




# Job Aid – Prescriptive Rights Calculator (PRC)

## Prescriptive Rights Calculator (PRC)

The PRC spreadsheet is a tool used by the Region Utility Representative (RUR) that determines if WisDOT will recognize a utility company’s prescriptive right. The PRC eliminates having to research state statutes every time the RUR needs to determine if WisDOT will recognize a utility company’s prescriptive right.

### Top section:

This section of the spreadsheet is where project information can be entered. It’s for reference only. This information is not required to be entered for the spreadsheet to work properly.

 State of Wisconsin Department of Transportation		<b>Prescriptive Rights Calculator</b> <i>Lands Acquired for the State</i>	
<b>Project Description</b> Title: <input type="text"/> Limits: <input type="text"/> Highway: <input type="text"/> County: <input type="text"/> Company: <input type="text"/>		<b>Project ID(s)</b> Design: <input type="text"/> Construction: <input type="text"/> Right of Way: <input type="text"/> UTL or UA No.: <input type="text"/> Utility: <input type="text"/>	

### Middle section:

This section is where the user enters the required information to determine if WisDOT will recognize a utility company’s prescriptive right.

<b>1 FACILITY OWNER</b> <input type="text"/> Select Owner	<b>4 DATE FACILITY WAS INSTALLED</b> <input type="text"/> Enter Date
<b>2 FACILITY TYPE</b> <input type="text"/> Select Type	<b>5 TODAY'S DATE</b> <input type="text"/> 4/15/2019
<b>3 LAND OWNER</b> <input type="text"/> Select Owner	

a	Is there a continuously maintained fence line which has been mutually agreed upon by the current land owners?	Select
b	Is the land owned by the University of Wisconsin, College of Menominee Nation, or Lac Courte Oreilles Ojibwa Community College?	Select
c	Is the land an abandoned railroad acquired by the State?	Select
d	Is the land for highway purposes?	Select

1. Select the type of facility owner (Domestic corporation, Foreign corporation, or Unit of Government)



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- To determine if a corporation is domestic or foreign go to the [Wisconsin Department of Financial Institutions](#) website and enter the company’s legal name in the search bar

**Wisconsin Department of Financial Institutions**  
Strengthening Wisconsin's Financial Future

Search for:  [Search](#) [Advanced Search](#) [Name Availability](#)

**Corporate Records**

ID	Entity Name / Type	Registered Effective Date	Status / Status Date
R035894	<a href="#">US SIGNAL COMPANY, L.L.C.</a> 13 - Foreign LLC	06/23/2000	Registered 06/23/2000

- Examples of a unit of government is Wisconsin, or a city, village, town, county, school district, sewerage commission, sewerage district, or DNR within Wisconsin.
  - Contact the BTS Utility Unit for questions about whether an entity is a unit of government
- Select the facility type: communication, electricity, gas or petroleum, sewer, steam, water
  - Select if the land is privately or publicly owned
    - Publicly owned means real property a unit of government (within the state) holds in fee
    - Privately owned means real property held in fee by a person or entity not classified as a unit of government
  - Enter the date the facility was installed
    - If you only know the year and month the facility was installed enter the last day of the install month
    - If you only know what year the facility was installed enter the last day of the install year
  - This field automatically populates with the current date

Questions **a – d**. These questions only pertain to publicly owned land. You may need to answer some of these questions depending on what was selected in **1 - 4**. Further information about questions **a – d** are as follows:

- An example of a *continuously maintained fence line* would be the security fence along a highway, or a fence surrounding a rest area
- The land owner can be found in the title search
- If you are unable to determine if the railroad is abandoned and acquired by the State, contact your region Railroad Coordinator or the BTS Utility Unit
- This question is asking if the land is road right of way



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### Bottom section:

After completing all the required information in the middle section, the bottom section will display a result, letting you know if the utility company is eligible for a prescriptive right.

<b>ELIGIBLE FOR A PRESCRIPTIVE RIGHT?</b>	<b>A</b>
Prescriptive Right established on:	<b>B</b>

- A.** This will display whether a utility company is eligible for a prescriptive right
  - All the required information in the middle section must be entered before an answer is displayed
- B.** This is the date WisDOT will recognize a utility company's prescriptive right.