



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

January 29, 2016

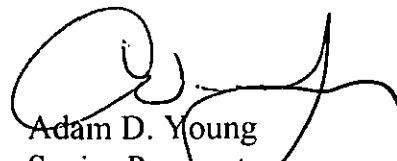
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the public at-grade crossing by the installation of the new automatically operated flashing light crossing warning signal where South Third Street (T-559) crosses the single track of Norfolk Southern Railroad Company (DOT No: 535152 B) in Guilford Township, Franklin County all in accordance with the Federal Grade Crossing Program and the allocation of costs incident thereto.
A-2015-2466693

Dear Ms. Chiavetta:

Enclosed for filing is the original copy of the Pre-Hearing Conference Memorandum on behalf of the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission in the above-referenced case. Copies have been served on the parties of record in accordance with the Certificate of Service.

Sincerely,


Adam D. Young
Senior Prosecutor
Attorney ID No. 91822

Bradley R. Gorter
Attorney ID No. 312666

Enclosure

cc: As per Certificate of Service

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of :
Transportation of the Commonwealth of :
Pennsylvania for approval to alter the public :
at-grade crossing by the installation of the :
new automatically operated flashing light :
crossing warning signal where South Third :
Street (T-559) crosses the single track of :
Norfolk Southern Railroad Company (DOT :
No: 535152 B) in Guilford Township, :
Franklin County all in accordance with the :
Federal Grade Crossing Program and the :
allocation of costs incident thereto :

A-2015-2466693

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**PRE-HEARING CONFERENCE MEMORANDUM OF THE
BUREAU OF INVESTIGATION AND ENFORCEMENT**

NOW COMES the Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement (I&E) and files this Pre-hearing Conference Memorandum in accordance with the Court's Pre-hearing Conference Order dated January 12, 2016.

Service:

All service on and communications to the Bureau of Investigation and Enforcement in this proceeding should be addressed to:

Adam D. Young, Esq. Senior Prosecutor Pennsylvania Public Utility Commission PO Box 3265 Harrisburg, PA 17105-3265 Phone: 717-772-8582	Bradley R. Gorter, Esq. Prosecutor Pennsylvania Public Utility Commission PO Box 3265 Harrisburg, PA 17105-3265 Phone: 717-783-6150
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To the extent that each party is limited to only one entry on the service list, Adam D. Young, Esq. shall be the designee for the Bureau of Investigation and Enforcement.

Statement of Settlement:

Settlement discussions are ongoing, and the Bureau of Investigation and Enforcement is open to settlement with the other interested parties.

Plan for Discovery:

To the extent that discovery is necessary, I&E believes that discovery can be conducted informally.

Proposed Schedule for Litigation:

Written direct testimony submitted on or before:	March 25, 2016
Written rebuttal testimony submitted on or before:	April 8, 2016
Hearing:	Week of April 18, 2016

Names and addresses of witnesses to be presented:

(A) Andrew Reed, P.E.
Rail Division
Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105

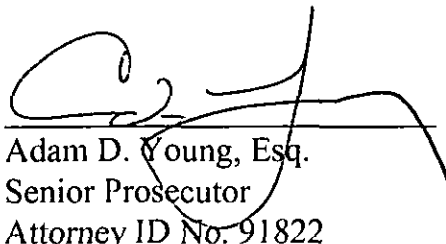
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Proposed area of testimony for each witness:

This witness will identify the preferred safety measures needed to make this crossing safe to the traveling public or whether the crossing should be abolished. This witness may also testify about who should bear the cost of the work to be performed and the future maintenance of the crossing/lights/gates/signals.

Issues to be addressed:

I&E's understanding of the issues in this case are that PennDOT would like lights and gates at the subject rail-highway crossing. Norfolk Southern Railroad would like to see the crossing abolished, but the Township would like the crossing to remain open. Given the daily traffic volume, the accident history at this crossing, line of sight at the crossing, and the proposed construction of a new school in the area, I&E's opinion is that if the crossing is to remain open, lights and gates should be installed. Otherwise, I&E is not opposed to the abolition of this crossing.



Adam D. Young, Esq.
Senior Prosecutor
Attorney ID No. 91822
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission

P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-5000

Dated: January 29, 2016

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CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing documents in accordance with the requirements of 52 Pa. Code § 1.54 *et seq.* (relating to service by a participant).

Notification by first class mail addressed as follows:

Mark J. Chappell, P.E., Chief
Utilities and Right of Way Section
Pennsylvania Department of
Transportation
P. O. Box 3362
Harrisburg, PA 17105-3362

Gina M. D'Alfonso,
Assistant Counsel
Office of Chief Counsel
Pennsylvania Department of
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P. O. Box 3265
Harrisburg, PA 17105-3265

Stephen K. Haas
Administrative Law Judge
Pennsylvania Public Utility Commission
P. O. Box 3265
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Scott T. Wyland, Esquire
Sam Wiser, Esquire
Isaac P. Wakefield, Esquire
Salzmann Hughes, P.C.
105 North Front Street, Suite 205
Harrisburg, PA 17101

Stephen Klinger HGC
Norfolk Southern Railway Co.
1200 Peachtree Street, NE Box 123
Atlanta, GA 30309

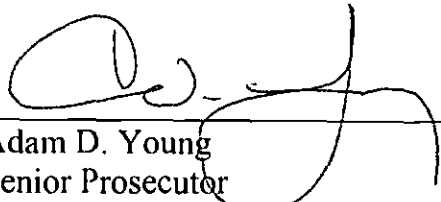
Timothy Bentley, Esquire
Norfolk Southern Railway Co.
Three Commercial Place
Norfolk, VA 23510

Henry Dan
First Energy
800 Cabin Hill Drive
Greensburg, PA 15601

John Hart Chief Clerk
Franklin County Commissioners
14 North Main Street
Chambersburg, PA 17201-1824

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Senior Prosecutor
Attorney ID # 91822

Bradley R. Gorter
Attorney ID No. 312666

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(717) 772-8582

Dated: January 29, 2016

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