

**APPLICATION / PERMIT**

**TO CONSTRUCT, OPERATE and MAINTAIN UTILITY FACILITIES ON HIGHWAY RIGHT-OF-WAY**

s.66.0831, 84.08, 85.15, 86.07(2), 86.16, 182.017 and such other applicable Wis. Stats.

1. Applicant (Utility facility owner) Name and Address WE Energies 800 S Lynndale Ave Appleton, WI		2. Work Start Date	3. Work Finish Date*	6. Location Description (¼ section, section, town, range; provide plat map or location sketch) SW1/4 SEC28 T20N R17E	
9. Facility Type (Check all that apply): Size (Diameter, kV, pressure, # fibers, etc.) <input type="checkbox"/> Telecom: _____ <input checked="" type="checkbox"/> Electric: #2 - 15kv <input type="checkbox"/> Gas/Oil: _____ <input type="checkbox"/> Water: _____ <input type="checkbox"/> San Sewer: _____ <input type="checkbox"/> _____ <input type="checkbox"/> Transmission <input type="checkbox"/> Service: Std <input checked="" type="checkbox"/> Distribution <input type="checkbox"/> Service: Exp		4. Is the work due to a WisDOT highway project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		5. Applicant Work Order (If any) 3934544	
10. Facility Orientation (Check all that apply) <input checked="" type="checkbox"/> Crossing R/W <input checked="" type="checkbox"/> Parallel R/W <input checked="" type="checkbox"/> Underground <input type="checkbox"/> Overhead <input type="checkbox"/> Structure attachment		12. Proposed Work Methods (Check all that apply) <input checked="" type="checkbox"/> Trench <input type="checkbox"/> Plow <input type="checkbox"/> Casing <input type="checkbox"/> Rock blasting <input type="checkbox"/> Open cut pavement  Bore: <input type="checkbox"/> Hydraulic (Auger/Jack) <input type="checkbox"/> Pneumatic (Mole) <input checked="" type="checkbox"/> Directional 1 (Manually tracked) <input type="checkbox"/> Directional 2 (Computer tracked) <input type="checkbox"/> Unknown (At this time)  Attach to poles/towers: <input type="checkbox"/> New <input type="checkbox"/> Existing <input type="checkbox"/> Guys**  (Diameter) (Name of existing owner) (** Provide details for all guy wires on plan sheets)		7. Work Location (Check/list all that apply) <input checked="" type="checkbox"/> Town: Menasha <input type="checkbox"/> Village: _____ <input type="checkbox"/> City: _____ <input checked="" type="checkbox"/> County: Winnebago	
11. Work Types (Check all that apply) <input checked="" type="checkbox"/> New construction <input type="checkbox"/> Improve/repair existing <input type="checkbox"/> Removal <input type="checkbox"/> Maintenance <input type="checkbox"/> Discontinued, left in place <input type="checkbox"/> Joint installation		13. Work Zone Description (Check all that apply) <input type="checkbox"/> Full road closure: detour <input type="checkbox"/> Full road closure: temporary <input type="checkbox"/> Lane closure: without flagging <input type="checkbox"/> Lane closure: with flagging <input checked="" type="checkbox"/> Lane encroachment (2 feet or less) <input type="checkbox"/> Intersection/roundabout <input type="checkbox"/> Shoulder/parking lane closure <input type="checkbox"/> Off shoulder: within clear zone <input type="checkbox"/> In R/W: outside clear zone <input type="checkbox"/> Near R/W line: within clear zone <input type="checkbox"/> Near R/W line: outside clear zone <input type="checkbox"/> Not applicable		8. Highway (Check all that apply) <input checked="" type="checkbox"/> WIS 10 <input type="checkbox"/> US _____ <input type="checkbox"/> Interstate _____ <input type="checkbox"/> _____	
20. Is the utility a member of Diggers Hotline? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, provide line-locate number _____		15. Will any appurtenances be installed with the facility? (If yes, provide a description and/or specification of each item with this application.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		16. Trans 401 project designation? (For all Major projects, provide a formal erosion control plan with this application. See HMM 09-15-55) <input type="checkbox"/> Minor <input type="checkbox"/> Major	
21. Provide additional project work details, if needed (Continue on back or include separate page)		17. Are any environmental permits, certifications or approvals required from other regulatory agencies? (If yes, provide a copy of each item or proof of agency coordination with this application.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		14. Is the proposed facility near a survey monument? (See HMM 09-15-35) <input type="checkbox"/> Yes (Call: 1-866-568-2852 or e-mail: <a href="mailto:geodetic@dot.wi.gov">geodetic@dot.wi.gov</a> ) <input checked="" type="checkbox"/> No	

**\* NOTE: If the work described is not completed by the "Work Finish Date" specified, this permit is null and void, and the work shall not be completed unless authorized through a subsequent permit or an approved time extension. ANY PERMIT ISSUED IS REVOCABLE.**

18. Utility Person Responsible for Construction Kathy Meyer 920-380-3413 (Area Code) Telephone Number	19. Utility or Project 24/7 Emergency Contact Heath Hemauer 7/1/2016 (Area Code) Telephone Number (Date)
22. If not employed by applicant, authorized representative's company name and address	(Signature of Authorized Representative - If filled via computer, Brush Script font) (Date) Designer (Title and/or print name) 920-380-3355 heath.hemauer@we-energies.com (Authorized Representative Telephone Number) (Authorized Representative E-mail Address)
20. Is the utility a member of Diggers Hotline? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, provide line-locate number _____	
21. Provide additional project work details, if needed (Continue on back or include separate page)	



**This permit does not transfer any land; nor give, grant or convey any land right, right in land, nor easement in WisDOT right-of-way. It is not assignable or transferrable. If ownership in a utility facility changes, WisDOT may void and supersede a permit and reissue it to the new owner upon request and with sufficient proof of ownership.**

**↓ For Wisconsin DOT Use Only ↓**

<input type="checkbox"/> <b>THE UTILITY SHALL NOTIFY WisDOT 3 DAYS BEFORE STARTING WORK AT:</b> Region contact, title, office address, telephone number, and e-mail address	<input checked="" type="checkbox"/> <b>REVIEW ALL SUPPLEMENTAL PERMIT PROVISIONS</b> <input checked="" type="checkbox"/> <b>REVISIONS MADE to DRAWINGS or OTHER PAGES</b> <input checked="" type="checkbox"/> Lane Closure System notification required: <a href="#">HMM 09-15-60</a>	Date Application Received 6/30/2016
	<input type="checkbox"/> Insurance or performance bond required <input type="checkbox"/> Joint installation: See permit(s) # _____ <input type="checkbox"/> Private utility (Non-public ownership and/or use) <input type="checkbox"/> Expedited Service Connection Permit <input type="checkbox"/> This permit voids & supersedes # _____ issued: _____	Date Application Completed
WisDOT Improvement Project ID Numbers (if applicable)	Digitally signed by Joseph Coughlin Date: 2016.07.11 07:35:06 -05'00'	Date Application Denied
		Permit Issuance Date 07/11/2016 Permit Extension Date
Joseph Coughlin (WisDOT Authorized Representative Signature - If filled via computer, Brush Script font)		Permit Number 2016195

Use this section to provide information that does not fit on front page

**WisDOT NOTE:**

Send the LCS request to WisDOT for review and approval at the appropriate time in accordance with the following advanced notification guidelines:

- 14 calendar days: Any freeway ramp, lane or shoulder closure; full roadway closure of any state highway (detour involved); closures that may impact oversize/overweight (OSOW) permits.
- 3 business days: Non-freeway lane or shoulder closures.

Contact Josh Falk, (920) 492-7165 or [joshua.falk@dot.wi.gov](mailto:joshua.falk@dot.wi.gov).

Manual tracking is prohibited over traffic lanes.  
The bore head can be tracked up to the shoulder edge or back of curb.

## INDEMNIFICATION

This Applicant shall save and hold the State, its officers, employees, agents, and all private and governmental contractors and subcontractors with the State under Chapter 84 Wisconsin Statutes, harmless from actions of any nature whatsoever (including any by Applicant itself) which arise out of, or are connected with, or are claimed to arise out of or be connected with any of the work done by the Applicant, or the construction or maintenance of facilities by the Applicant, pursuant to this permit or any other permit issued by the State for location of property, lines or facilities on highway right-of-way, (1) while the Applicant is performing its work, or (2) while any of the Applicant's property, equipment, or personnel, are in or about such place or the vicinity thereof, or (3) while any property constructed, placed or operated by or on behalf of Applicant remains on the State's property or right-of-way pursuant to this permit or any other permit issued by the State for location of property, lines or facilities on highway right-of-way; including without limiting the generality of the foregoing, all liability, damages, loss expense, claims, demands and actions on account of personal injury, death or property loss to the State, its officers, employees, agents, contractors, subcontractors or frequenters; to the Applicant, its employees, agents, contractors, subcontractors, or frequenters; or to any other persons, whether based upon, or claimed to be based upon, statutory (including, without limiting the generality of the foregoing, worker's compensation), contractual, tort, or whether or not caused or claimed to have been caused by active or inactive negligence or other breach of duty by the State, its officers, employees, agents, contractors, subcontractors or frequenters; Applicant, its employees, agents, contractors, subcontractors or frequenters; or any other person. Without limiting the generality of the foregoing, the liability, damage, loss, expense, claims, demands and actions indemnified against shall include all liability, damage, loss, expense, claims, demands and actions for damage to any property, lines or facilities placed by or on behalf of the Applicant pursuant to this permit or any other permit issued by the State for location of property, lines or facilities on highway right-of-way in the past or present, or that are located on any highway or State property or right-of-way with or without a permit issued by the State, for any loss of data, information, or material; for trademark, copyright or patent infringement; for unfair competition or infringement of personal or property rights of any kind whatever. The Applicant shall at its own expense investigate all such claims and demands, attend to their settlement or other disposition, defend all actions based thereon and pay all charges of attorneys and all other costs and expenses of any kind arising from any such liability, damage, loss, claims, demands and actions.

Any transfer, whether voluntary or involuntary, of ownership or control of any property constructed, placed or operated by or on behalf of the Applicant that remains on the State's property or right-of-way pursuant to this permit shall not release Applicant from any of the indemnification requirements of this permit, unless the State is notified of such transfer in writing. Any acceptance by any other person or entity, whether voluntary or involuntary, of ownership or control of any property constructed, placed or operated by or on behalf of the Applicant that remains on the State's property or right-of-way pursuant to this permit, shall include acceptance of all of the indemnification requirements of this permit by the other person or entity receiving ownership or control.

Notwithstanding the foregoing, a private contractor or subcontractor with the State under Chapter 84 Wisconsin Statutes, that fails to comply with sections 66.0831 and 182.0175 Wisconsin Statutes (2007-2008), remains subject to the payment to the Applicant of the actual cost of repair of intentional or negligent damage by the contractor or subcontractor to any property, lines or facilities placed by or on behalf of the Applicant pursuant to this permit or any other permit issued by the State for location of property, lines or facilities on highway right-of-way, and remains subject to payment to the Applicant for losses due to personal injury or death resulting from negligence by the contractor or subcontractor.

Notwithstanding the foregoing, if the State, or its officers, employees and agents, fail to comply with sections 66.0831 and 182.0175 Wisconsin Statutes (2007-2008), the State or its officers, employees and agents, remain subject to the payment to the Applicant of the actual cost of repair of willful and intentional damage by the State, or its officers, employees and agents, to any property, lines or facilities placed by or on behalf of the Applicant pursuant to this permit or any other permit issued by the State for location of property, lines or facilities on highway right-of-way, and remain subject to payment to the Applicant for losses due to personal injury or death resulting from negligence by the State, its officers, employees and agents.

No indemnification of private contractors or subcontractors with the State under Chapter 84 Wisconsin Statutes, shall apply in the event of willful and intentional damage by such private contractors or subcontractors to the property, lines and facilities of the Applicant located on the highway right-of-way pursuant to this permit or any other permit issued by the State for the location of property, lines or facilities on highway right-of-way.



**SUPPLEMENTAL PERMIT PROVISIONS**  
For Wisconsin Department of  
Transportation Utility Facility Permits

**Acronyms used in this document:**

- BMPs: Best Management Practices
- R/W: Right-of-Way
- UAP: Utility Accommodation Policy
- WisDOT: Wisconsin Department of Transportation

1. **GENERAL WORK REQUIREMENTS**

- As required by Wisconsin Statute 182.0175, when filing your Diggers Hotline request ensure that this Permit Number is in the Remarks Section of the Diggers Hotline Ticket. WisDOT
- The Permittee shall bore under all driveways, private entrances, wetlands, culverts, and all roadways.
- The Permittee is responsible for obtaining any permits from the Department of Natural Resources, or any other agency that may have an interest in the area impacted by the construction of the utility facility.

2. **WORK DUE TO A WISDOT HIGHWAY PROJECT.** This approved permit constitutes acceptance that the work in this permit is compatible with permit requirements. This approved permit is NOT a Work Plan Approval/Start Work Notice as required by Trans 200.05(07). This approved permit is NOT a Work Plan Approval/Start Work Notice for a non-Trans 220 project. This approved permit does NOT approve or authorize an agreement between WisDOT and the Permittee for compensable work due to a WisDOT highway project.
3. **PERMIT TERM.** For as long as the Permittee continues to own, operate and maintain this utility facility within WisDOT R/W in accordance with the terms of its permit and WisDOT's UAP, this permit shall be valid.
4. **REVOCAION BY WISDOT.** WisDOT may revoke this permit if its own use of the R/W would be facilitated by the full or partial relocation of the Permittee utility facility, and shall provide the Permittee with written notice prior to revocation. At which time WisDOT shall work with the Permittee to find a suitable replacement area on R/W near the terminated location if possible. WisDOT shall not compensate the Permittee to move its utility facility in keeping with WisDOT's policy on compensable / non-compensable utility facility moves.
5. **TERMINATION BY PERMITTEE.** The Permittee may terminate this permit upon 60 days written notice to WisDOT. Upon such termination, the Permittee shall either remove its communication cable facility from the R/W, or abandon it in-place provided it does not constitute an environmental hazard.
6. **HOLIDAY WORK RESTRICTIONS for 2016.** The Permittee shall not work on May 30, July 4, September 5, and November 24, and December 25.
7. **WORK-TIME RESTRICTIONS.** Weekday work is from sunrise to sunset. Weekend work may be allowed upon prior approval from WisDOT. No work shall take place during nighttime hours unless authorized by WisDOT.
8. **TRAFFIC CONTROL.** All work zone traffic control will be in accordance with the Wisconsin Manual on Uniform Traffic Control Devices. Additional guidance is available from WisDOT through a booklet entitled, *Work Zone Safety, Guidelines for Construction, Maintenance, and Utility Operations* or from UAP 96.51.
9. **WORK AREA PROTECTION DURING NON-WORK TIMES.** The Permittee may store vehicles, equipment, or materials on the non-freeway R/W provided they are placed as close to the non-freeway R/W line as possible, but no less than 30 feet from the edge of the nearest travel lane. If vehicles, equipment, or materials must be parked or stored within an area that is less than 30 feet from the edge of the nearest travel lanes, appropriate temporary concrete or water-filled barriers, signing, and devices shall be utilized. The Permittee shall ensure that any excavations left open during non-work times are well marked and secured from public intrusion.
- The primary objective will be maintenance of a safe traffic and working environment. No operation shall to any extent pose any hazard neither to, nor in any manner influence traffic at any time.
- All vehicles used to conduct the work operations will be equipped with conspicuously visible roof-mounted revolving or strobe lights. These lights shall be in operation just prior to and during the time the work operations are being conducted. Hazard warning lights on the vehicles must also be operating.
10. **WORK RESTRICTIONS.** For the purposes of placement of these facilities, as stated with this permit request, the State security fence shall not be opened or damaged.

11. **CLEAR ZONE / DRAINAGE INTERFERENCE.** No topsoil or other excavated piles of soil shall be deposited in any manner that interferes with the clear zone or regular drainage patterns within the highway.

As much as possible, all equipment, operations, and spoil material should be situated or accomplished off of the highway.

12. **EROSION CONTROL.** The Permittee shall use the appropriate erosion control BMPs to contain soil directly at the site to prevent disturbed soil from getting into nearby waterways and wetlands. All appropriate erosion control devices shall be in place **prior to starting construction activities**. Temporary seeding shall be used as necessary after rough grading and before completion of the project. The Permittee shall ensure that erosion control BMPs used to protect restored areas remain in place until replacement vegetation achieves sustained growth.

The Permittee shall take all precautions necessary to prevent mud, dirt, or other debris from being deposited onto the shoulder or pavement of all access roads or highways. Any materials deposited on the shoulder or pavement shall be removed immediately. Ruts may remain as is if the Permittee is accessing the R/W from private property, but appropriate erosion control BMPs shall be used to contain disturbed soil at the site.

13. **R/W RESTORATION.** Upon completion of the project a variation of erosion control measures will be required to restore the area that has been disturbed allowing it to return to the manner it was in previous to the construction. All disturbed sites will require a seed mixture that includes a quick sprouting variety with fertilizer and mulch. Other possibilities that may have to be considered are Geotextile fabric, e-mat, and stone ditch checks.

The Permittee is responsible to assure that erosion control measures used to protect restored areas remain in place until replacement vegetation achieves sustained growth.

The basic drainage pattern of the highway shall remain undisturbed by the permitted work. Upon project completion, all spoils, debris, refuse, and waste resulting from the permitted work shall be removed from the work site. Should future maintenance work on the Permittee's utility facility result in the disturbance of the existing R/W, the Permittee shall restore the R/W to its original condition as soon as possible.

14. **NOTIFICATIONS / CONTACTS.** Notify Northeast Region utility coordinator/field inspector, by phone or email, three days prior to the start of construction. Notify Diggers' Hotline 800/242-8511 at least three working days prior to the start of any excavation.

15. **COMPLETION OF PERMIT.** If any part of this permit is violated it is rendered by such act null and void. Any works or operations not in full compliance herewith shall justify an order by any inspecting officer of the Department to cease all further progress on the work, and to accomplish all restorations of disturbed areas, including full restorations of the pavement.

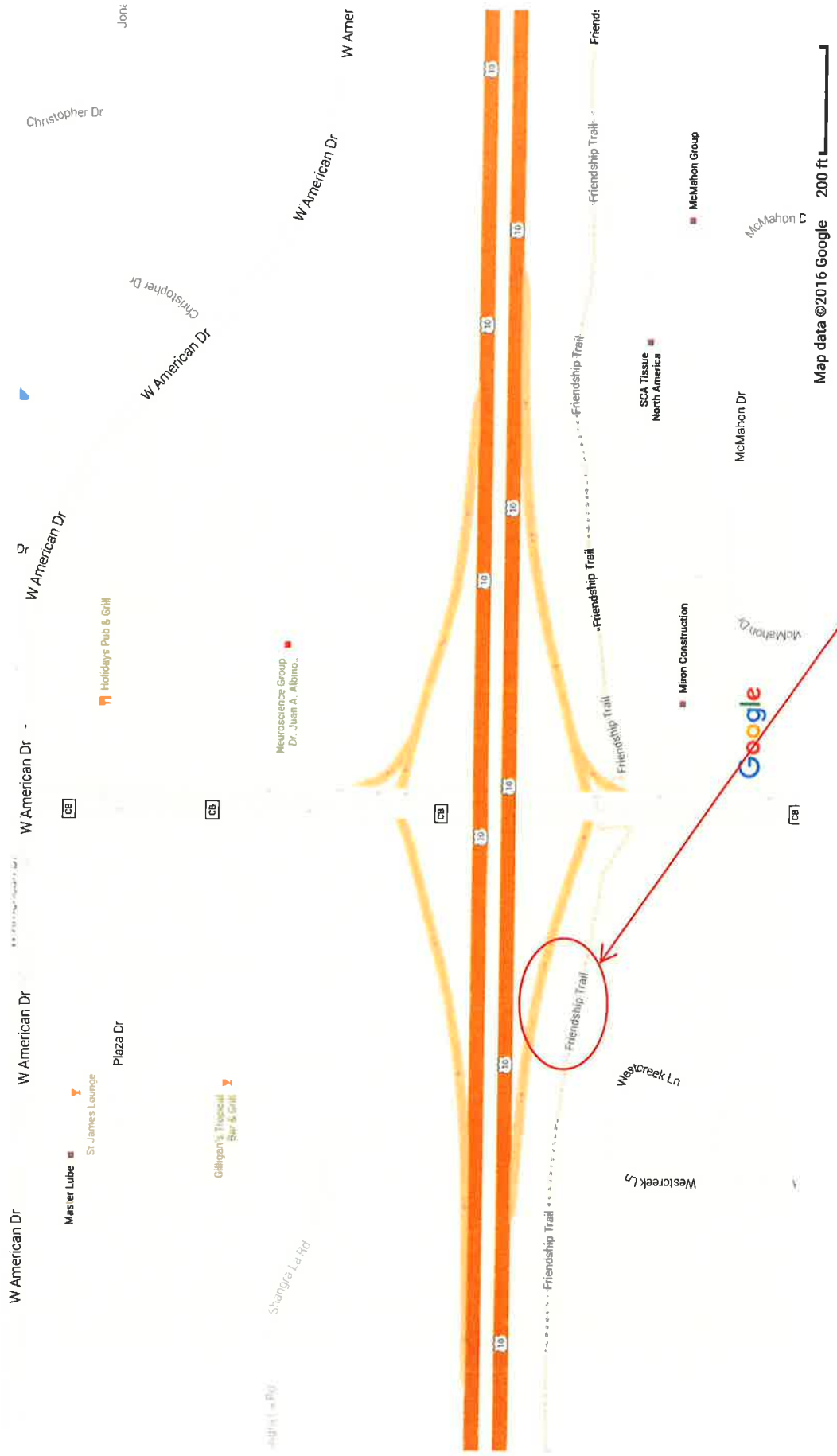
Upon completion of the work, all disturbed areas shall be restored according to requirements stated in the Utility Accommodations Policy, (96.54), and in a manner satisfactory to the District Chief Maintenance Engineer.

16. Prevent the spread of oak wilt by treating all cut surfaces and abrasions sustained **between April 1 and September 30** by healthy oak trees and saplings with a thorough application of tree paint immediately upon discovering a wound. Between these dates, also paint the cut surfaces of the stumps of all healthy oak trees and saplings immediately after cutting, whether remaining in place or grubbed.

This permit approves the installation of facilities as shown on the diagram provided. It is the obligation of the applicant to determine the location of, and avoid any damage to, the pre-existing lines and facilities of others. If the above assigned position is not feasible, an alternate location of facilities shall be approved prior to installing the facilities by contacting the permit coordinator approving the permit. If the facility is later discovered to be at a location other than that designated by the permit you may be required to relocate the facility at your expense.

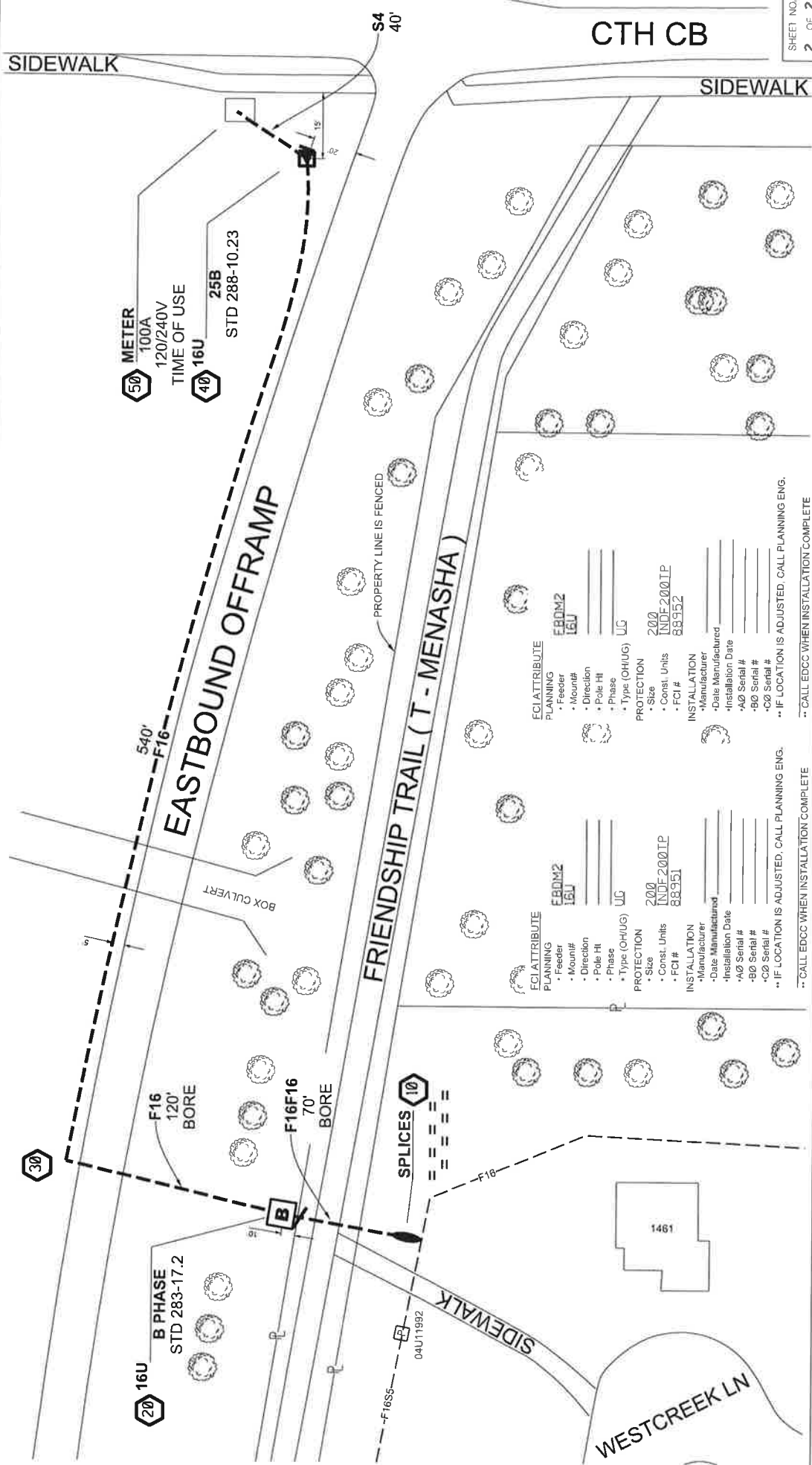
*Date of provisions 3/9/2016*

*This permit is subject to the attached drawings, these supplemental provisions, and WisDOT's Utility Accommodation Policy. New supplemental provisions may be added, or the existing ones deleted or amended in the future as different issues arise during the installation, operation and maintenance of the permittee's facilities.*





**EASTBOUND STH 10**



**METER**  
 100A  
 120/240V  
 TIME OF USE  
 16U  
 25B  
 STD 288-10.23

**EASTBOUND OFFRAMP**

**FRIENDSHIP TRAIL (T - MENASHA)**

**CTH CB**

**WESTCREEK LN**

**F16**  
 120'  
 BORE

**F16F16**  
 70'  
 BORE

**SPLICES**  
 10

**ELECTRICAL EQUIPMENT DATA**

<b>EBOIM2 16U</b>	<b>EBOIM2 15U</b>
Feeder	Feeder
Mount#	Mount#
Direction	Direction
Pole Ht	Pole Ht
Phase	Phase
Type (OH/UG)	Type (OH/UG)
Size	Size
Const. Units	Const. Units
FCI #	FCI #
Manufacturer	Manufacturer
Date Manufactured	Date Manufactured
Installation Date	Installation Date
AG Serial #	AG Serial #
BO Serial #	BO Serial #
C2 Serial #	C2 Serial #

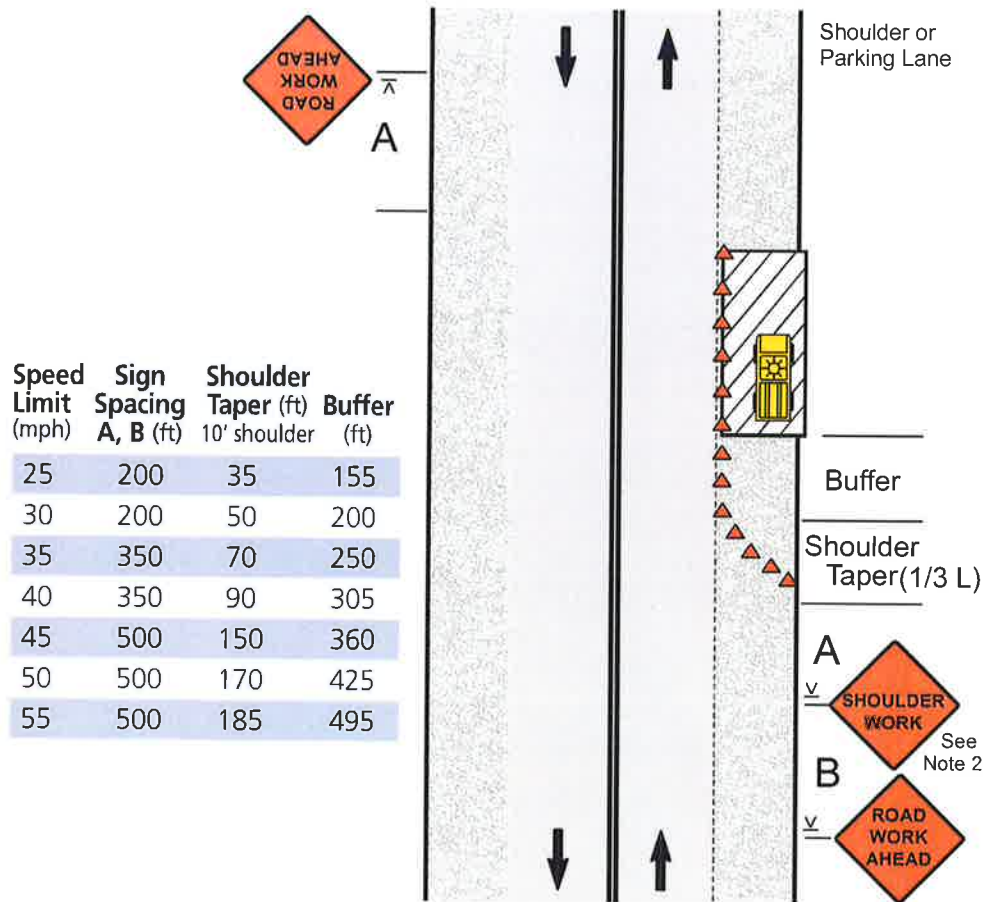
**ELECTRICAL EQUIPMENT DATA**

<b>EBOIM2 16U</b>	<b>EBOIM2 15U</b>
Feeder	Feeder
Mount#	Mount#
Direction	Direction
Pole Ht	Pole Ht
Phase	Phase
Type (OH/UG)	Type (OH/UG)
Size	Size
Const. Units	Const. Units
FCI #	FCI #
Manufacturer	Manufacturer
Date Manufactured	Date Manufactured
Installation Date	Installation Date
AG Serial #	AG Serial #
BO Serial #	BO Serial #
C2 Serial #	C2 Serial #

.. IF LOCATION IS ADJUSTED, CALL PLANNING ENG.  
 .. CALL EDCC WHEN INSTALLATION COMPLETE

.. IF LOCATION IS ADJUSTED, CALL PLANNING ENG.  
 .. CALL EDCC WHEN INSTALLATION COMPLETE

## Work on Shoulder or Parking Lane



### Notes

1. Encroachment into the traffic lane is allowable, but a 10-foot minimum travel lane width should be maintained. A lane closure should be considered if there is encroachment on roads with speeds greater than 35 mph, or for other conditions where workers, equipment, or the work activity would benefit from the lateral buffer (see pages 22 and 23).
2. If there is encroachment into the traffic lane, a ROAD NARROWS sign may be used instead of SHOULDER WORK. For roads with low volume, the SHOULDER WORK or ROAD NARROWS sign can be omitted.
3. For short duration work (60 minutes or less), the channelizing devices may be omitted if a vehicle with activated high intensity lights is used. For short duration work with no lane encroachment, the signs may also be omitted.
4. Workers, UTILITY WORK AHEAD, SHOULDER WORK AHEAD, or SURVEY CREW signs may be used instead of SHOULDER WORK or ROAD WORK AHEAD.
5. When work area is at least 2' from traffic lane on roads with low volume and speeds of 35 mph or less, the sign on opposite side can be omitted.







Wisconsin County Mutual Insurance Corporation

August 9, 2019

WE ENERGIES  
CLAIMS – A145  
P O BOX 1132  
MILWAUKEE WI 53201-1132

<b>RE:</b>	<b>WCMIC Insured:</b>	<b>Winnebago County</b>
	<b>Claimant:</b>	<b>We Energies</b>
	<b>Date of Incident:</b>	<b>June 18, 2019</b>
	<b>Claim number:</b>	<b>185999-22202</b>
	<b>Damage Claim #:</b>	<b>201993967 <i>wf</i></b>

Aegis Corporation is the General Administrator for Wisconsin County Mutual Insurance Corporation, which insures Winnebago County under a policy of general liability coverage applicable to the above captioned date of loss.

Our principal, Wisconsin County Mutual Insurance Corporation, has requested that we advise you that upon completion of the review of your claim, they find your claim does not qualify for payment. Therefore we will be unable to assist you with any settlement of damages or costs which you may have sustained in the above captioned claim.

The pedestal in question was not marked and was covered in overgrowth. As such, our principal regrets that it must decline any claim resulting from this incident, but finds that there is no liability on the part of their insured Winnebago County.

We regret that we could not assist you in this matter.

Sincerely,  
**Wisconsin County Mutual  
Insurance Corporation**

Laurie A Miskanis-Cisewski  
Senior Field Claims Examiner  
Aegis Corporation

**Received  
Claims Department**

AUG 12 2019

cc: Winnebago County



MILWAUKEE WI 530

30 AUG 2019 PM 1 1



Laurie A. Miskanis-Cisewski, Senior Claims Professional  
P.O. Box 63 | Custer, WI 54423-0063

ADDRESS SERVICE REQUESTED

59201-119232

