

**761—115.28 (306A) Second plan submission, final work plan and permit application.**

**115.28(1)** *Second plan.* After the final public information meeting, the department shall submit its second plan to the owner of each known utility facility within the project limits. The second plan shall show any additional plan information or design changes the owner needs in order to complete its design and layout for the adjustment. The department shall clearly identify to the utility owner the differences between the first and second plans.

**115.28(2)** *Final work plan.* Within 60 calendar days after the date the department submits the second plan, the utility owner shall provide to the department a final work plan.

*a.* The final work plan shall include the anticipated starting date for the utility owner's work within the primary highway right-of-way.

*b.* A completed application for a utility accommodation permit must accompany the final work plan for work within the primary highway right-of-way. The work plan by itself does not constitute a permit nor does it grant permission to occupy the primary highway right-of-way.

*c.* When requested by the utility owner, the department may allow additional time to complete the final work plan if the second plan requires extensive modifications to the preliminary work plan.

*d.* If there are no changes to the preliminary work plan, the utility owner need only notify the department that the preliminary work plan is now the final work plan.

**115.28(3)** *Department review of final work plan.* The department shall review each utility owner's final work plan to ensure compatibility with utility accommodation permit requirements, the plans for the highway improvement project, and the construction schedule.

**115.28(4)** *Acceptance of final work plan.* The department shall notify the utility owner of the department's acceptance of the utility owner's final work plan.

*a.* If the final work plan is not acceptable to the department, the department shall notify the utility owner that the plan is not acceptable and provide a detailed explanation of the problem.

*b.* The utility owner shall submit a revised final work plan to the department within 30 calendar days after its receipt of notice from the department that the plan was not acceptable.

*c.* The department shall review the revised final work plan. If the work plan is acceptable, the department shall notify the utility owner of the department's acceptance of the plan.

*d.* If the work plan is still not acceptable, the process set out in 115.28(4) "a" to "c" shall be repeated.