEN AT ALL TIMES.
THE ROAD AND/OR SIDEWALK SHALL NOT BE USED AS A STAGING AREA FOR MATERIALS AND EQUIPMENT.
THE PERMITTEE'S SIGNING SHALL CONFORM TO THE ALASKA TRAFFIC MANUAL (MUTCD + THE ALASKA SUPPLEMENT).

In consideration of the benefits accruing to the PERMITTEE by reasons of the foregoing agreement, this said agreement is hereby accepted by the PERMITTEE, and the said PERMITTEE hereby agrees to comply with all of the terms, provisions, conditions, and stipulations therein contained.

Dated the 20th day of April, 1993.

THE COMPANY OR PERMITTEE

PTI Communications

By Tony Rosenthal Title OSP Field Engineer
Attest Dee White Title Support Specialist

ACKNOWLEDGEMENT OF COMPANY OR PERMITTEE
STATE OF ALASKA
JUDICIAL DISTRICT)

BE IT REMEMBERED that on this 20th day of April 1993, before me, the undersigned, a Notary Public of the State of Alaska, personally appeared Dee White and Tony Rosenthal

both to me personally known and known to me to be the identical individuals named in and who executed the foregoing permit, and acknowledged the said instrument to be the free and voluntary act and deed of the above named company for the uses and purposes therein expressed and on oath stated that they were authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of my Office the day and year first above written.

My Commission Expires: 3/21/95

Anne L. Fleming
A Notary Public

The State of Alaska, acting by and through its DEPARTMENT of TRANSPORTATION and PUBLIC FACILITIES (DOT&PF) as caused this Utility Permit to be executed on the day and year herein acknowledged below.

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES

By Gary C. Tyndall
Title Chief, PREDESIGN

DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
ACKNOWLEDGEMENT

STATE OF ALASKA)
4th JUDICIAL DISTRICT)

BE IT REMEMBERED that on this 17th day of May 1993, before me, the undersigned, a Notary Public of the State of Alaska, personally appeared Gary C. Tyndall of the DOT&PF known to me to be the identical person who executed the foregoing Agreement and he acknowledgement to me that he executed the same for and on behalf of the State of Alaska, DOT&PF with full authority so to do, and for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and and affixed the Seal of my Office the day and year above written.

My Commission Expires:

4-14-96
Homer Doty
A Notary Public

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
APPLICATION FOR UTILITY PERMIT

Application is hereby made for permission to place, construct and thereafter maintain a communication cables facility in, on, along or across properties controlled by the Department of Transportation and Public Facilities.

- I. The Facility is to be located: 4th Ave & Old Richardson to existing easement & along Laurence Road, & Richardson Hwy.
- II. Location and extent of required clearing: various see plans
- III. Joint use with: n/a In accordance with: _____
- IV. Facility to be constructed in accordance with the following:
- a. Plans dated _____, consisting of WO#40-PR93527
- b. Specifications dated n/a, consisting of n/a
- c. In conformance with (Code) Nesc & REA practices applicable Alaska statutes
- V. Work to commence on or about 8/93 and to be completed on or about 10/93
- VI. Traffic control required n/a (if yes, submit plan with application)
- VII. Permits from underlying fee holders (Federal) have been: obtained XX, applied _____, N/A _____, Check one.

The applicant in carrying out any or all of the work herein above mentioned or referred to in this application and in authorized Utility Permit issued therefore, shall strictly conform to the terms of such Utility Permit: Alaska Statutes 19.25.010 and 19.25.020; regulations as set forth in the Alaska Administrative Code, Title 17 - Highways, Chapter 15, Engineering - Utility Permits, and any revisions thereto, and such policy directives as issued.

The applicant shall comply with regulations of all other governmental agencies and the work shall be accomplished in a manner that will not be detrimental to the highway and appurtenances nor in any manner endanger the traveling public.

APPLICANT: PTI Communications ADDRESS: 3940 Arctic Blvd. PHONE: 564-3029

DATE: 3/10/93 BY: Terry Rosebaugh TITLE: OSP Field Engineer

(rev.6/86)

ELECTRICAL OR COMMUNICATION

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Permit No. Z-168200 93 021

OVERHEAD FACILITY:

NUMBER OF CONDUCTORS: _____

VOLTAGE & PHASE: _____

CONDUCTOR TYPE & SIZE: _____

STRUCTURE TYPE: _____

LONGITUDINAL FACILITY LENGTH: _____

OFFSET FROM HIGHWAY CENTERLINE: _____

VERTICAL CLEARANCE (min 20'): _____ CROSSING ANGLE: _____ AND LENGTH _____

UNDERGROUND FACILITY:

NUMBER OF CONDUCTORS: 42 Fiber Optic

VOLTAGE & PHASE: light

CONDUCTOR TYPE & SIZE: Fiber Optic

SIZE & TYPE OF ENCASEMENT: n/a

CROSSING ANGLE: 90 LENGTH: _____

see plans

DEPTH BELOW ROAD SURFACE*: 48" minimum

METHOD OF CROSSING: BORE: _____ JACK: xx OPEN CUT:(unpaved surface only): n/a

LONGITUDINAL FACILITY LENGTH: 9905' DEPTH OF BURY (min 36") 42"

OFFSET FROM HIGHWAY CENTERLINE: 45' to 145'

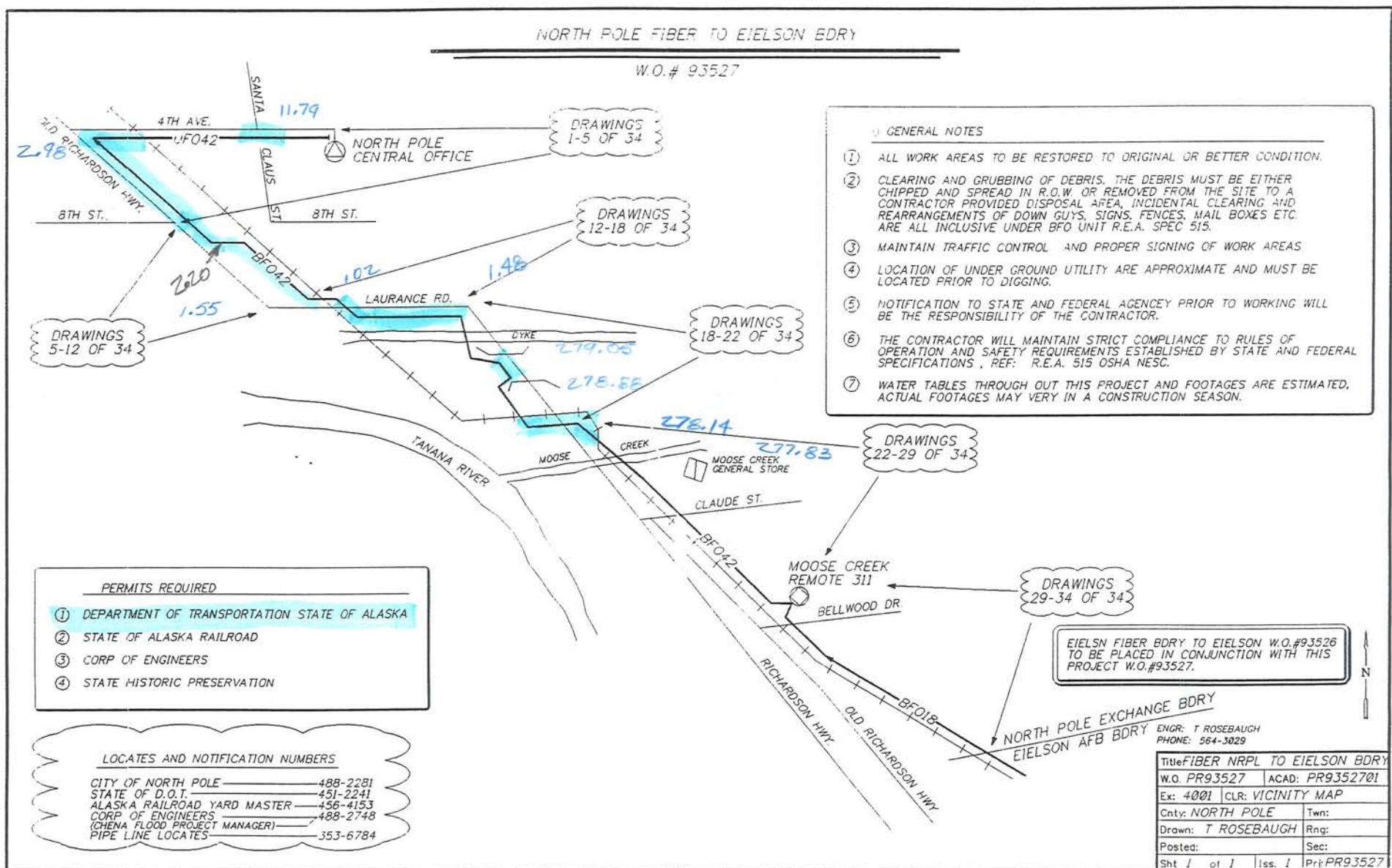
CODES APPLICABLE: Nesc and REA telephone practices

ADDITIONAL

INFORMATION: Corp of Engineer permits have been approved 2/19/93 no. DACW85-2-88-60

* Crossing must be 48" below road surface or 36" below ditch bottom, which ever is greater.

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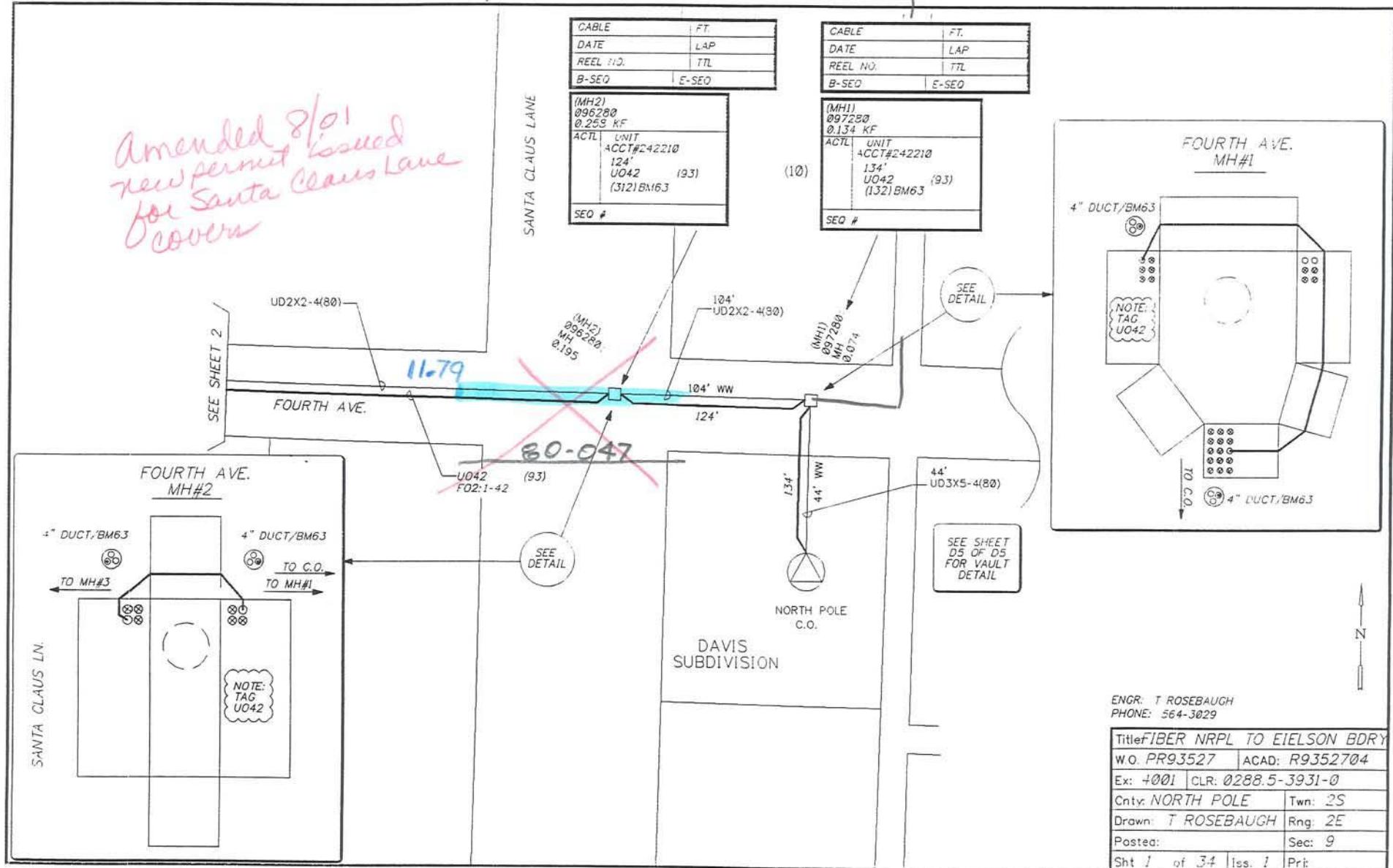


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91-065

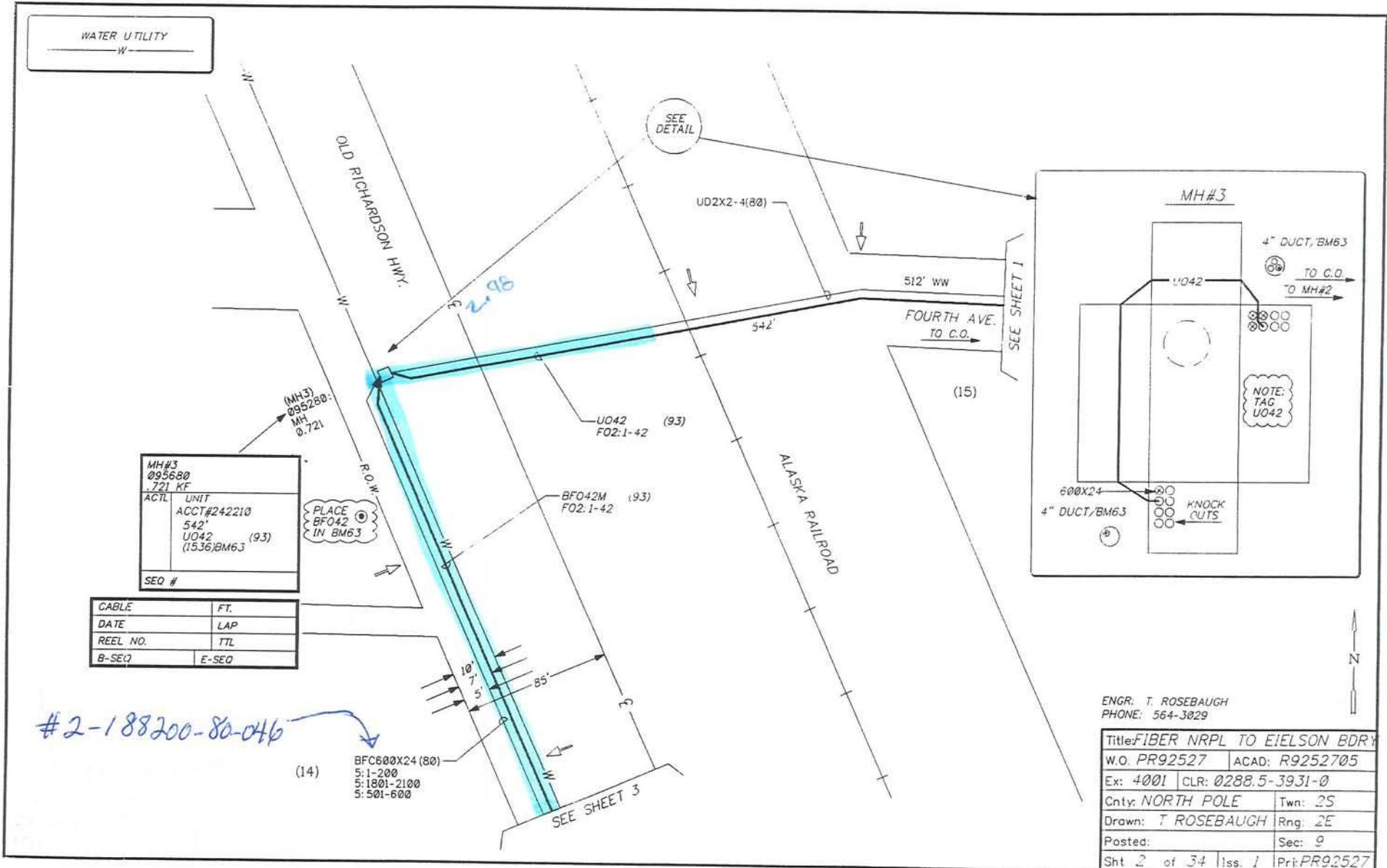
Amended 8/01
new permit issued
for Santa Claus Lane
covers



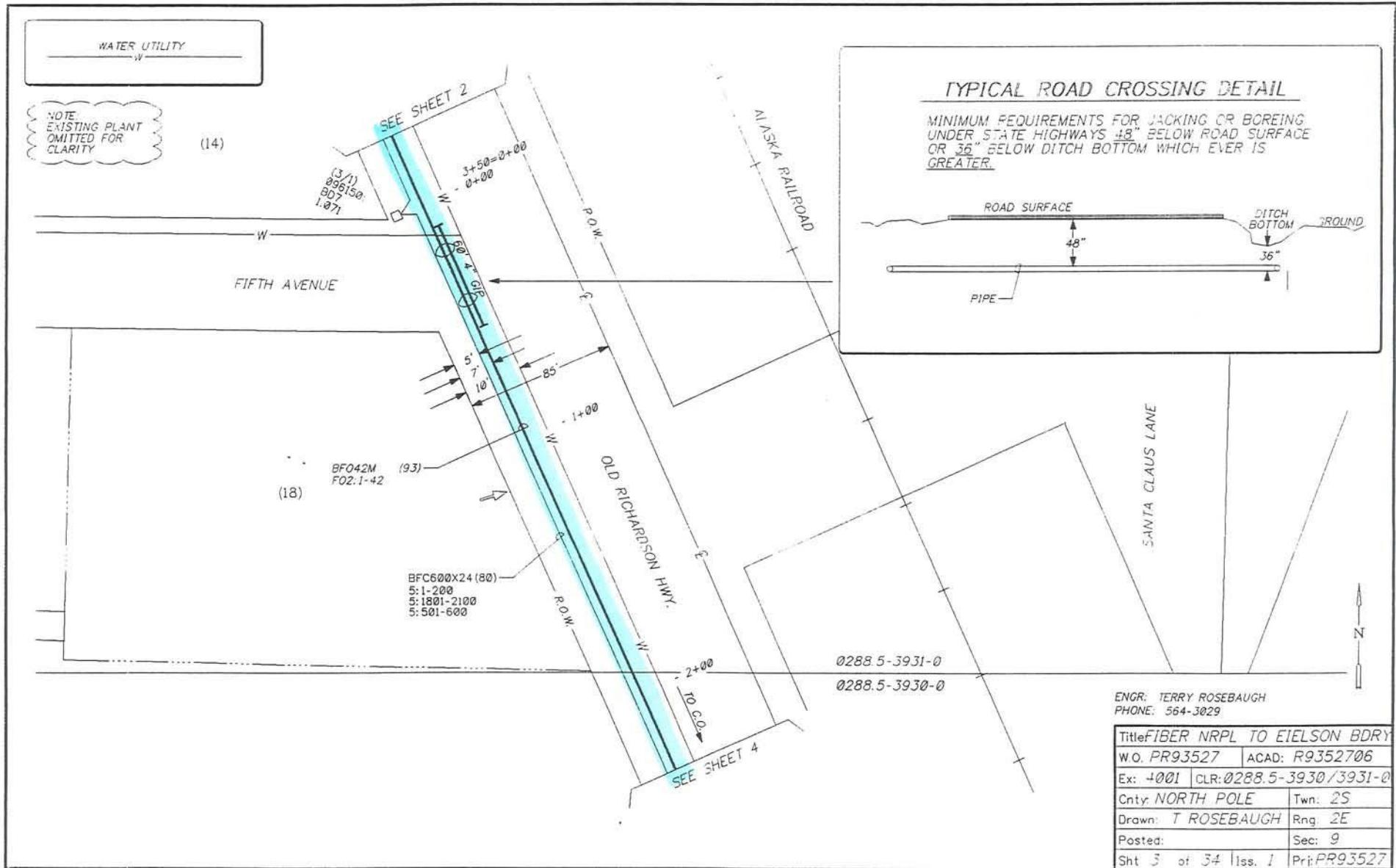
ENGR: T ROSEBAUGH
PHONE: 564-3029

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Ex:	4001	CLR: 0288.5-3931-0
Cnty:	NORTH POLE	Twn: 2S
Drawn:	T ROSEBAUGH	Rng: 2E
Posted:		Sec: 9
Sht 1	of 34	Iss. 1
		Pri:

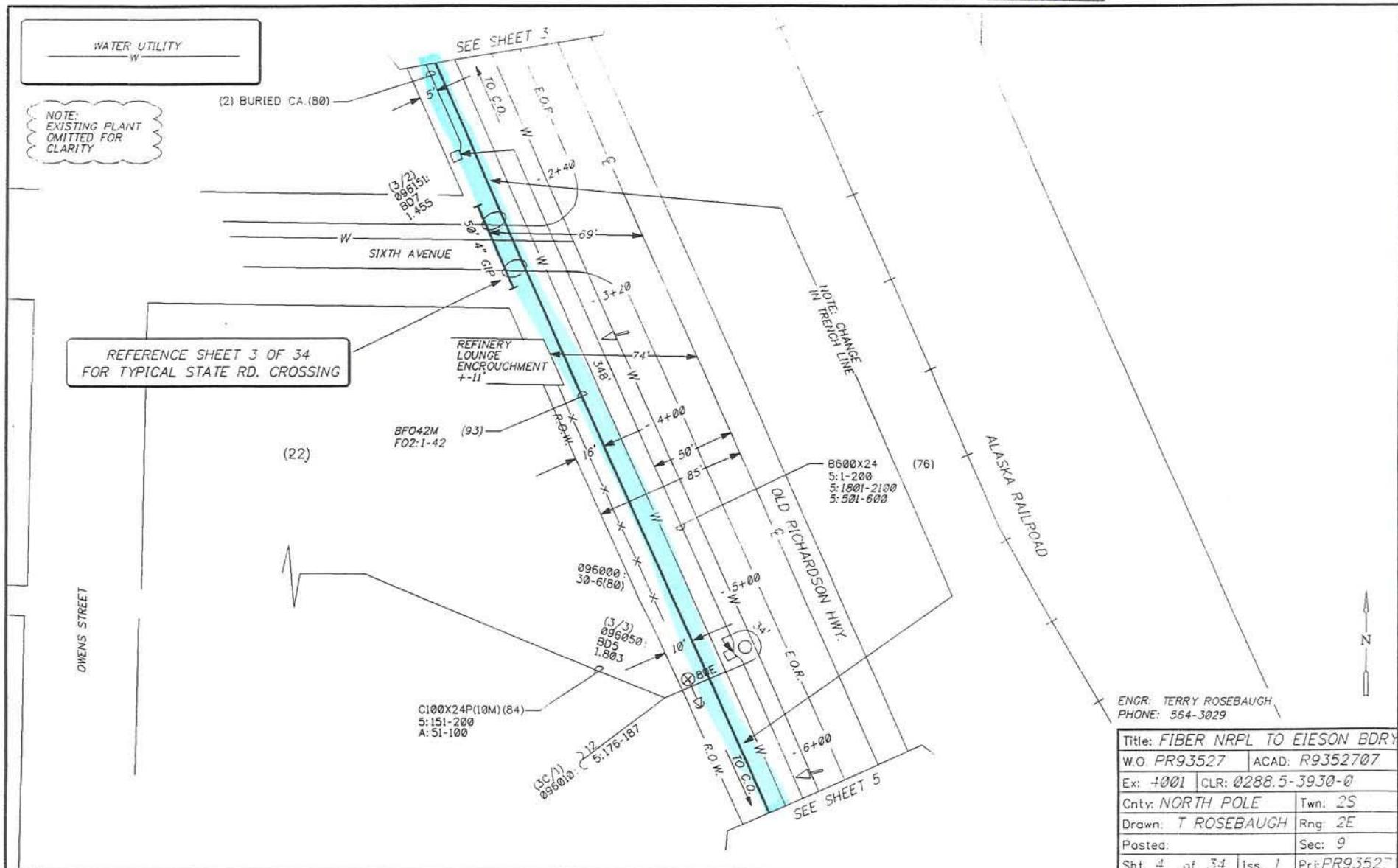
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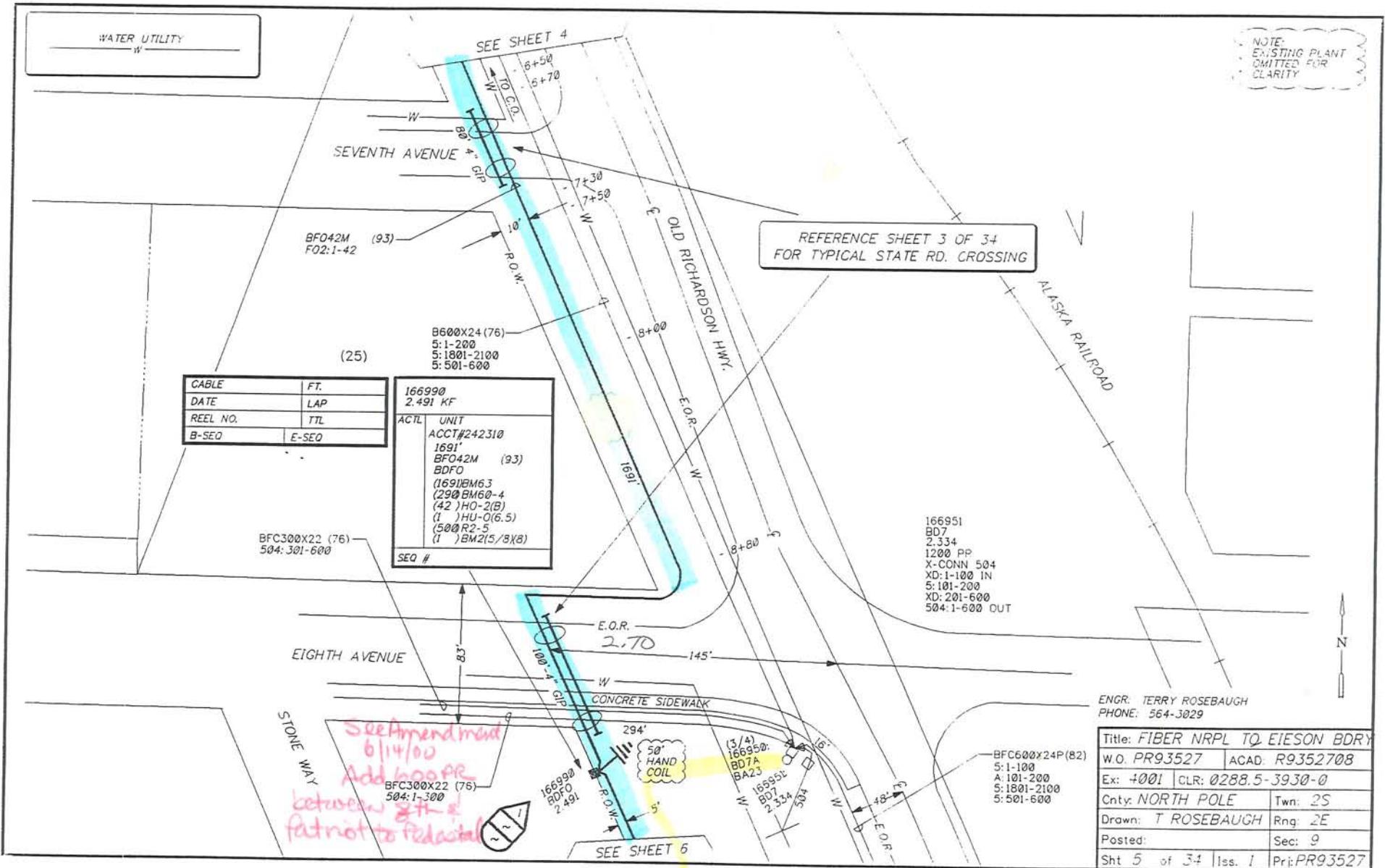
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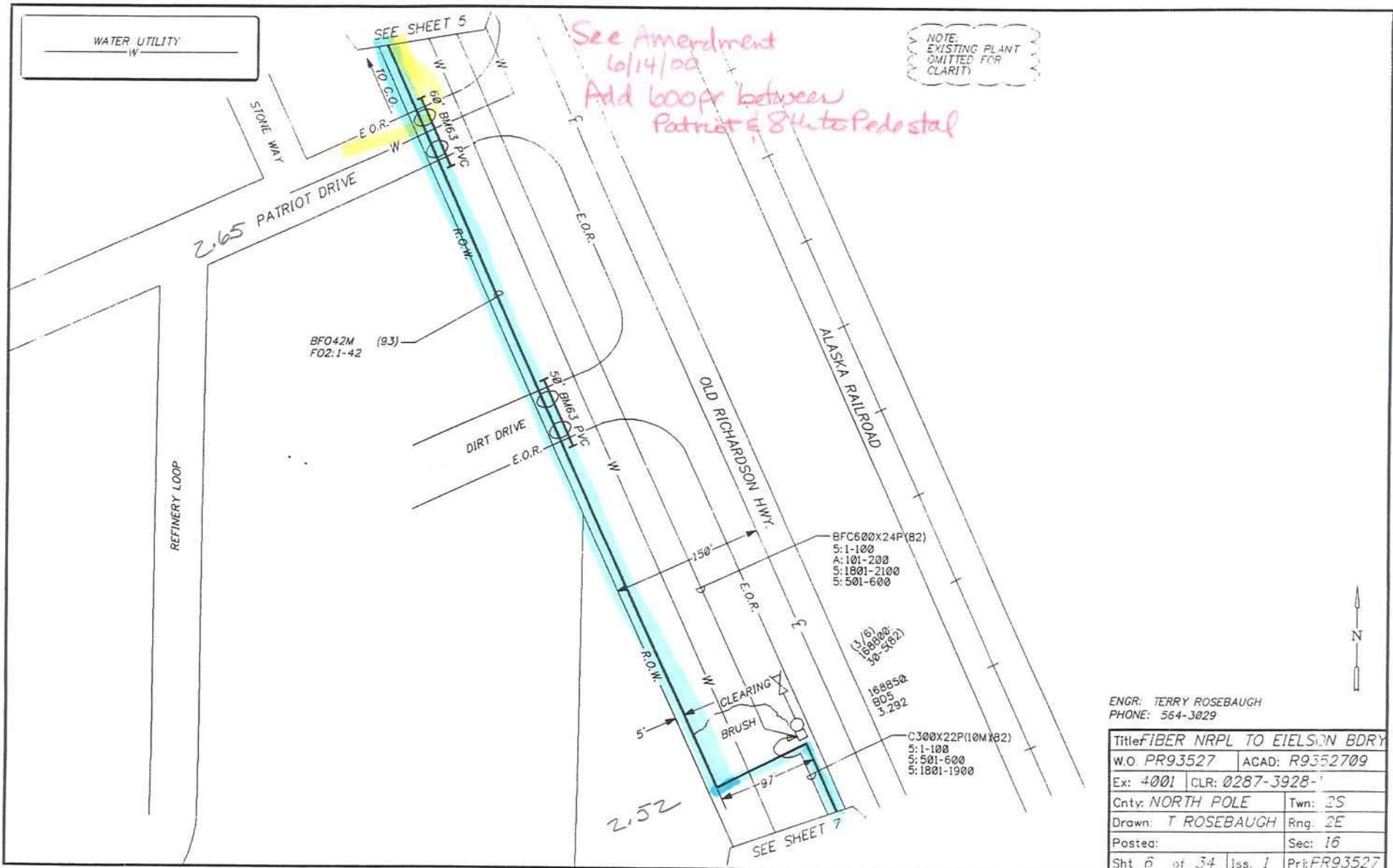
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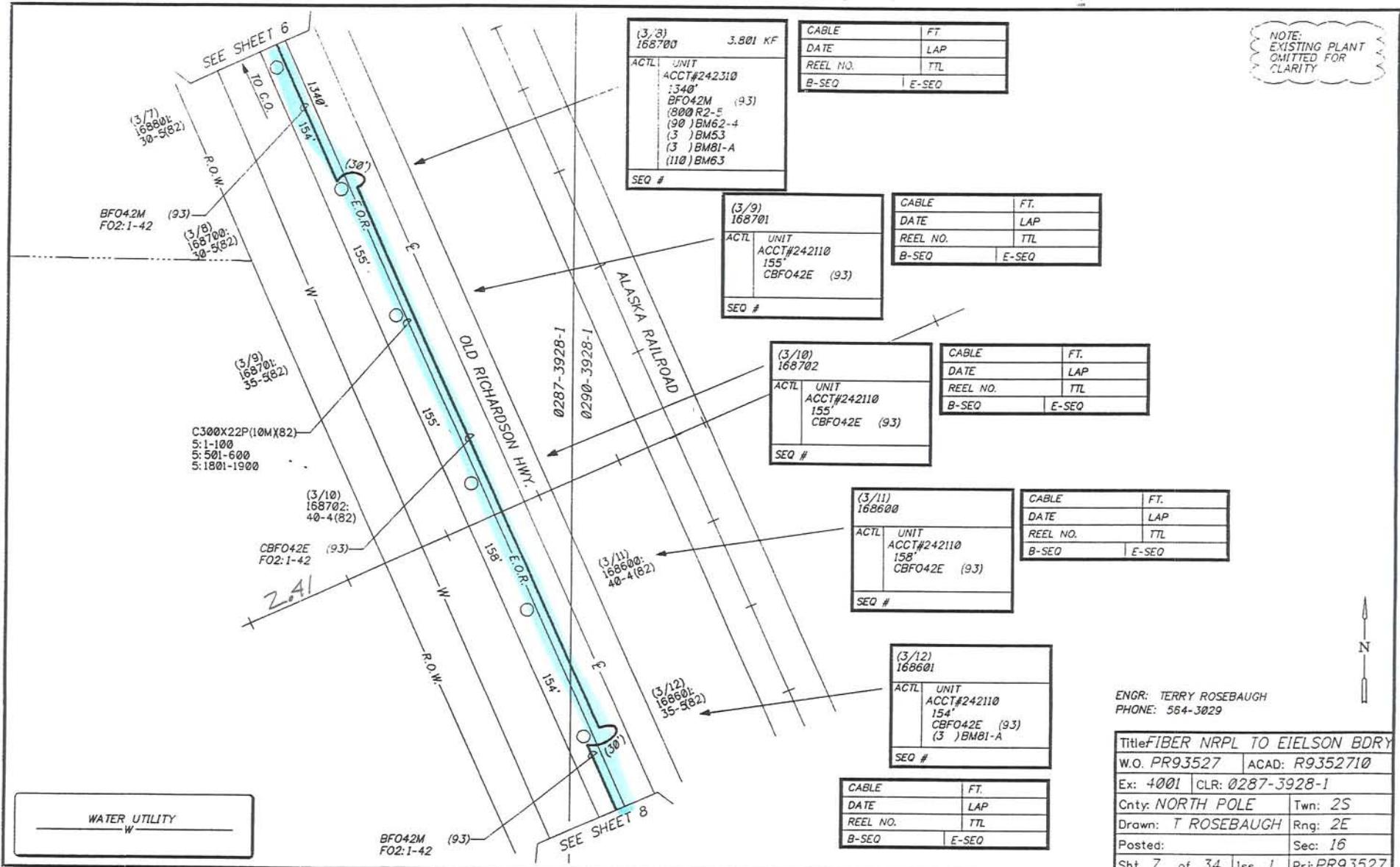


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NOTE:
 EXISTING PLANT
 OMITTED FOR
 CLARITY

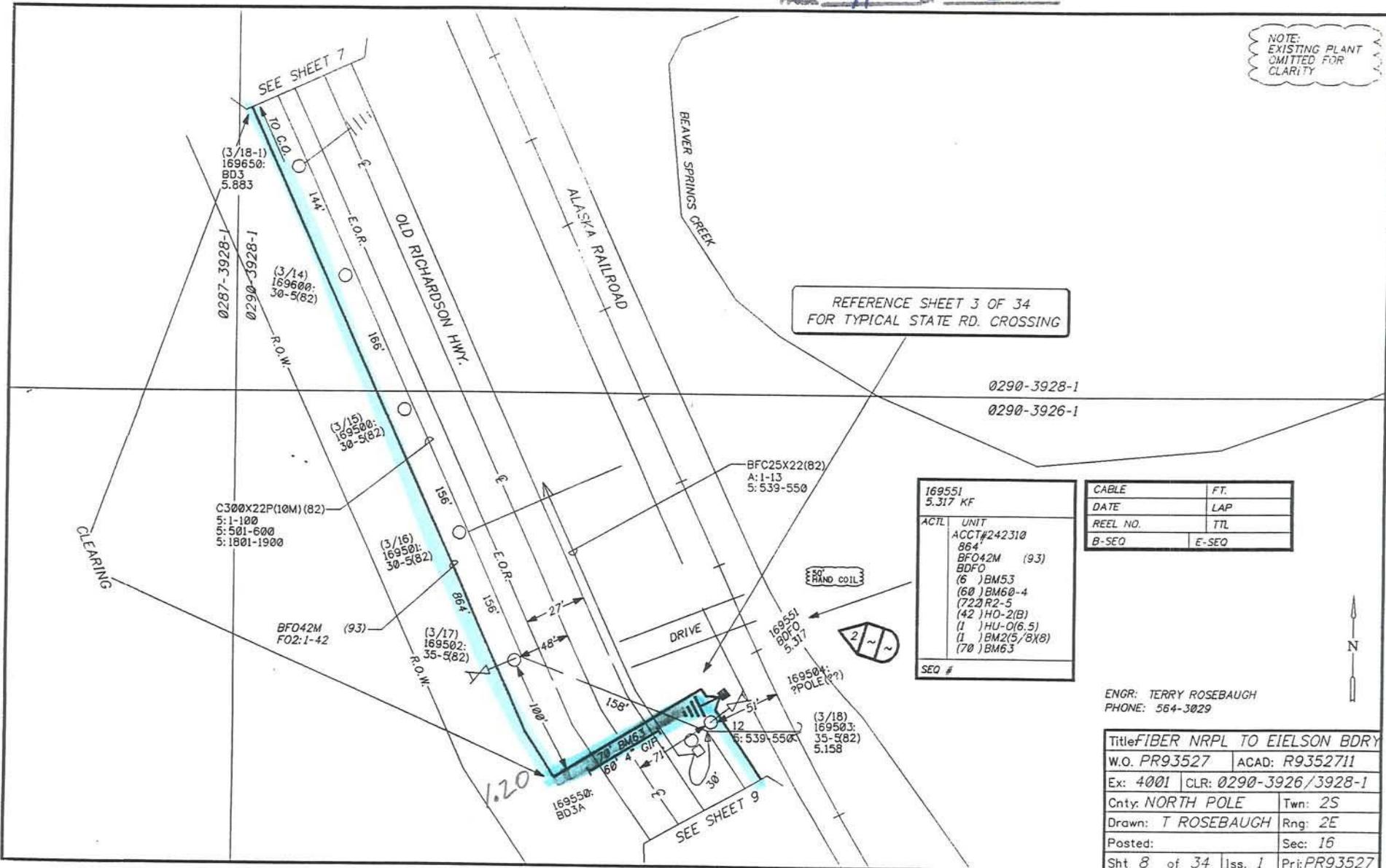


ENGR: TERRY ROSEBAUGH
 PHONE: 564-3029

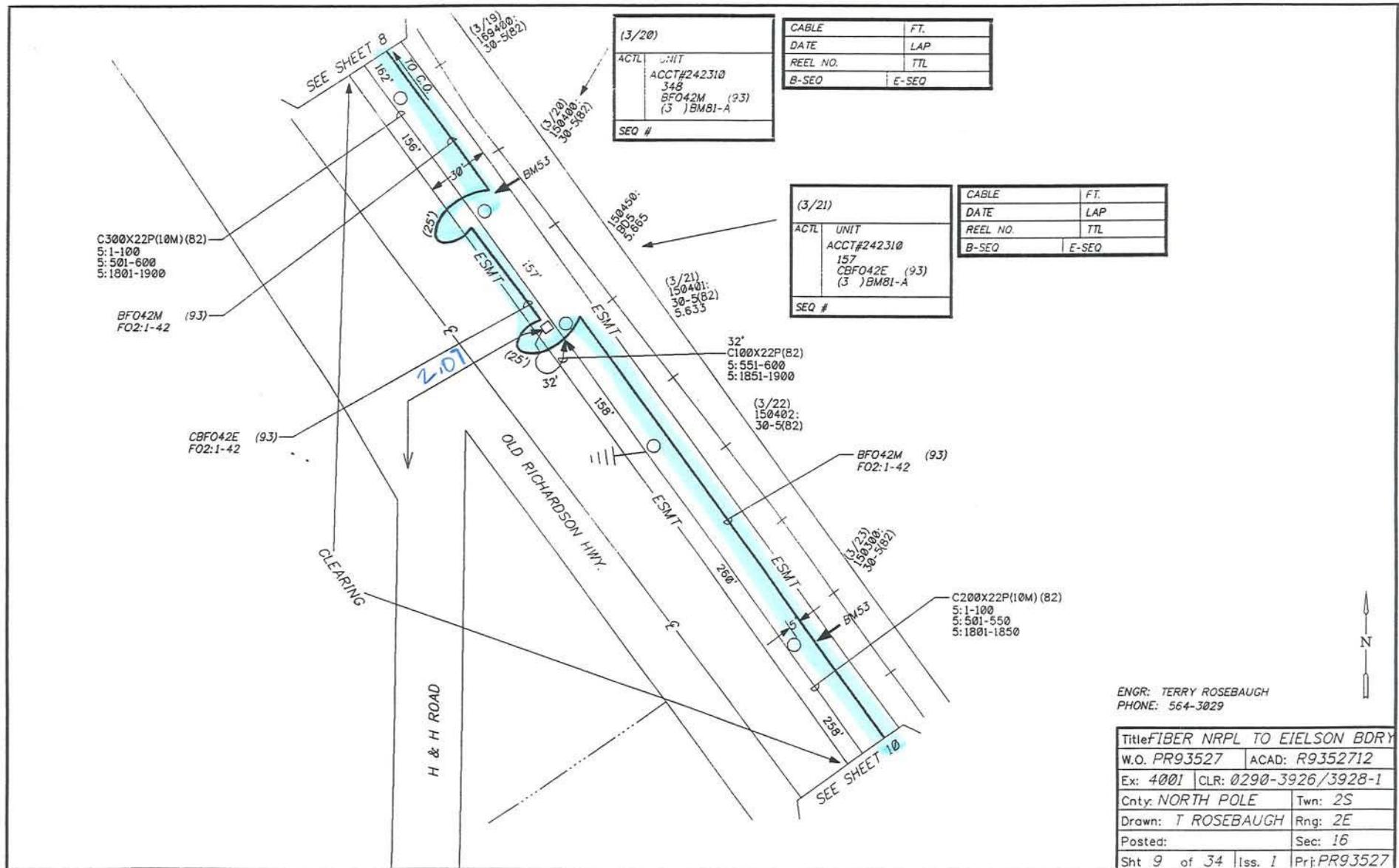
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Ex:	4001	CLR: 0287-3928-1
Cnty:	NORTH POLE	Twn: 2S
Drawn:	T ROSEBAUGH	Rng: 2E
Posted:		Sec: 16
Sht	7	of 34
Iss.	1	Pri: PR93527

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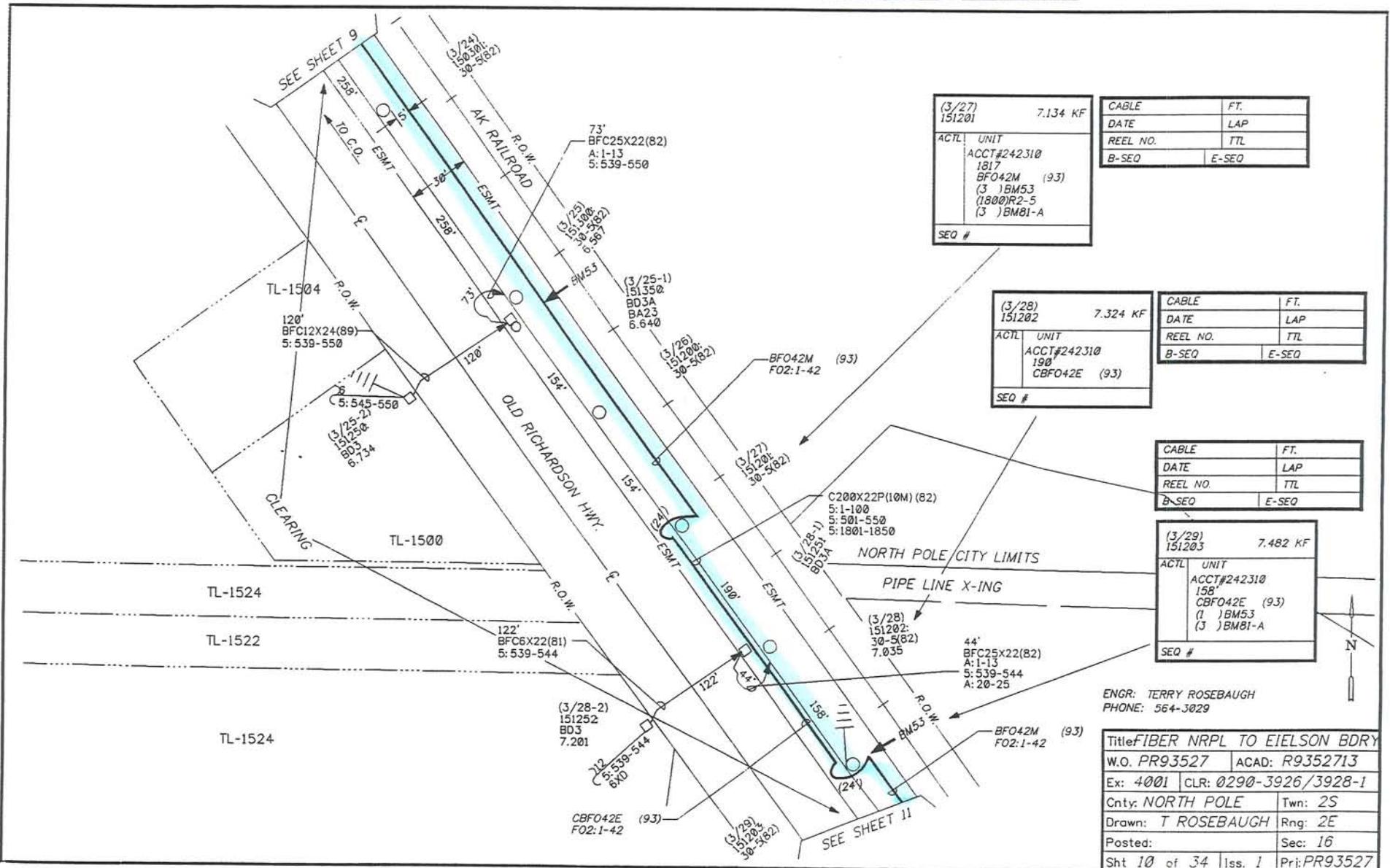
NOTE:
EXISTING PLANT
OMITTED FOR
CLARITY



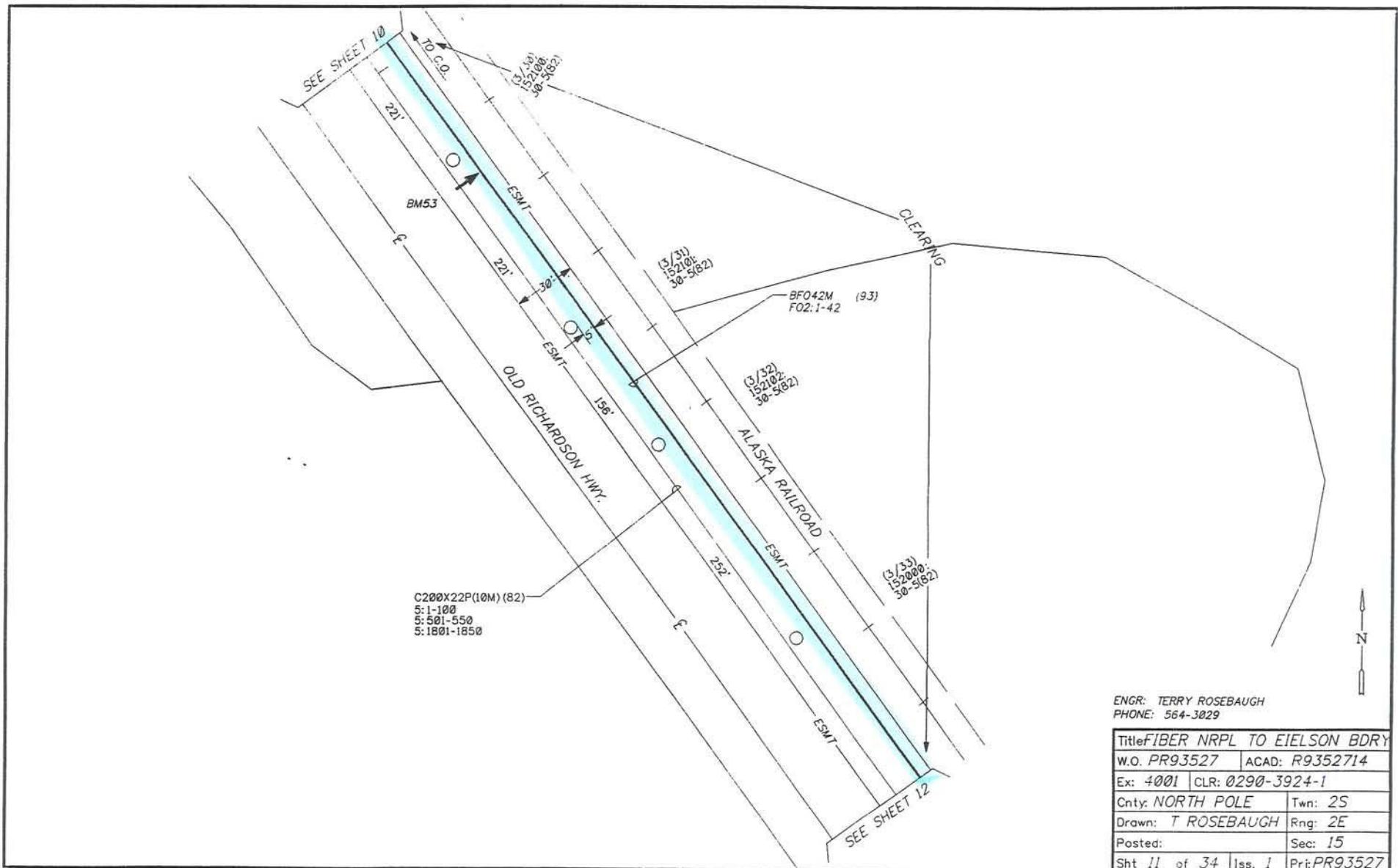
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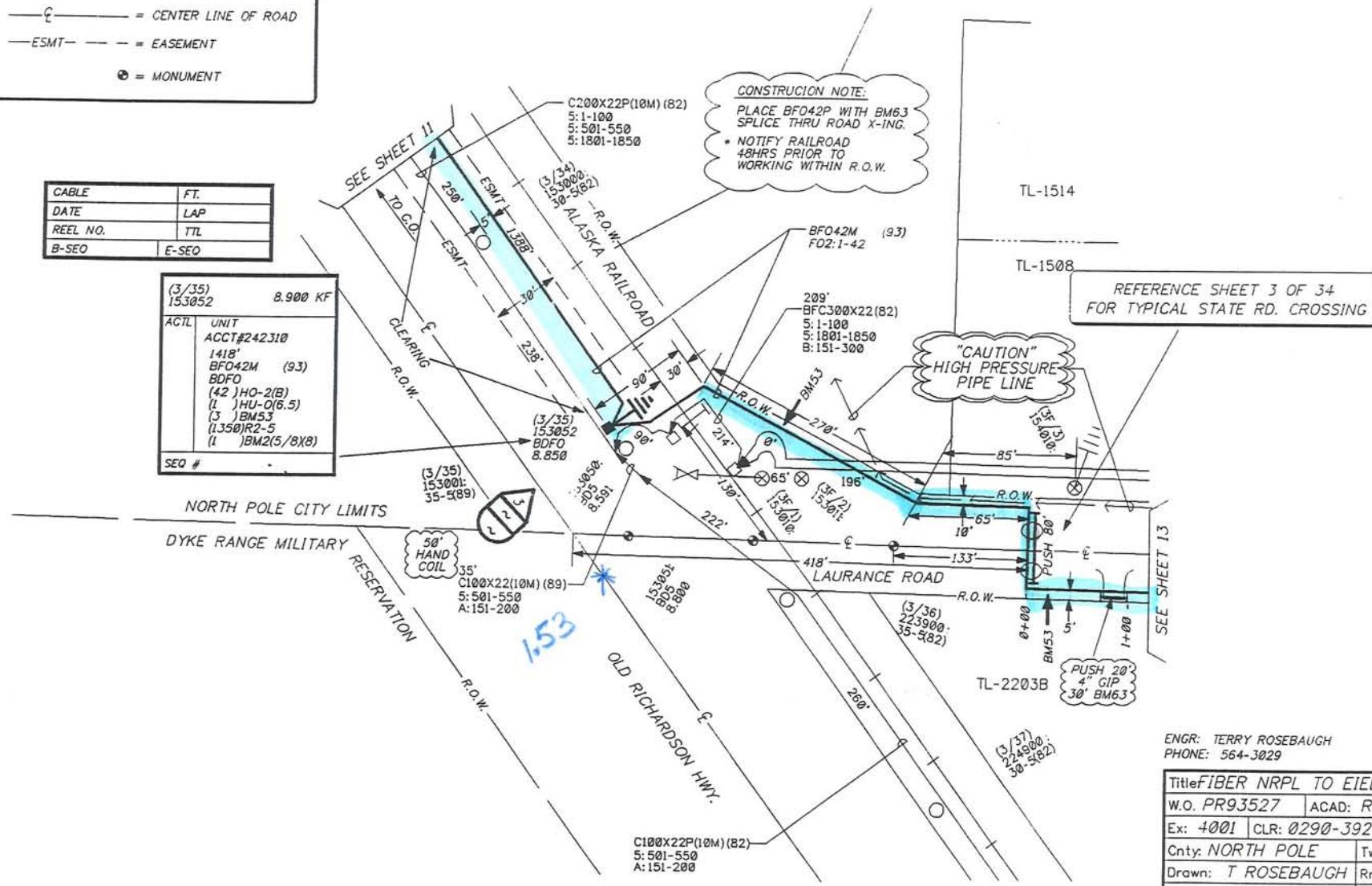


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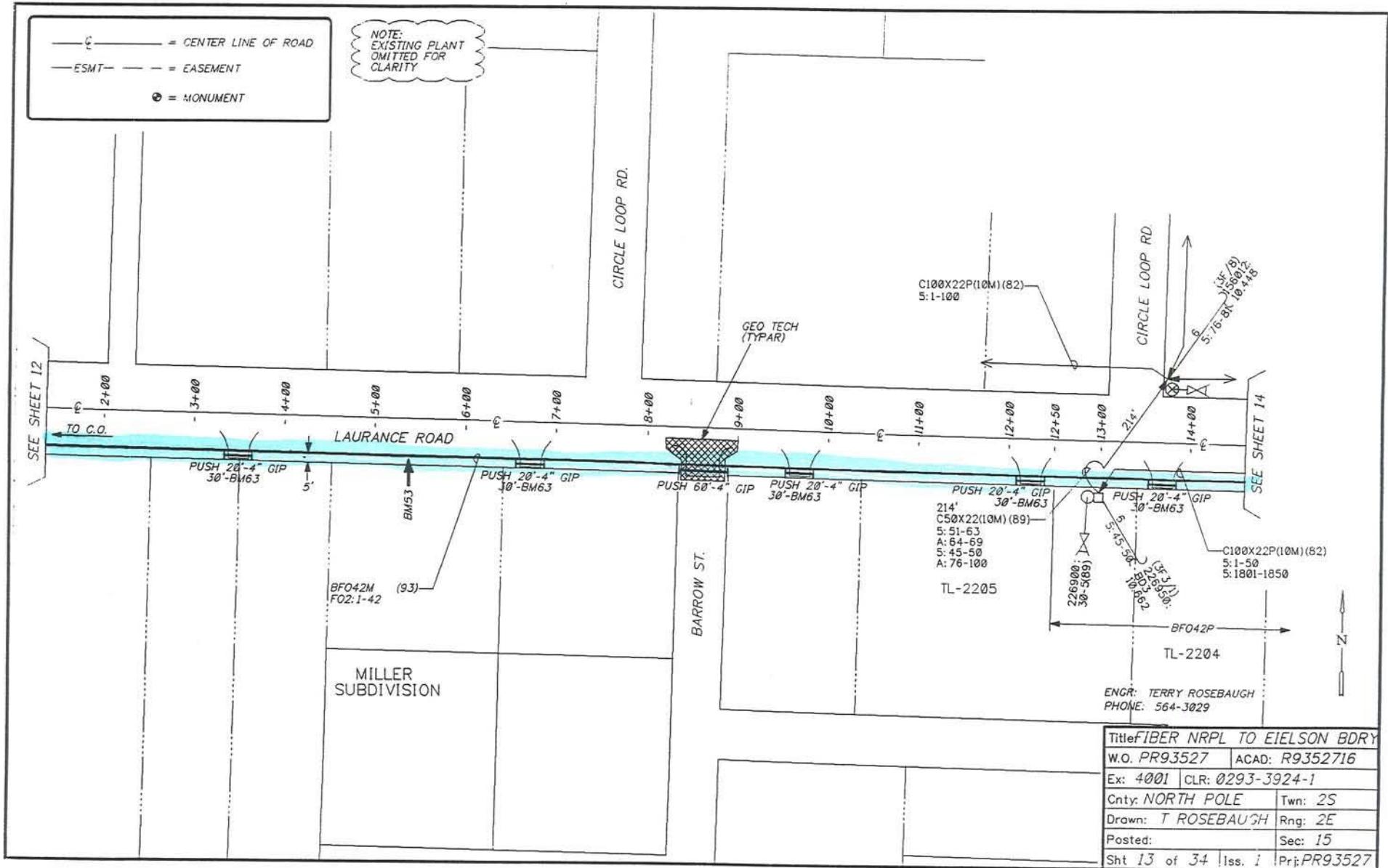
— = CENTER LINE OF ROAD
— ESMT — = EASEMENT
◎ = MONUMENT

CABLE	FT.
DATE	LAP
REEL NO.	TTL
B-SEO	E-SEO

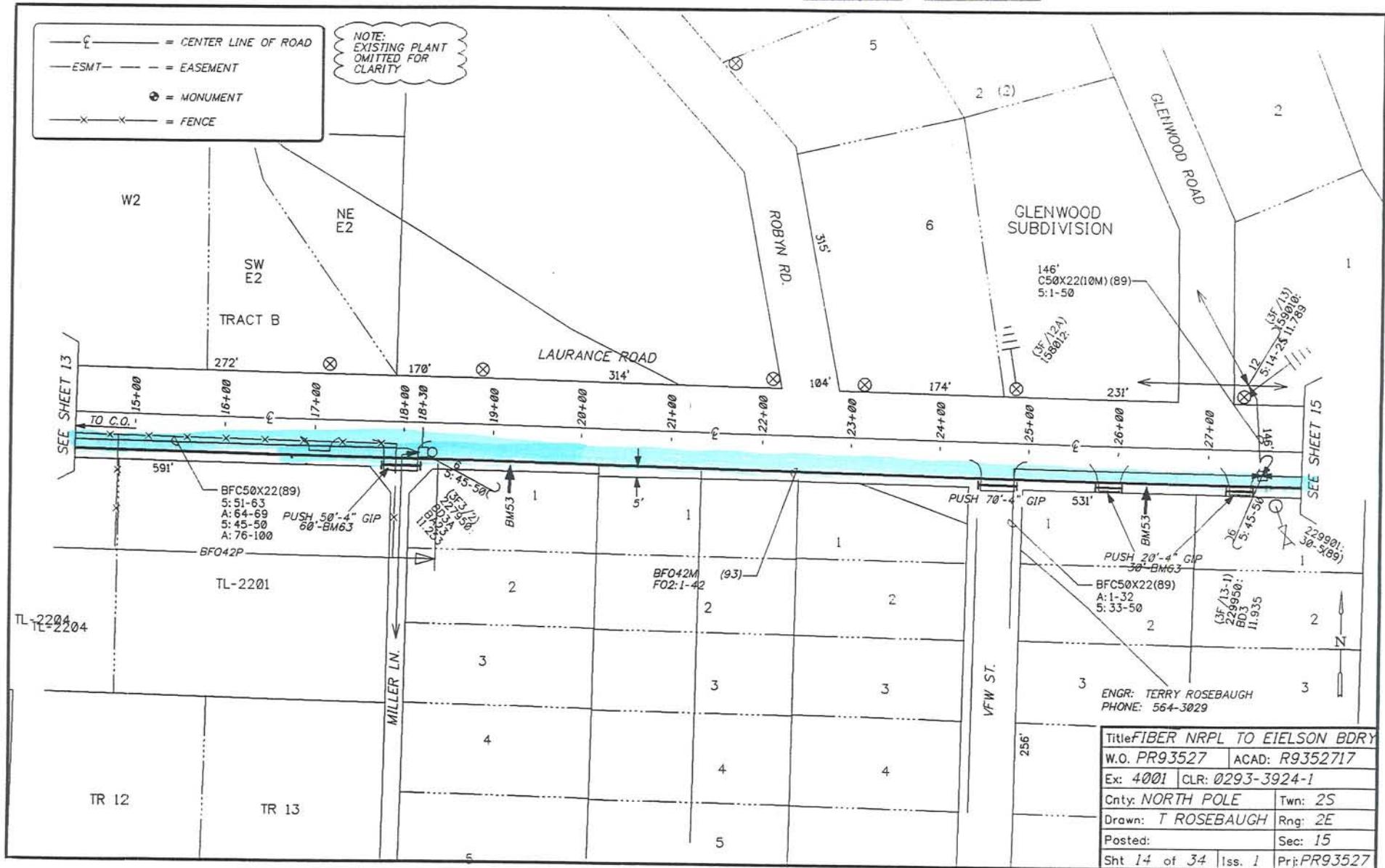
(3/35) 153052	8.900 KF
ACTL	UNIT
1418'	ACCT#242310
BF042M	(93)
BF04	(42)HO-2(B)
	(1)HU-0(6.5)
	(3)BM53
	(1)1530R2-5
	(1)BM2(5/8)(8)
SEO #	



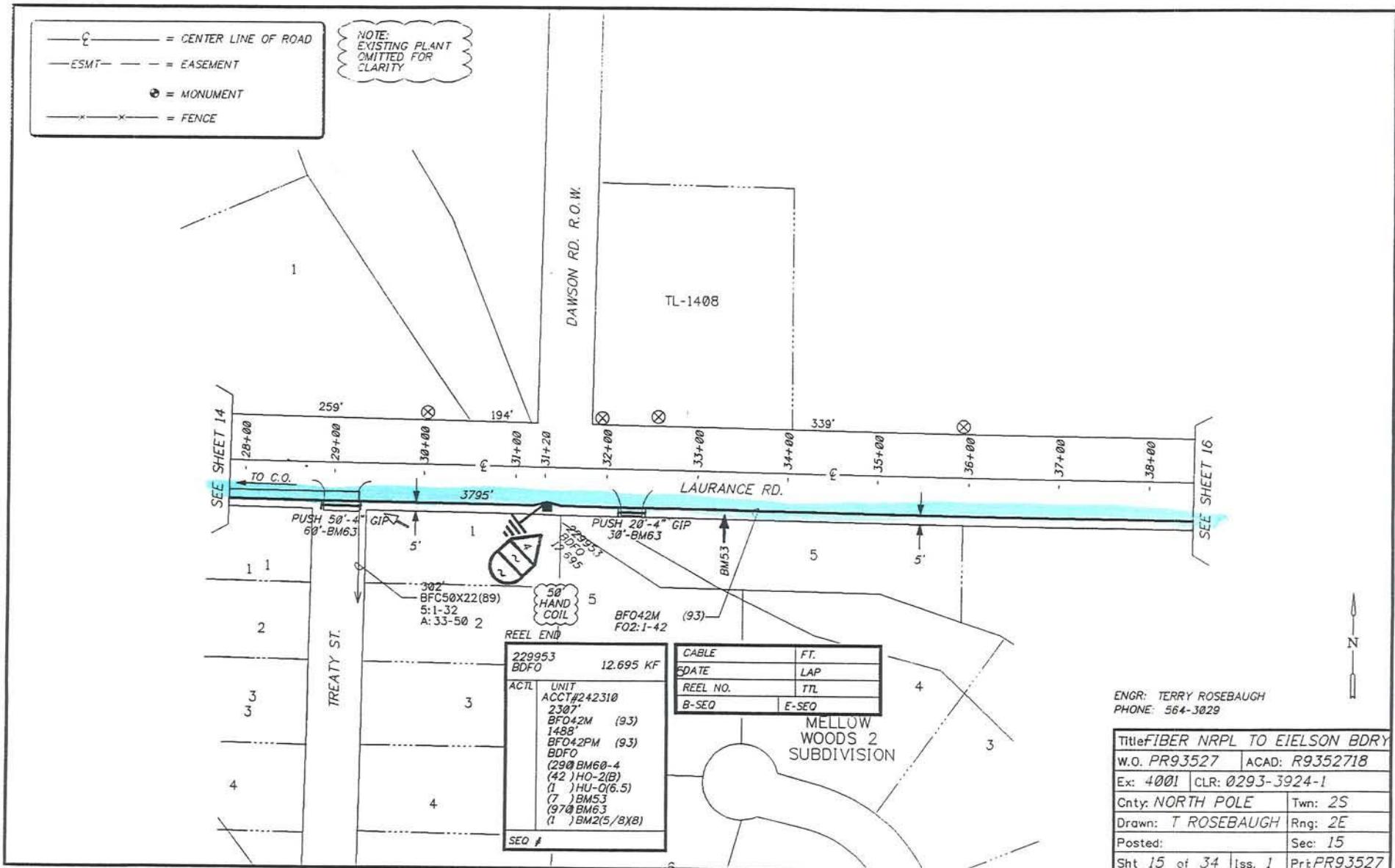
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Permit No. 2-188200 93 021

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NOTE:
EXISTING PLANT
OMITTED FOR
CLARITY



RECEIVED DAY
SEP 16 1993
Northern Region DOT & PP

3940 Arctic Blvd.
Anchorage, Alaska
99503

907 562-1231

September 13, 1993

State of Alaska
Department of Transportation
& Public Facilities
2301 Peger Road
Fairbanks, AK 99709-5316

Attn: Homer Doty Utilities Engineer/Northern Region

Dear Homer,

As per our telephone conversation Sept 8, 1993 concerning relocation of fiber optic cable on Lawrence Road at Telco stationing 44+50 to 47+50 sheet 16 of 34 PTI work order R93-527. The cable is placed 35 feet from the center line at the toe of slope along the slough area.

We appreciate your cooperation with this construction problem.

Thank you.

PTI COMMUNICATIONS

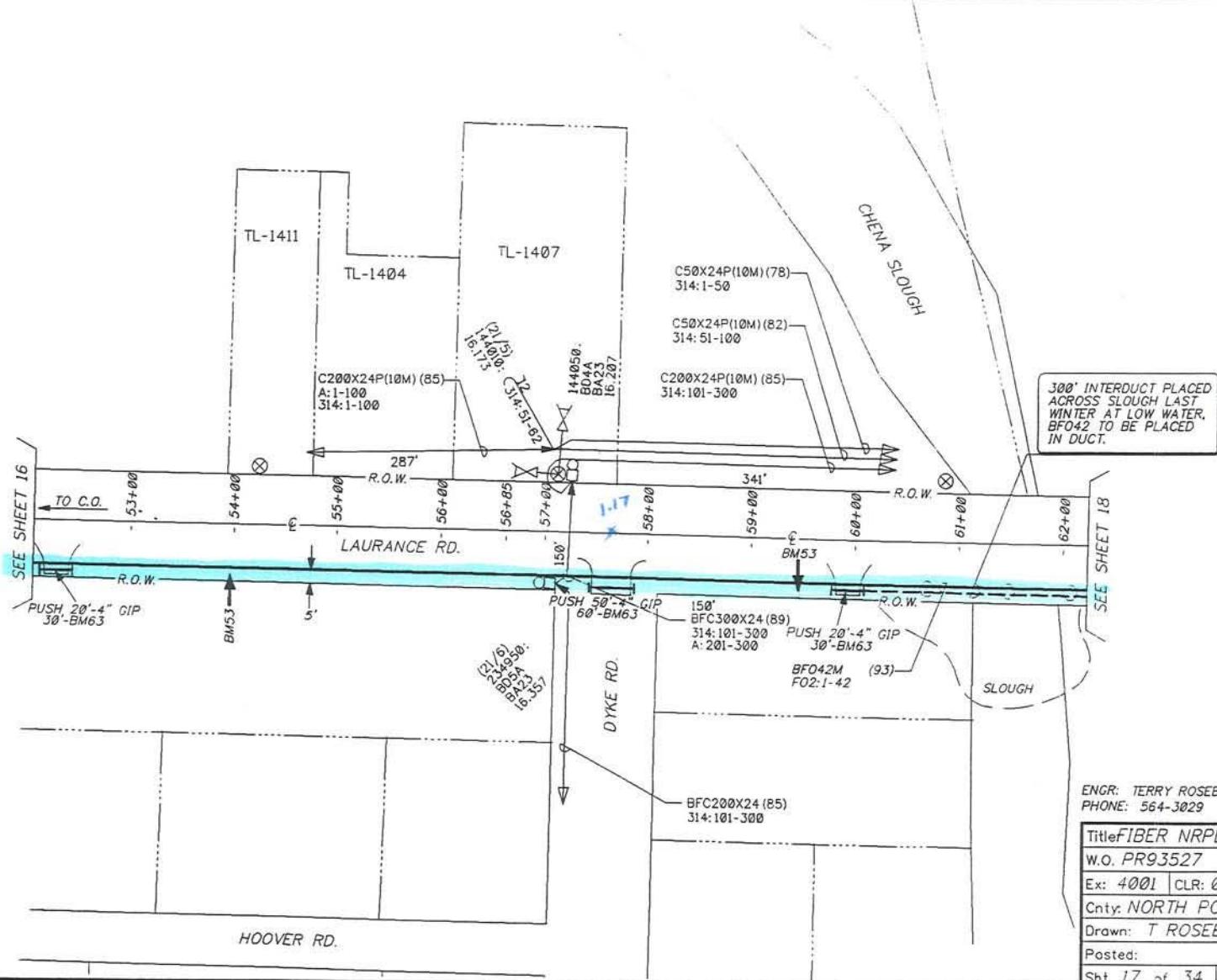
A handwritten signature in black ink, appearing to read "Terry Rosebaugh".

Terry Rosebaugh
OSP Field Engineer

cc: W.O. file R93-527
Dale Patrick
Jim Lipps

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NOTE:
 EXISTING PLANT
 OMITTED FOR
 CLARITY



ENGR: TERRY ROSEBAUGH
 PHONE: 564-3029

Title		FIBER NRPL TO EIELSON BDRY
W.O.	PR93527	ACAD: R9352720
Ex:	4001	CLR: 0296-3924-1
Cnty:	NORTH POLE	Twn: 2S
Drawn:	T ROSEBAUGH	Rng: 2E
Posted:		Sec: 23
Sht	17	of 34 Iss. 1
		Pr: PR93527

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NOTE:
EXISTING PLANT
OMITTED FOR
CLARITY

MILLER
SUBDIVISION C50X24P(10M) (78)
314:1-50

RIGHT OF WAY NOTE:
POLE 2, 56 TO DYKE
IS PRIVATE EASEMENT

$$\underbrace{ASEMENT}_{* 274,58} = 873 + 30$$

- A -	- B -
10' C900X24P (85) 100XD 3:101-175 25XD 3: 201-375 25XD 314: 1-400 100XD	138' BFC400X22 (89) 3:1-100 314: 301-400 175XD 3:176-200

- C -
70' BFC100X24 (78) 314:1-100

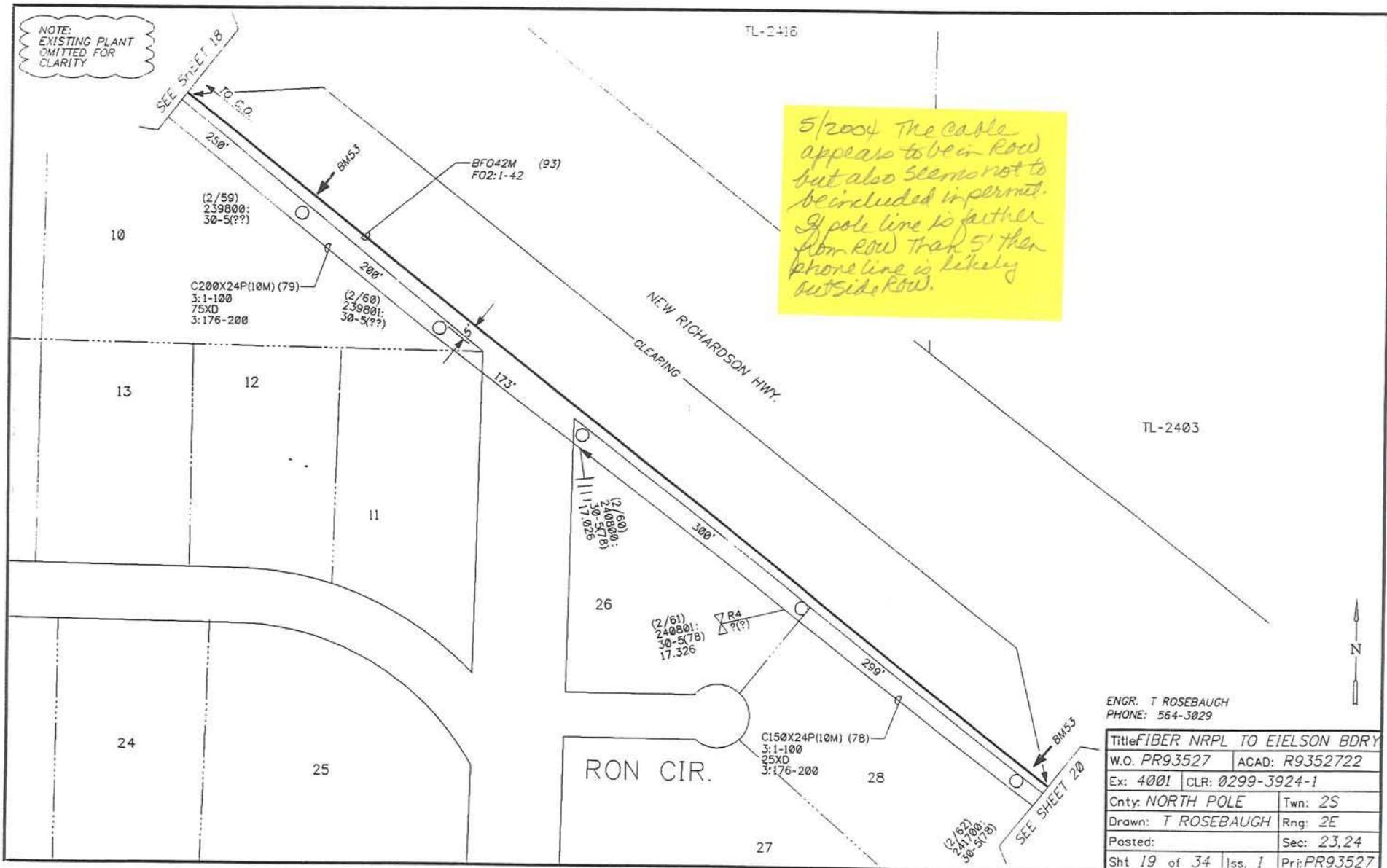
PROPER DB

JOAN AVE.

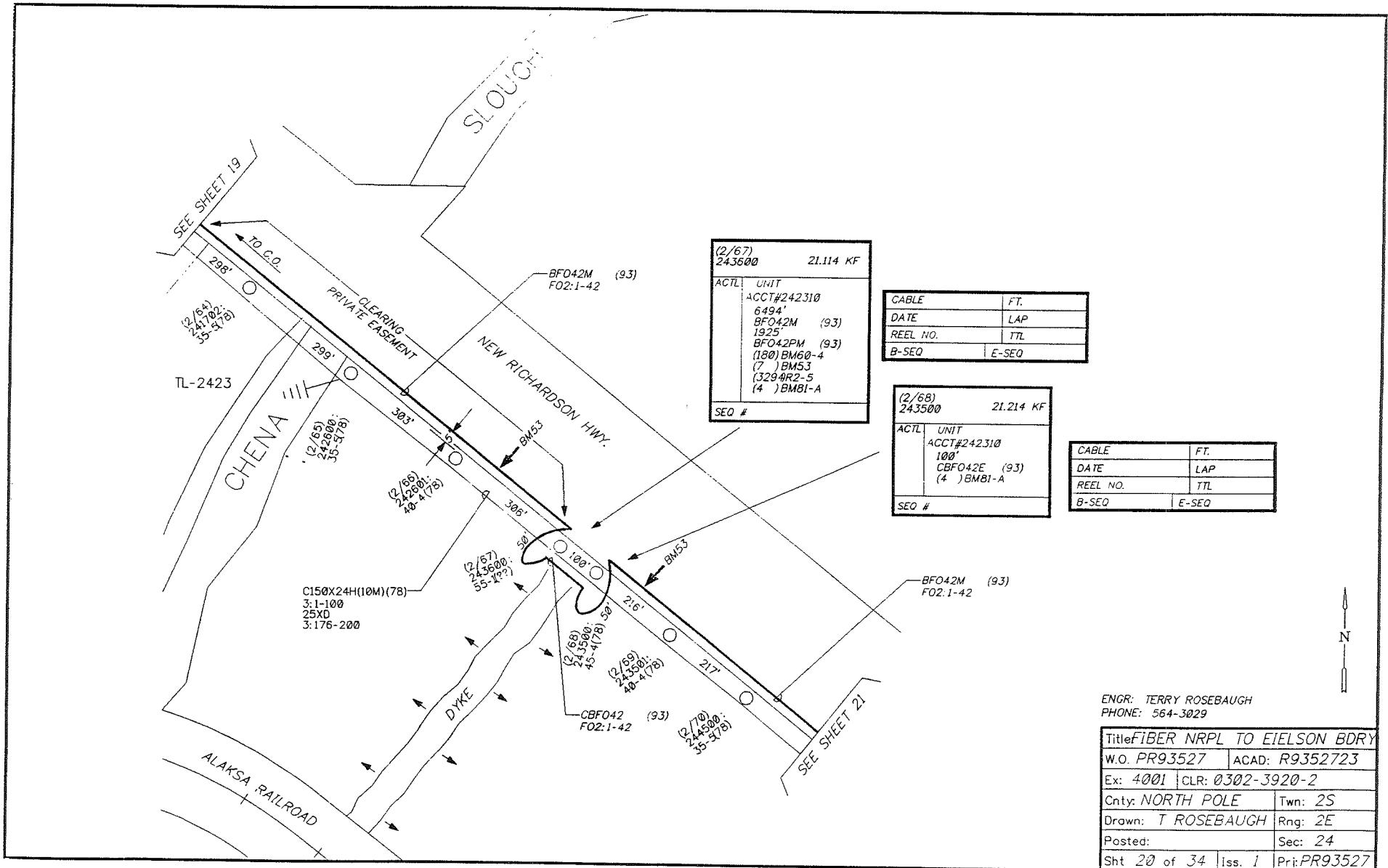
ENGR: TERRY ROSEBAUGH
PHONE: 564-3029

Title FIBER NRPL TO EIELSON BDY	
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Cnty: NORTH POLE	Twn: 2S
Drawn: T ROSEBAUGH	Rng: 2E
Posted:	Sec: 23
Sht 18 of 34	Iss. I
Pri: PR93527	

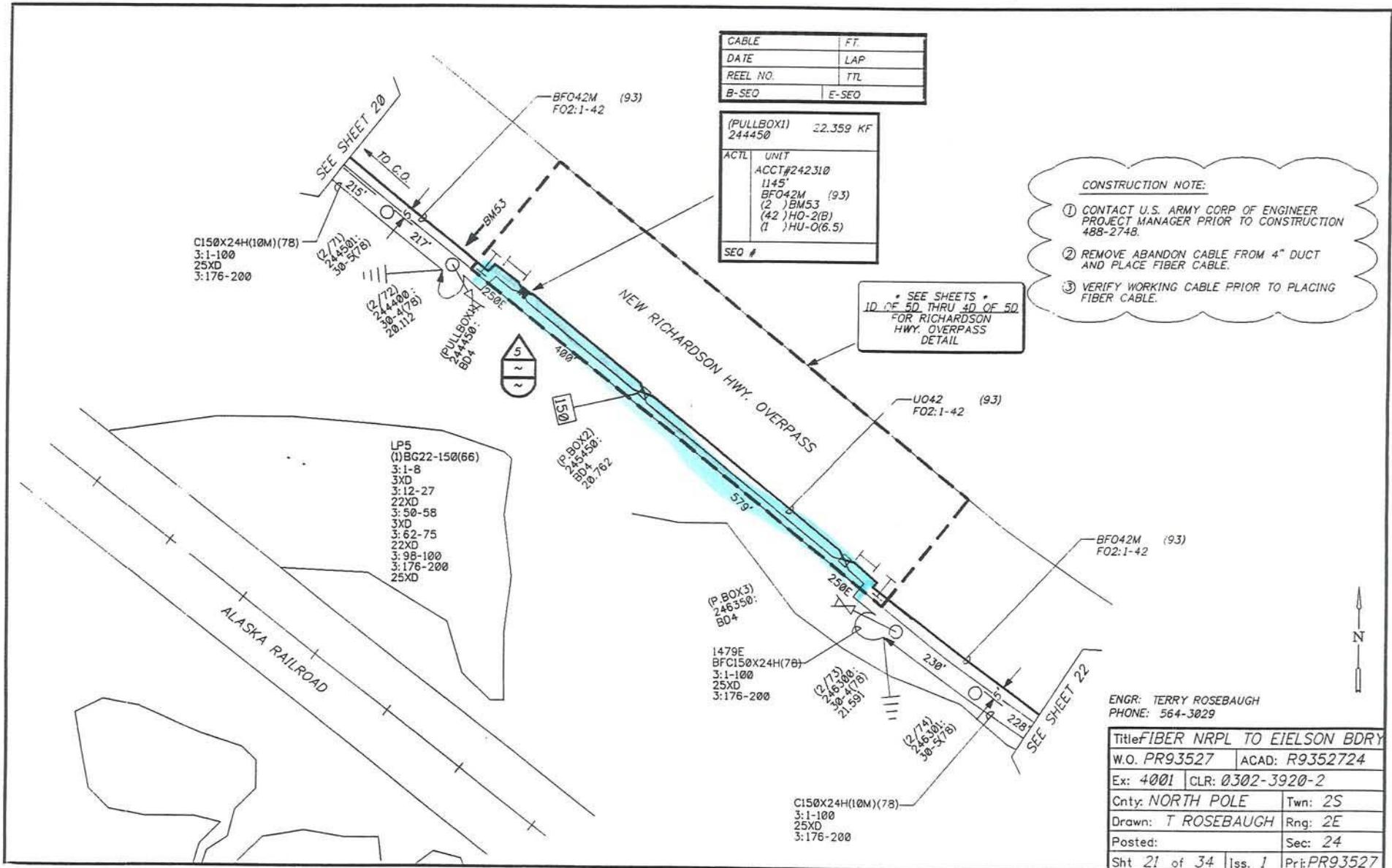
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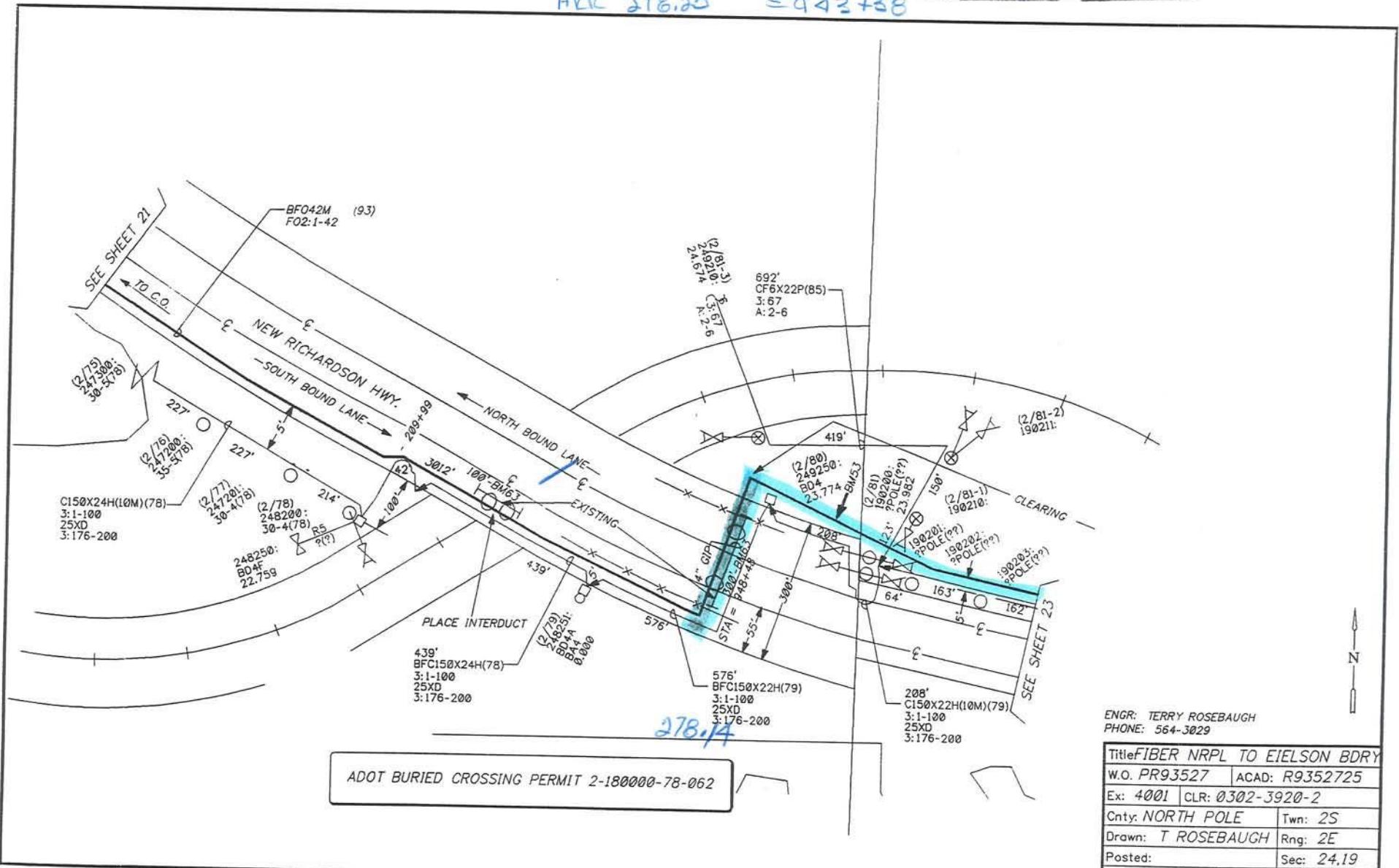
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HRL 278.25 = 943+58

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$$966+00 = 977.83$$

CONSTRUCTION NOTE:
CONTACT RAILROAD 48 HOURS
PRIOR TO CONSTRUCTION.
YARD MASTER 456-4153

PRIOR TO CONSTRUCTION.
YARD MASTER 456-4153

191250	KF
26.539	
ACTL	UNIT
	ACCT#242310
	3263
	BF042M (93)
	1500
	U042 (93)
	BDFO
	(900BM63
	(3)BM53
	2044R2-5
	(42)HO-2(B)
	(1)HU-0(6.5)
	(1)BM2/5(8X8)
SEQ #	
CABLE	FT.
DATE	LAP
REEL NO.	TTL
B-SEQ	E-SEQ

193101	
27.647 KF	
ACTL	UNIT
	ACCT#242310
	1108
	BF042M (93)
	(1)108R2-5
	(2)BM53
	(3)BM81-A
SEQ #	
CABLE	FT.
DATE	LAP
REEL NO.	TRL
B-SEQ	E-SEQ

193102	
27.765	KF
ACTL	UNIT
	ACCT#242110.
	118'
	CBFO42E (93)
SEQ #	

194101 27.979 KF	
ACTL	UNIT ACCT#242110. 214' CBFO42E (93)
SEQ #	

ENGR: TERRY ROSEBAUGH
PHONE: 564-3029

— 1 —

Title FIBER NRPL TO EIELSON BDRY	
W.O. PR93527	ACAD: R9352726
Ex: 4001 CLR: 302/308-3920-2	
Cnty: NORTH POLE	Twn: 2S
Drawn: T ROSEBAUGH	Rng: 2E, 3E
Posted:	Sec: 19, 24
Sht 23 of 34	Iss. 1
Prj: PR93527	

Permit No. 2-188200-93-021 Amendment
1/2

NRPL / CR0283
EXCH / W.O. #

Page 1 of 2

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
UTILITY PERMIT AMENDMENT
APPLICATION

Permission is requested by PTI Communications, Inc.
to amend Permit # 2-188200-93-021 as follows: To place a 600 pair cable
3' from existing fiber that was placed in 1993. The 600 pair cable will parallel existing
cable for approximately 313'.

within the Department of Transportation and Public Facilities right of way located
This work will be located between Eighth Av. and Patriot Dr. West side of Old
Richardson. That will be between Mile Post # 2.65 and 2.70.

Dan Starbuck , Engineer 2
Permittee signature

Utility Permit 2-188200-93-021 ; is hereby amended to include the
above described facility and all provisions of said Utility Permit are in force
during this installation. Also, the PERMITTEE agrees to comply with the following
provisions:

- 1) SHOULD DISCREPANCIES APPEAR BETWEEN THE PERMIT TOGETHER WITH ITS SPECIAL PROVISIONS AND ATTACHED EXHIBITS, THEN THE PERMIT AND SPECIAL PROVISIONS SHALL TAKE PRECEDENCE.
- 2) DURING CONSTRUCTION OR MAINTENANCE, NORMAL TRAFFIC & OTHER EXISTING USE PATTERNS SHALL NOT BE AFFECTED WITHOUT AN APPROVED TRAFFIC CONTROL PLAN. THE OWNER/OWNER'S REPRESENTATIVE SHALL OBTAIN APPROVAL OF A COMPLETE TRAFFIC CONTROL PLAN, OR CONCURRENCE THAT NO TRAFFIC CONTROL IS REQUIRED, PRIOR TO PERFORMING ANY WORK UNDER THIS PERMIT. TRAFFIC CONTROL PLANS SHALL BE SUBMITTED TO THE DEPARTMENT'S TRAFFIC SECTION.
- 3)
- 4)
- 5)

NOTE: If the PERMITTEE or his contractor fails to comply with any of the above provisions or requirements of the DEPARTMENT's Utility Inspector, this permit will be void.

6-14-00

Date

Permit Officer Signature

Permit No. 2-188200-93-021
Amendment

THIS WORK ORDER WILL
PLACE A NEW 600 PAIR
CABLE 3' OFF EXISTING
FIBER OPTIC CABLE THAT
WAS PLACED IN 1993.
PERMIT # 2-188200-93-021.

