

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation upon the Commission's motion :
into matters pertaining to the proper safety of the :
traveling public traversing the crossing where : I-2016-2527248
Lighthouse Road (DOT 535 148 L) crosses, at :
grade, one track of Norfolk Southern Railway :
Company in Guilford Township, Franklin County :

**GUILFORD TOWNSHIP'S REVISED
PREHEARING CONFERENCE MEMORANDUM**

I. ENTRY ON THE SERVICE LIST

Guilford Township requests that all documents be served on:

Guilford Township
c/o Scott T. Wyland
Salzmann Hughes, P.C.
112 Market Street, 8th Floor
Harrisburg, PA 17101
(717) 234-6700
swyland@salzmannhughes.com

II. SETTLEMENT POSSIBILITIES

Upon a joint request of the parties and pursuant to the Interim Order of June 8, 2016, this proceeding was held in abeyance and the case referred to the Commission's Mediation Unit. The parties have engaged in mediation regarding this matter and the matter docketed at A-2015-2466693. To date, mediation has not resulted in a settlement in this proceeding. The Township remains open to possible settlement of the instant matter.

III. PROPOSED SCHEDULE FOR DISCOVERY

The undersigned has conferred with counsel for the Commission's Bureau of Investigation and Enforcement, counsel for Norfolk Southern Railway Company, and Counsel for the Pennsylvania Department of Transportation. Guilford Township agrees with the proposed

schedule for litigation and discovery offered by Norfolk Southern Railway Company during the above-referenced discussions. Specifically, discovery will be completed on or before April 30, 2018, with direct testimony submitted by the end of May 2018, rebuttal testimony in mid-June, and a hearing at the end of June 2018 or thereafter depending upon witness availability. Alternatively, Guilford is open to another schedule agreed upon by the parties and the Commission at the Prehearing Conference on March 9, 2018.

IV. PROPOSED SCHEDULE FOR LITIGATION

See Section III, *supra*.

V. WITNESSES

Guilford Township intends to present the following witness to testify in this matter:

Name and Title: Donald C. Clapper, Chairman
Business Address: 115 Spring Valley Road, Chambersburg, PA 17202
Phone Number: (717) 264-6626
Subject Matter of Testimony:

Mr. Clapper will testify generally regarding Lighthouse Road (T 425), its status as a Township roadway, physical conditions of the site, the approximate class and volume of traffic traversing the crossing, adequacy of existing traffic controls, the necessity for maintaining the crossing, and the costs of present and future maintenance tasks.

Name and Title: Gregory E. Creasy, P.E., President, Grove Miller Engineering, Inc.
Business Address: 4800 Linglestown Road, Suite 307, Harrisburg, PA 17112
Phone Number: (717) 545-3636
Subject Matter of Testimony:

Mr. Creasy will testify generally regarding Lighthouse Road (T 425), its status as a Township roadway, physical conditions of the site, the approximate class and volume of traffic

traversing the crossing, adequacy of existing traffic controls, the necessity for maintaining the crossing, and the costs of present and future maintenance tasks.

The Township reserves the right to add additional witnesses and to expand the scope of testimony of the existing witnesses as the case develops.

VI. STATEMENT OF ISSUES

Issue: Whether the Lighthouse Road crossing should be abolished or whether upgrades should be performed to existing traffic controls or other aspects of the subject crossing.

Position: The Township submits that the subject crossing should not be abolished. The Township believes that to the extent safety concerns exist at the crossing, which is denied, such concerns may be addressed through upgrading existing traffic control facilities. If construction and maintenance of additional facilities and upgrades are deemed to be necessary at the site, the Township submits that the costs to construct the same and the cost for future operation and maintenance should be borne equally by PennDOT and Norfolk Southern Company, or solely by one or the other of those entities.

Respectfully Submitted,

SALZMANN HUGHES, P.C.

Dated: March 7, 2018

By: /s/ Scott T. Wyland
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Attorney I.D. No. 203665
Isaac P. Wakefield
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Guilford Township's Revised Prehearing Conference Memorandum was served upon the parties listed below by First-Class mail:

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SALZMANN HUGHES, P.C.

Dated: March 7, 2018

By: /s/ Scott T. Wyland
Scott T. Wyland