



### 12.1 The Impact on Utilities

During final design, many factors cause the designer to make adjustments to the preliminary design. While these changes are needed, and help to improve the final design, the designer must not overlook the impact these changes might have on utility facilities. As stated in the introduction to this guide, the designer is required by Wis. Stat. s. 182.0175 to avoid as much as possible any interference with utility transmission facilities.

There may be cases where the proposed design change affects the utility facilities so adversely that it is not prudent to make such a change. If this occurs, the designer should re-evaluate the proposed design change, and look at other alternatives. The overall goal of any design is to provide an improvement that is economical and efficient for all modes of transportation.

### 12.2 Notifying Utility Unit

The designer should notify the utility unit of any changes to the design that may affect utility facilities. The utility unit will either determine that there is no conflict, or will suggest notifying the utilities affected. Ch. Trans 220 Wis. Adm. Code requires that the utilities be notified of any changes, that may affect utility facilities, that occur after the utilities have been sent the Form DT1078, Project Plan Transmittal. The utility unit will also place a note in the utility file regarding the change.

If the construction of a project is delayed or advanced, (either from one year to another, or if construction begins later or earlier in the season) the utilities should be notified so that they can change their schedules accordingly. See sample letter in [Attachment 12.2.1](#).

When the limits of a project are extended, or the scope of a project changes, the utilities must be notified in situations when the change may affect their utility facilities. This will probably require additional locating of utility facilities in the new area.

### 12.3 Notifying Utilities

The plans sent to the utilities as part of the DT1078 transmittal should be fairly complete. The utility companies must be notified of any changes to the plans after the DT1078 submittal is sent that may affect their utility facilities. Trans 220.05(12) requires that a revised set of plans with the revisions identified be sent to utility companies. Typically, a utility company will have no more than 60 days to react to changes in the plan. This may affect the due date for a utility work plan. It is best to notify utilities of changes to the plan as soon as possible.

If utility facilities may be affected, it is WisDOT policy to identify for utility companies the changes to the plan on all highway projects, not just those covered by Ch. Trans 220 Wis. Adm. Code. If the designer or the utility unit determines that the affected utilities should be notified, two different courses of action may occur:

- If there is a right of way plat for the project, the utility unit may want to notify the utilities, especially if the utility involved has a compensable land interest. The designer will be responsible for providing the appropriate exhibits to send to the utilities. These may be cross sections, intersection details, plan and profile sheets, revised right of way plats, etc. NOTE: Some changes (like an intersection improvement requiring additional new right of way) require additional field locating of utilities. This is often overlooked.
- If there is NO right of way plat for the project, the designer is responsible for notifying the affected utilities. The designer should check with the utility unit to be sure adequate information is supplied to the utilities.

There have been times when utility companies have stated that they never received plan changes. While this may be true, there are times when the designer did send the changes but the designer is unable to prove that the utility company received the changes. There are two ways of dealing with this. One way is to send the changes via certified mail requesting a return receipt, which requires the recipient to sign a green card that is returned to the sender. The second way is to send a revised DT1078 form, which has the Project Plan Acknowledgement on it. You will have to modify the DT1078 form in some way, such as stamping it "REVISED" and dating it, or writing "REVISED" on the form. It is important to date the revised form because, unfortunately, there are times when there is more than one revision. The cover letter that accompanies the revised DT1078 and the plan set should describe the changes that were made and should make it clear that the receiver needs to return the signed revised DT1078 form. If the utility does not return the signed revised DT1078 form within a reasonable timeframe, follow-up with the utility if a response has not been submitted and a work plan has not been submitted that addresses the plan

changes. The dates the revisions were sent and received should be noted in the Trans. 220 Log. For non-Trans. 220 projects, a similar action should be taken.

#### **12.4 Second Move Policy**

After the utilities are sent copies of the plan stamped "Approved for Design of Utility Adjustments" (or for Trans 220 projects Form DT1078, Project Plan Transmittal), WisDOT may be responsible for any cost incurred by the utility caused by changes to the highway improvement design. This is commonly called our Second Move Policy. The purpose of the policy is to encourage utilities to relocate early rather than waiting until our plans are published for bidding. The policy eliminates the utility having to relocate twice at its own expense because of late changes in the design. It is best to have utilities relocated prior to construction and this policy helps achieve that goal.

The Second Move Policy applies only to Trans 220 projects.

