

Fisher Insight

GETTING IT RIGHT IN THE RIGHT-OF-WAY

Fiber Optic Insight into PERM 75

With millions of miles of fiber optic infrastructure maintained, repaired, and installed annually throughout the US, how we handle this resource going forward is critical. Electrical Transmission System Communication Backbone upgrades with Optical Ground Wire (OPGW), and other telecommunication utilities using Direct Burial Underground Fiber Optic Cables need to be aware of new state permitting requirements.

To regulate this growing industry, the New York State Department of Transportation (NYSDOT) enacted a new application and highway permit geared toward the commercial infrastructure of fiber optics located in the public right-of-way (ROW). To improve recordkeeping and document what is installed, PERM 75 establishes a new process for installation of fiber optics when it is located in the NYSDOT ROW.

Prior to PERM 75, documentation and recording of utilities located in the public ROW was incomplete and usually outdated. Therefore, utility contractors had no definitive way to determine where existing utilities (active or abandoned) were located. That all changes in New York State with PERM 75.



NEW WITH PERM 75



For every inch of cable laid on public property, fees are assessed, increasing initial investments.

Every Inch Matters

As the state seeks to regulate and properly record utilities located in the public ROW, now more than ever, every inch matters to utility companies and suppliers who must provide services to clients.

Fisher Associates Brings Solutions

The first challenge with PERM 75, introduced in the summer of 2020, was that it was loosely defined at first, contributing to confusion surrounding the new process and how to satisfy its requirements. Critical to success is a good understanding of PERM 75 including DOT expectations. Fisher Associates took the lead upon the release of PERM 75 to use our decades of relationships and performance interacting

with NYSDOT at the local, regional, and state levels to understand DOT expectations and become experts in submitting successful PERM 75 documents. These relationships allowed Fisher to anticipate what the agency was ultimately looking to accomplish with PERM 75. The Fisher team started filing applications with more information than requested because they knew what information NYSDOT needed for PERM 75 to be successful and delivered completed permits with items that were not yet required.

The second challenge with PERM 75 is that the re-establishment of DOT right-of-way can vary from region to region. Fisher knows the agency-side well and understands how to coordinate the crucial survey piece to lessen the impact of up-front costs to clients. The fewer fiber optic cable/lines that are laid on public land, the less financial burden the private utility company bears. Fisher is also intimately familiar with Freedom of Information Law (FOIL), and the requirement that FOIL requests must be submitted along with every PERM 75 application. This filing is a critical path task on the permit schedule; for every filing mistake that is made by a submitting engineer, the time to process and approve the application increases. The skilled Fisher team gets it right the first time, decreasing review times, and easing the permit process on both ends.



Fisher's turnkey team of surveyors and civil engineers have extensive experience with the DOT and have helped clients navigate PERM 75 successfully. Using our extensive survey and right-of-way experience coupled with familiarity of DOT survey requirements allows us to develop plans and work zones that clearly convey to DOT exactly what the contractor will be doing in the ROW space. Fisher has worked extensively to streamline the complex PERM 75 process for ultimate efficiency and accuracy, saving a great deal of time and realizing substantial savings for clients.

 Ed Kostowniak, P.E., Director of Energy
716.858.1234 x313

EKostowniak@fisherassoc.com

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