CARY W. MOORE. COUNTY JUDGIT EXECUTIVE

JEPTRIA'S, FARLYWINE COUNTY ADMINISTRATOR



SCOTT PENNINGTON DRIGIOR

BOONE COUNTY KY.ORG

Encroachment Permit Application

Applicant Name: DUKE ENERGY	Contact Person: JOHN PERKINS
Address: 139 EAST FOURTH STREET, EX480	Phone: (513) 287-1276
City, State, Zip: CINCINNATI, OH 45202 Phone: (513) 287-8338	Email: JOHN PERKINS@DUKE-ENERGY.COM
Type of Encroachment Industrial Entrance Commercial Entrance Residential Entrance Farm Entrance Utility Encroachment Other (Specify) Encroachment Location: Suncrest Dr/Decker Ln/Richwood	
	DAD, & GUM BRANCH ROAD. TRENCHES SHALL BE COVERED
MITH STEEL PLATES AND RESTORED TO "LIKE EXISTING" (CONDITIONS WHEN MAIN INSTALLATION IS COMPLETE.
MAIN CROSSING DECKER LANE WILL BE BORED UNDER TH	E NEW PAVEMENT.

Application Fee:

Industrial Entrance - \$400.00 ea Commercial Entrance - \$200.00 ea All

Other Entrances - Free Utility encroachment - Free

Make checks payable to: Boone County Fiscal Court

Return completed application and fee to:

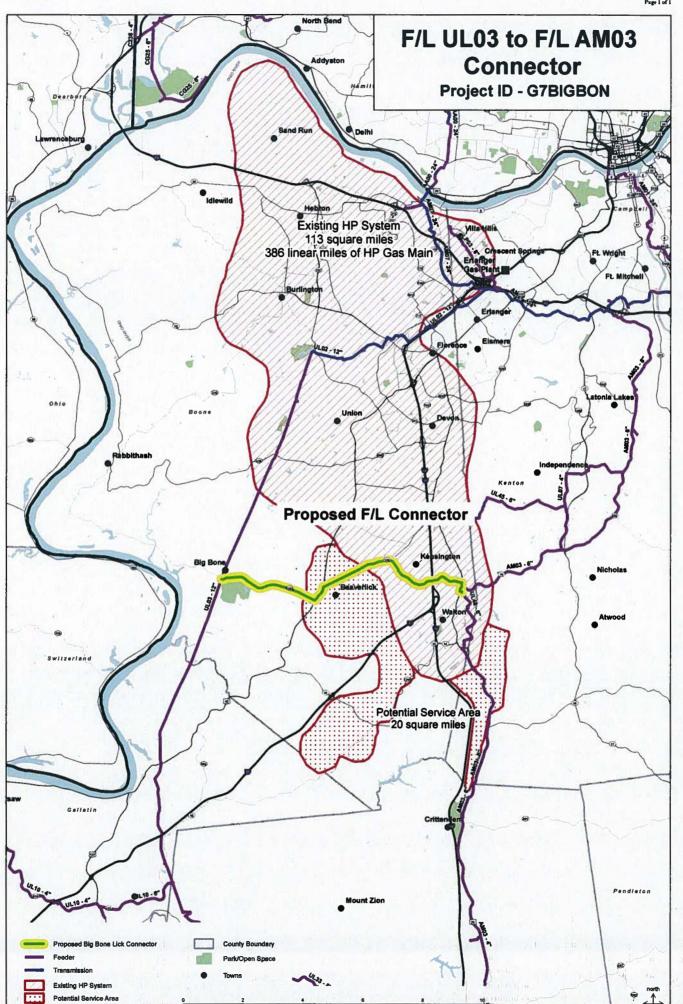
Boone County Public Works 5645 Idlewild Rd. Burlington, KY 41005

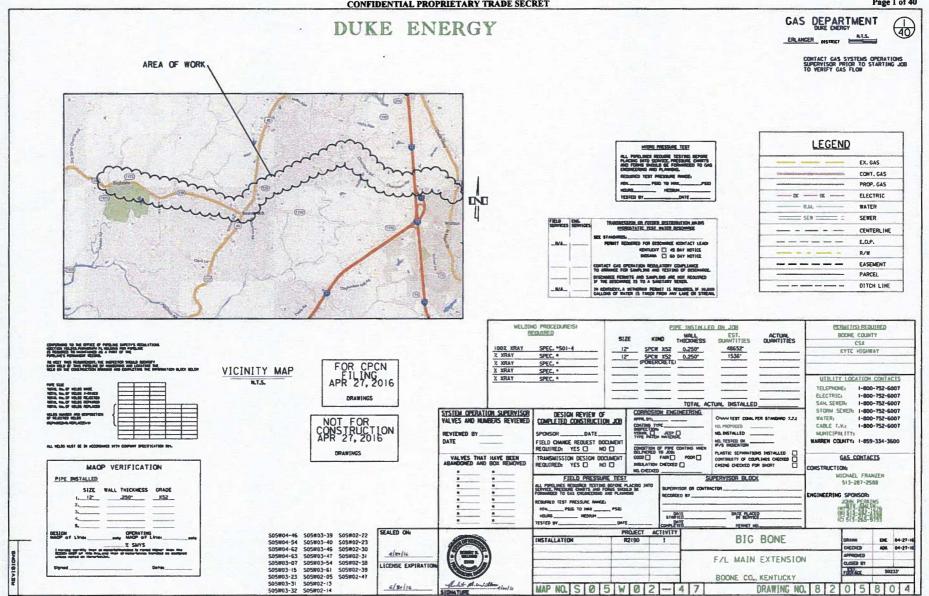
The applicant agrees to the following terms and conditions:

1.	The applicant shall comply with and is bound by the requirements of the Boone County Public Works
	Department's Regulations.

- 2. Applicant agrees that if the Department determines that vehicular capacity deficiencies or over capacity conditions develop as a result of the installation and use of this facility, the applicant shall adjust, relocate or reconstruct the facilities and/or provide and bear the expense for signs, storage lanes of other corrective measures reasonably deemed necessary by the Department and set forth in the Department's Regulations within a reasonable length of time after receipt of written notice regarding such adjustments, relocation, additions modifications and/or corrective measures, such time to be specified in the notice.
- The said encroachment will not Infringe on the frontage rights of an abutting owner without written consent of
 the said owner as hereto: "I (we) consent to the granting of attached permit."
 Date: _______ (This does not apply to utilities which serve the general public).
- Any permit granted hereunder shall be with the full understanding that it shall not interfere with any similar rights or permits heretofore granted to any other party except as otherwise provided by law.
- 5. A plan prepared by ______ and dated _____ is attached hereto and made a part hereof, which describes the facilities to be constructed by the applicant for which facilities this permit is granted. The applicant agrees as a condition to the issuance of the permit to construct and maintain such facilities in accordance with said plan, and the applicant shall not use the facilities authorized herein in any manner contrary to that prescribed by this permit and plan. Normal usage and routine maintenance only are authorized under this permit.
- Applicant shall comply with the Manual on Uniform Traffic Control Devices as revised to and in effect on the date of the issuance of this permit which is made a part hereof by reference.
- 7. Applicant shall at all times from date when work is first commenced and until such time as all facilities are removed from the right-of-way premise, defend, protect and save harmless the Department from all liability, claims, and demands arising out of work undertaken by the applicant pursuant to this permit, due to any negligent act or omission by the applicant, its servants, agents employees or contractors. This provision shall not inure to the benefit of any third party or operate to enlarge any liability of the Department beyond that existing at common law if this right to indemnity did not exist.
- 8. Upon a violation of any of the provisions of this permit, the Department may revoke the permit by giving notice to the applicant in writing to remove from the right-of-way nay facilities placed thereon within a reasonable time as set forth in the notice, and in the event said facilities are not so removed, and the right-of-way restored the Department may cause same to be removed, and the costs thereof shall be charged to the applicant.
- If the work authorized by this permit is on a project in the construction phase, it shall be the responsibility of the applicant to make contact the Inspection Services Division of the Boone County Public Works Department.
- 10. This permit does not alleviate any requirements of any other government agency.
- Applicant agrees to keep the priority route in which this permit was issued clear of dirt, mud and debris during construction and for the life of this permit.
- 12. An asphalt concrete or portland cement concrete apron, of a minimum of 19 feet in length for the width of the driveway, shall be provided from the edge of the paved portion of the street upon which the driveway is encroaching (per section 3314 of the Boone County Zoning Regulations).
- This application will become void one (1) year from applicant signature date. Applicant must contact Engineering Services when the work is complete. (859) 334-3800.

Applicant Signature _	The Perhan	Date 4/6/16
Approval		- Date
Release Date	West of the second seco	Permit No.





CONFIDENTIAL PROPRIETARY TRADE SECRET

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CONSTRUCTION NOTES

- 1. TARGET START DATE: 03-01-17

 TARGET FINISH DATE: 11-30-17
- 2. THE WINNING BIDDER MUST INSTALL THE MAIN IN ACCORDANCE WITH THE SPECIFIED BID INSTALLATION METHOD UNLESS AN ALTERNATIVE METHOD IS SUBMITTED TO AND APPROVED BY THE DUKE ENERGY DESIGN ENGINEER. ANY CHANGES IN INSTALLATION METHOD SHALL NOT INCREASE THE COST OF THE PROJECT TO DUKE. NOR SHALL PAYMENT BE MADE FOR RESTORATION NOT PERFORMED.
- 3. RESTRICTED HOURS, TRAFFIC CONTROL OR OTHER RESTRICTIONS IMPOSED BY THE PERMITTING AGENCY ARE THE SOLE RESPONSIBILITY OF THE BIDDERS AND NO EXTRAS WILL BE PAID BY DUKE ENERGY.
- 4. EXTRA DEPTH WILL BE PAID FOR DIRECT BURY INSTALLATIONS WHEN EXCAVATIONS ARE GREATER THAN 6-FEET TOTAL DEPTH AND DEPTH IS GREATER THAN 2-FEET OVER THE PLANNED EXCAVATION DEPTH.
- 5. ROCK EXCAVATION WILL BE PAID PER GD-150. THE DUKE ENERGY INSPECTOR AND THE CONTRACTOR MUST AGREE ON THE ACTUAL AMOUNT OF ROCK BEFORE BACKFILLING THE TRENCH IN DIRECT BURY INSTALLATIONS. NO ROCK EXCAVATION WILL BE PAID FOR DIRECTIONAL DRILLING INSTALLATIONS.
- 6. TIE-IN WORK WILL BE GIVEN TO THE WINNING CONTRACTOR AT THE DISCRETION OF DUKE ENERGY.

 DUKE ENERGY RETAINS THE RIGHT TO HAVE DUKE ENERGY CREWS PERFORM TIE-IN WORK.
- 7. ALL WORK MUST BE DONE IN ACCORDANCE WITH THE "SPECIFICATIONS FOR THE 2010 GAS MAIN REPLACEMENT, RELOCATION, AND EXTENSION PROJECTS" AND THE MOST CURRENT VERSION OF GD-150.
- 8. TIE-IN MAINS MUST BE ADEQUATELY EXPOSED FOR PROPER LINE-UP.
- 9. OFFSETS WILL BE PAID IF TWO (2) UNPLANNED ELBOWS ARE USED FOR THE AVOIDANCE OF AN UNFORESEEN OBSTACLE IN EITHER THE HORIZONTAL OR VERTICAL DIRECTION.
- 10. OUT OF BALANCED BIDS WILL BE REJECTED AND NOT CONSIDERED BY DUKE ENERGY.

EXHIBIT 4(a) PUBLIC

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APRIL 27, 2016

EXHIBIT 4(a) PUBLIC PAGES 5 THROUGH 40 ARE BEING FILED UNDER SEAL

KyPSC Case No. 2016-00168 EXHIBIT 4(b) PUBLIC

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