

Minnesota Statutes §237.045
RAILROAD RIGHTS-OF-WAY OR PARALLELING BY UTILITIES

Subd. 6. Standard crossing fee

(a) Unless otherwise agreed by the parties or determined under section [237.04](#), a utility that crosses a railroad right-of-way, other than a crossing within a public right-of-way, must pay the railroad a onetime standard crossing fee of \$1,250, adjusted as provided in paragraph (e), for each crossing. Except as otherwise provided in this subdivision, the standard crossing fee is paid in lieu of any license, permit, application, processing fee, or any other fee or charge to reimburse the railroad for direct expenses incurred by the railroad as a result of the crossing. No other fee or charge may be assessed to the utility by the railroad.

(b) In addition to the standard crossing fee, the utility shall also reimburse the railroad for any reasonable and necessary flagging expense associated with a crossing, based on the railroad traffic at the crossing.

(c) No crossing fee is required if the crossing is located within a public right-of-way.

(d) The placement of a single conduit and its content is a single facility. No additional fees are payable based on the individual fibers, wires, lines, or other items contained within the conduit.

(e) Annually each May 1, the standard crossing fee under paragraph (a) must be adjusted based on the percentage change in the annual average producer price index for the preceding year compared to the year prior to the preceding year. Each adjustment is effective for applications submitted on or after June 1. The producer price index is final demand, finished consumer energy goods, as prepared by the Bureau of Labor Statistics of the United States Department of Labor.

Enacted: July 1, 2016

*Standard one-time fee indexed according to statute above
as calculated by MMUA*

For application submitted	One-time fee
July 1, 2016 - May 31, 2017	\$1,250.00
June 1, 2017 - May 31, 2018	\$1,162.59
June 1, 2018 - May 31, 2019	\$1,270.66
June 1, 2019 - May 31, 2020	\$1,377.15
June 1, 2020 - May 31, 2021	\$1,321.52
June 1, 2021 - May 31, 2022	\$1,171.33
June 1, 2022 - May 31, 2023	\$1,498.73