

~~Chapter~~**RULES**  
**OF**  
**GEORGIA DEPARTMENT OF TRANSPORTATION**  
**CHAPTER 672-11 MAINTENANCE**  
**INSTALLATION, RELOCATION, ETC., AND MANAGEMENT OF FACILITIES**  
**OF UTILITIES**  
**ON PUBLIC UTILITIES RIGHTS-OF-WAY**

Rule

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## 672-11-.01 Definitions

The following words when used in Chapter 672-11 shall have the following meanings ~~unless the context thereof indicates another meaning:~~

- (a) ~~(a)~~ —“Annual Fee: ~~The fee applied on a~~” means the yearly ~~basis~~ recurring fee for the ~~permit~~ Permit issued pursuant to these rules.
- ~~(b)~~ — ~~Long Distance Cables: Any cable utilized for the purpose of having long distance telecommunications transmitted through it, except those cables whose predominant use is to provide circuits required to carry communications traffic between telephone subscribers within a local exchange.~~
- ~~(b)~~ ~~(e)~~ — ~~Trunk Communication Cables: Any~~“Administrative Fee” means the one-time fee for any Permit issued pursuant to these rules.
- ~~(c)~~ — “Existing Facilities Fee” means the recurring fee for Communication Cables and Wireless Facilities located within a Public Rights-of-Way installed prior to January 1, 2021.
- ~~(d)~~ — “Communication Cable” means any fiber optic, media, or other cable utilized for the purpose of providing a telecommunications link ~~between two exchange areas except those segments;~~ transmitting data; accessing the internet; processing computer data; storing information or engaging in protocol conversion; and/or transmitting video, or voice-over-internet.
- ~~(e)~~ — “Department” or “GDOT” means the Georgia Department of ~~such cables whose predominant use is to provide circuits required to carry~~ Transportation.
- ~~(f)~~ — “Permit” means the legal document by which the Department regulates the use and/or occupancy of the Public Rights-of-Way and as further defined in the GDOT Utility Accommodations and Policy Standards Manual for utilities.
- ~~(g)~~ — “Public Rights-of-Way” means the state highway system and those local roads and streets that are a part of the Federal-aid system.
- ~~(h)~~ ~~(h)~~ — “Wireless Facility” means equipment at a fixed location that enables wireless communications between user equipment and a ~~communications traffic between telephone subscribers within a local exchange~~ network.

### Rule

Authority: O.C.G.A. §§ 32-6-174, 50-13-4, 32-2-2

## 672-11-.02 ~~Long Distance and Trunk Communications~~ Communication Cables, Wireless Facilities; Issuance of Permits

- (1) The Department shall follow the same policies, procedures, and standards for approving permits for the installation of Communication Cables and ~~trunk communications cables~~ Wireless Facilities services on ~~public road rights~~ Public Rights-of-way Way as apply to other types of ~~communication cables~~ utilities except that payment of ~~permit~~ Permit fees shall be required as set forth herein. Longitudinal access to interstate highways is not subject to this Rule.
- (2) The Permit fees ~~Fees set forth in this Rule Chapter shall apply only to Public Rights-of-Way.~~

~~(3) The Existing Facilities Fee shall be calculated in accordance with Rule 672-11-.03.~~

~~(4) Annual Fees shall be assessed as an annual payment to be based annually for the duration of time the utility facilities remain located on miles of line installed along the rights-of-way of a public road. The annual fee is intended to cover direct Public Rights-of-Way, until said facilities are abandoned, or until the facilities are decommissioned as evidenced by written notification to the Department. The Department may cancel or revoke Permits upon written notice to the applicant. Annual Fees shall increase annually by no more than 2.5%.~~

~~(5) The Existing Facilities Fees and Annual Fees represent the reasonable approximation of costs associated with the administration of the permit, the inspection of work, and all indirect costs associated with continued occupancy by the permitted utility utilities. The rate to be Existing Facilities Fee and Annual Fee shall be assessed shall be by the Department as an annual payment in accordance with the rate schedule set forth in Rule 672-11-.03.~~

~~(3)~~

~~(6) The initial annual fee rate shall remain in effect for the year in which the permit is issued and for a period of ten (10) calendar years thereafter. At the end of such ten year period, a new annual fee shall be charged and shall be based on the then established rate schedule.~~

~~(4) The permit fees shall apply only to the state highway system and to those local roads and streets which are a part of the Federal aid system.~~

~~(5) There shall be no fee charged for crossings of the state highway system that are not associated with a longitudinal encroachment.~~

~~(6) Annual fees shall be prorated from the date of issuance of the permit to December 31, of the year issued and the total amount so determined shall be due upon issuance of the permit. For permits issued on or after December 1, of any year, the fee for the ensuing year shall also be due upon issuance of the permit. Thereafter, the annual fee amount shall be due on January 1 of each new year. All annual fees of the Existing Facilities Fee and Annual Fee assessed by the Department shall be paid within thirty (30) days after their due date by July 1 of each year. If the annual fee is Existing Facilities Fee and Annual Fee are not paid within 30 days of the thirty day period due date, the permit Permits issued shall be subject to revocation by the Department.~~

~~(7) Annual fees shall continue to be due each year so long as the property on which the utility facilities are located remains public road right of way or until said facilities are abandoned as evidence by written notification to the Department.~~

~~(7) An Administrative Fee represents a reasonable approximation of the Department's reasonable costs in administering and issuing the Permit. An Administrative Fee shall be assessed and paid prior to issuance of a Permit. The fee assessed per Permit shall be in the amount set forth in Rule 672-11.03. The Administrative Fee shall be adjusted every 5 years based on the Consumer Price Index (CPI) published by the U.S. Bureau of Labor Statistics.~~

Authority: O.C.G.A. §§ 32-6-174, 50-13-4, 32-2-2

~~Rule 672-11-.03 Long Distance and Trunk Communications Cables; Permit Fee Schedule~~

~~Rate Class — Location — Annual Fee~~

~~L — 1. Along local roads in rural areas — \$1,000/mile~~

~~— 2. Along State Highways in rural areas: —~~

~~R1 — a. Where ADT is less than 2,000 — \$1,000/mile~~

~~R2 — b. Where ADT is 2,000 or more — \$2,000/mile~~

~~U — 3. Along roads and streets inside urban areas \$5,000/mile~~

~~Note:~~

~~1. — These rates are for a single cable installed aerially on a pole line or underground by direct bury or in conduit. Where conduit is used, one additional conduit may be installed simultaneously for use by the owner for future repairs or replacement of minor cable segments.~~

~~2. — Where lines of two or more owners are installed simultaneously and in the same trench the above rates shall be reduced by 25 percent for each owner.~~

~~3. — Where cables are installed on a pole line in joint use with another utility facility the above rates shall be reduced by 25 percent.~~

~~4. —~~

~~5. — Urban areas are those cities and environs having a population of 5,000 or more with boundaries defined by the Department and shown on its official highway maps for each area.~~

**672-11-.03 Schedule of Permit Fees**

Permit Fees shall be calculated to by adding the nearest .01 mile following:

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(1) The Existing Facilities Fee shall be determined by assessing: (1) the mileage; (2) number of facilities in place; and (3) the amount of Permit work within Public Rights-of-Way prior to January 1, 2021. The Existing Facilities Fee shall remain in effect and be due annually for a period of 10 calendar years following its initial assessment. The amount of the Existing Facilities Fee shall be zero where no facilities exist in the Public Rights-of-Way prior to January 1, 2021;

(2) The Administrative Fee is a one-time fee assessed in the amount of \$1,000 for each Permit issued starting on January 1, 2021, and shall be adjusted be adjusted ever 5 years based on the Consumer Price Index (CPI) published by the U.S. Bureau of Labor Statistics; and,

(3) The Annual Fee shall be assessed at a rate of \$500 per Permit per year starting in year 2021 and shall increase thereafter by no more than 2.5% annually.

Authority: O.C.G.A. §§ 32-6-174, 50-13-4, 32-2-2

#### **672-11-.04 Alternate Procedure for Assessing Fees**

In lieu of ~~fees required~~Permit Fees provided for under paragraphs 672-11-.02 and 672-11-.03, the Department may ~~at its~~exercise the option to enter into an agreement with a utility for payment of ~~blanket (a lump sum) fees amount~~ to cover the fees for all operations of the utility on ~~State rights~~Public Rights-of-wayWay on an annual basis. Such agreements and corresponding fees shall take into consideration the mileage and or number of facilities in place ~~and,~~ the amount of current and anticipated ~~permit~~Permit work within the ~~rights~~Public Rights-of-way andWay, along with the estimated costs to the Department of the utility's operations. Any such agreements shall provide for annual adjustments of the fee amount.

Authority: O.C.G.A. §§ 32-6-174, 50-13-4, 32-2-2