



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET
HARRISBURG, PENNSYLVANIA 17120
March 16, 2022

IN REPLY PLEASE
REFER TO OUR FILE

A-2015-2466693

Via Eservice and Email Only
TO ALL PARTIES OF RECORD

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the public at-grade crossing by the installation of safety enhancements where South Third Street (T-559) crosses the single track of Norfolk Southern Railroad Company (DOT No: 535 152 B) in Guilford Township, Franklin County all in accordance with the Federal Grade Crossing Program and the allocation of costs incident thereto.

To Whom It May Concern:

By Secretarial Letter dated November 5, 2020, we directed the alteration of the public crossing (DOT 535 152 B) by construction of agreed upon signage, pavement markings and advanced warning flashers where South Third Street crosses, at grade, a single track of Norfolk Southern Railroad Company in Guilford Township, Franklin County. All work at the subject crossing was to be completed on or before December 31, 2021.

By petition received on February 16, 2022, Guilford Township (Township) requests the Commission grant an extension of time to consider a new matter in the proceeding. Specifically, the Township states that it is reviewing a land development plan that includes the construction of a relief road for South Third Street. The relief road would establish a new traffic pattern that would allow for the abolition of the subject crossing. The Township seeks to extend the completion date for the project to consider the land development plan and the possible abolition of the subject crossing.

Upon receipt of the petition, a field investigation and conference was arranged by a Commission staff engineer and held on March 10, 2022 at the site of the subject crossing. Representatives of Norfolk Southern Railway Company, the Pennsylvania Department of Transportation, and Guilford Township were in attendance.

At the field conference the parties discussed the petition and the relief sought by the Township for the time extension and possible crossing abolishment. At the field conference it was agreed to by the parties that the petition for a time extension will be held in abeyance until April 12, 2022, to allow the Township to determine if the abolition of the public crossing can be accommodated by the land development plan. If the Township determines that the land development plan will accommodate the abolition of the public crossing, the Township will file a petition, at this docket, to abolish the public crossing prior to April 12, 2022.

In light of the fact that the Township is out of compliance with our Secretarial Letter dated November 5, 2020, wherein we directed the completion of certain safety enhancements by December 31, 2021, it was further agreed that the Township, at its sole cost and expense, will install temporary measures that include placing “Stop” signs on the left side of both highway approaches to the subject crossing and install or restore “Stop Line” pavement markings on both approach highways to the subject crossing within 30 days of the date of this Secretarial Letter. Further, it was agreed to that Norfolk Southern Railway Company, at its sole cost and expense, will replace the existing “Yield” signs attached to both crossbuck assemblies with “Stop” signs on both crossbuck assemblies within 30 days of the date of this Secretarial Letter.

If the Township fails to file a petition to abolish the public crossing prior to April 12, 2022, the Commission will grant an extension of time to complete the work as directed in our November 5, 2020, Secretarial Letter with a revised completion date of July 31, 2022. However, notwithstanding the petition for abolishment, the temporary measures established at the field conference and described herein shall be constructed/installed within the 30 days from the date of this Secretarial Letter.

THEREFORE:

1. The petition received February 16, 2022, Guilford Township be and is hereby held in abeyance until April 12, 2022.
2. By April 12, 2022, Guilford Township will file a petition to abolish the subject public crossing or provide written notice to all parties that the work directed by our November 5, 2020 Secretarial Letter will be completed by July 31, 2022.
3. Guilford Township, at its sole cost and expense, install STOP signs (R1-1) on the left side of both approach highways to the subject crossing within 30 days from the date of this Secretarial Letter in accordance with the Manual on Uniform Traffic Control Devices.
4. Guilford Township, at its sole cost and expense, install STOP LINES on both highway approaches to the subject crossing within 30 days of the date of this Secretarial Letter, all in accordance with the Manual on Uniform Traffic Control Devices.
5. Norfolk Southern Railway Company, at its sole cost and expense, remove the existing YIELD signs (R1-2) from the crossbuck assemblies and replace with STOP signs (R1-1) within 30 days of the date of this Secretarial Letter, all in accordance with the Manual on Uniform Traffic Control Devices.
6. In all respects not inconsistent herewith, our Secretarial Letter dated November 5, 2020, remains in full force and effect.

The Parties are reminded that failure to comply with this or any Order or Secretarial Letter in this proceeding may result in an enforcement action seeking civil penalties and/or other sanctions pursuant to 66 Pa. C.S. § 3301.

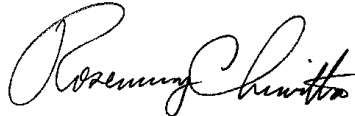
The Commission has waived certain regulatory service provisions as directed by the Commission’s Order at M-2021-3028321. Currently, while the Commission’s physical facilities are open for business, some of the operational restraints occasioned by the pandemic remain. It is evident that the pandemic and its changing nature require certain procedural

flexibility for the public, the regulated community, and the Commission. Toward this end, the Commission will continue to permit electronic service by the Commission on all parties, regardless of whether a particular party has agreed to electronic service. An exception to this general waiver is where the Public Utility Code requires service by specified means, e.g., Section 702. Additionally, service on Commission staff in proceedings pending before it, whether staff is a party or otherwise, shall be exclusively electronic unless the parties agree otherwise. Filings must be submitted by e-filing with the Secretary of the Commission by opening an e-filing account through the Commission's website and accepting eservice at <https://www.puc.pa.gov/filing-resources/efiling/>. If your filing contains confidential material, you are required to file by overnight delivery to ensure the timely filing of your submission.

If you are dissatisfied with the resolution of this matter, you may, as set forth in 52 Pa. Code §§ 1.31 and 5.44, file a Petition for Reconsideration from Staff Action (Petition) with the Commission within twenty (20) days of the date of this letter. The Petition shall be submitted by e-filing said petition within twenty (20) days, or if no timely request is made, the action will be deemed to be a final action of the Commission.

The Petition MUST include: (1) a written statement (divided into numbered paragraphs) outlining the reasons for the request; (2) the case docket number (it is provided for you at the top right-hand corner of this letter); (3) the party on whose behalf the petition is made; (4) a Certificate of Service on the other parties of record; and (5) a Verification with original signature in accordance with 52 Pa. Code § 1.36.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is written in a cursive, flowing style.

Rosemary Chiavetta
Secretary