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March 7, 2018

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
400 North Street, 2nd Fl
Harrisburg, PA 17105-3265

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

Dear Secretary Chiavetta:

I am enclosing the Revised Prehearing Conference Memorandum of Norfolk Southern Railway Company in the above-referenced matter. In accordance with the accompanying Certificate of Service, we are providing a copy of this document to all interested parties.

Thank you for your assistance and attention to this matter. If you should have any questions regarding the enclosed, please do not hesitate to contact me.

Sincerely yours,



Benjamin C. Dunlap, Jr.

BCDjr:ras
Enclosure

cc: All Interested Parties of Record (per attached service list)
Administrative Law Judge Steven K. Haas (via electronic mail w/enc.)

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation upon the Commission’s :
motion into matters pertaining to the :
property safety of the traveling public : **Docket No. I-2016-2527248**
traversing the crossing where Lighthouse :
Road (DOT 535 148 L) crosses, at grade, : **Filed Electronically**
one track of Norfolk Southern Railway :
Company in Guilford Township, Franklin :
County :

**NORFOLK SOUTHERN RAILWAY COMPANY’S
REVISED PREHEARING CONFERENCE MEMORANDUM**

Pursuant to the Prehearing Conference Order #2 of Administrative Law Judge Steven K. Haas, dated February 28, 2018, in this matter, Norfolk Southern Railway Company (“Norfolk Southern”) hereby submits this Revised Prehearing Conference Memorandum.

I. ENTRY ON THE SERVICE LIST

Norfolk Southern Railway Company (“Norfolk Southern”) requests that all documents be served on its counsel in this matter:

Benjamin C. Dunlap, Jr., Esquire
Nauman, Smith, Shissler & Hall, LLP
200 N. Third Street, 18th Floor
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II. SETTLEMENT POSSIBILITIES

Norfolk Southern thinks that any resolution to this matter short of closure of the crossing is ill-advised from both a safety and cost standpoint. The presence of high tension electrical lines in the crossing area has caused numerous malfunctions of the four signalized crossings

presently in the signal block that would include a signalized Lighthouse Road crossing. The addition of an additional signalized crossing within the block would create additional burdens on the system that not only may cause the Lighthouse Road signalization to malfunction, but also at the other signalized crossings within the block. Norfolk Southern has been discussing with the Township the possibility of providing assistance to help ameliorate the effects of a closure and will continue to discuss those measures with the Township.

III. DISCOVERY PLAN AND SCHEDULE

Norfolk Southern expects to conduct some limited discovery with the Township and PennDOT. Norfolk Southern therefore requests a discovery deadline of April 30, 2018.

IV. LITIGATION SCHEDULE

As conveyed to the other parties, Norfolk Southern proposes that written direct testimony be due at the end of May, written rebuttal testimony be due in mid-June, and the hearing be scheduled for a date or dates in late June, depending upon the availability of counsel and their witnesses at that time.

V. WITNESSES

Norfolk Southern intends to call the following witnesses at the hearing. Norfolk Southern reserves the right to call additional or different witnesses as information is further developed in preparation for the hearing.

Name:	Stephen Klinger
Title:	Administrator Grade Crossing Program
Business Address:	1200 Peachtree St., NE, Box 123, Atlanta, GA 30309
Phone Number:	(404) 529-1234
Subject Matter of Testimony:	Mr. Klinger is currently expected to discuss the background of this matter, other crossings in the area, issues in connection with the crossing and cost estimates for warning device upgrades at the crossing and reasons therefor.

Name: Michael House
Title: President
Company: Timerider Technologies, Inc.
Subject Matter of Testimony: The results of the electrical interference study conducted for Norfolk Southern and the impact of A.C. interference from the high tension electric lines in the area on crossing signalization functioning at the Lighthouse Road crossing and the four other crossings within the same signal block.

VI. ISSUES AND POSITIONS

A. Can the subject crossing be made safer for vehicular traffic by the addition of lights and gates?

Norfolk Southern's position: Electrical or electromagnetic interference in the crossing area due to the presence of high tension lines could lead to higher than normal malfunction rates, even with the addition of equipment to address the interference. Warning device malfunctions, which cause false activations of the warning devices, lead to motorists distrusting and circumventing the warning devices, making an already dangerous crossing due to its configuration even more so. Furthermore, the additional burden placed on the overall system within the signal block by these changes may cause other crossings within the block to malfunction as well.

B. Whether there is a need for a continued crossing at this location.

Norfolk Southern's position: Due to the Township's plans to construct a relief road in the future and close this crossing at that time, Norfolk Southern thinks that the crossing can and should be closed now due to safety concerns.

C. Who should bear the construction costs for any proposed active warning devices, if ordered?

Norfolk Southern's position: Norfolk Southern will not agree to bear any costs in

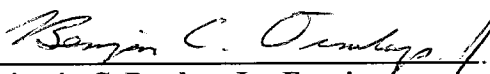
connection with any signalization additions at the subject crossing. Such costs would be about twice as high as signalization for a normal crossing without A.C. interference issues. Even with those higher costs, there is an increased likelihood of malfunctions not only at this, but also other nearby crossings, in addition to ongoing higher maintenance costs. Spending these sums of money merely to obtain a short or intermediate term use of the crossing, which is planned for elimination when the relief road is constructed, would be ill-advised and a waste of money spent for these purposes.

D. Who should bear the costs of future maintenance of the crossing?

Norfolk Southern's position: Maintenance costs would be higher than normal due to more complex equipment and probable higher malfunction rates. All costs of future maintenance should be borne by the Township, if it is successful in its position to preserve this crossing on a short or intermediate term basis, for the reasons cited in "C" above.

Respectfully submitted,

NAUMAN, SMITH, SHISSLER & HALL, LLP

By 
Benjamin C. Dunlap, Jr., Esquire
Supreme Court I.D. #66283

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Attorney for Norfolk Southern Railway Company

Date: March 7, 2018

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County

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing Revised Prehearing Conference Memorandum on behalf of Norfolk Southern Railway Company, in the above action, this day via electronic mail as noted below and by depositing the same in the United States mail, postage prepaid, in Harrisburg, Pennsylvania, addressed to:

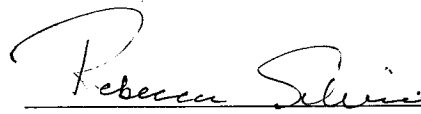
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Rebecca Silvia, Secretary to
Benjamin C. Dunlap, Jr.

March 7, 2018