



**UNDERTAKING
BETWEEN A PUBLIC UTILITY CORPORATION AND
NEW YORK STATE DEPARTMENT OF TRANSPORTATION
FOR SPECIAL HAULING PERMITS**

WHEREAS, the undersigned _____ (Name of Company), a public utility corporation organized under the Laws of the State of New York and regulated by the Public Service Commission, and having its principle office in the City of _____ (Location of Company), does from time to time make application to the New York State Department of Transportation, and receives from said Department, certain permits for movement of overweight and/or over dimensional loads which are known as Special Hauling Permits which are under the jurisdiction of the Department of Transportation to travel on highways that are within the jurisdiction of the State of New York.

WHEREAS, the undersigned desires to obtain, from time to time, from the Department of Transportation, permits for self-propelled and oversized vehicles which require a Special Hauling Permit which are under the jurisdiction of the Department of Transportation.

NOW, THEREFORE, the said _____ (Name of Company) does hereby undertake, to and with the People of the State of New York and/or the Commissioner of Transportation of the State of New York, that _____ (Name of Company) shall and will

1. Truly and faithfully comply with and perform all the terms and conditions of each such permit on its part to be kept and performed, and abide by and comply with all such conditions, rules and regulations as may be from time to time promulgated by the Commissioner of Transportation of the State of New York, according to the true intent and meaning of such permits, rules and regulations.

2. Save harmless and defend and protect the State of New York against and pay any and all amounts, damages, costs and judgements which may or shall be recovered against said State, or its officers or agents, or which such State, may be called upon to pay to any person or corporation by reason of damages arising or growing out of operations pursuant to said permits or the manner of doing the same, or the neglect of said _____ (Name of Company) or its agents or servants, or the improper performance pursuant to conditions of said permits by _____ (Name of Company), its agent or servants.

3. It being understood that this undertaking is one of indemnity only and is not to be construed as an undertaking or obligation to pay claims for which there would not otherwise be a remedy in law.

IN WITNESS THEREOF, _____ (Name of Company) has caused this instrument to be signed by its duly authorized officer and its corporate seal to be hereunto affixed, on the _____ day of _____, 20 _____.

Name of Company

Address: _____

By: _____
Representative of Company

Title of Representative of Company

Telephone No.: _____

STATE OF NEW YORK

SS:

COUNTY OF _____

On this _____ day of _____, 20 _____, before me, the undersigned, _____ (Name of Representative of Company), personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public