



*To unify, support, and serve  
as a common voice for municipal utilities*

March 10, 2023

Minnesota Senate  
Committee on Transportation

Re: SF 2687

Dear Chair Dibble and members of the committee:

MMUA submits this letter as testimony for the March 10 hearing of your committee on SF 2687. Thank you for the opportunity to give our perspective. MMUA exists to unify, support, and serve Minnesota's municipal electric, gas and water utilities so they can in turn improve service to their customers and communities.

Our organization and members advocated for legislation in 2016 that resulted in a fair and long-needed law establishing a predictable, affordable process for utilities to place conduits, cables, sewer pipes and other needed public infrastructure underground where the facility runs beneath or parallel to train tracks. Prior to the law's enactment, railroads were charging exorbitant, unnecessary annual license fees to underground facility operators, including municipal utilities. Now, when a utility "crosses" a railroad right-of-way, it pays a one-time fee of \$1,250. However, if that crossing occurs under a public right-of-way, there is, appropriately, no fee.

Certain railroads have resisted following this law since its enactment. The latest method of resistance has been mis-use of the antiquated statute denying public right-of-way status to certain roads. SF 2687 would repeal that statute and has MMUA's full support.

Again, thank you for the opportunity to offer this testimony.

Sincerely,  
Kent Sulem  
Director of Government Relations and Senior Counsel