

# Nauman Smith

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January 31, 2011

**Via Electronic Mail  
Confirmed U.S. Mail**

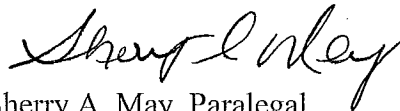
Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

**In Re:            Application of Consolidated Rail Corporation for the abolition of thirty-one crossings of the Enola Branch, LC201323, MP 3.5 to MP 27.0, Sub No. 1095X, Harrisburg Division, Lancaster County and Board of Supervisors of Bart Township v. Consolidated Rail Corporation and the Pennsylvania Department of Transportation and Commissioners of the County of Lancaster, et al.  
PUC Dockets No. A-00111016 and C-00913256 (Consolidated)**

Dear Secretary Chiavetta:

Attached is the original Motion to Request a Partial Further Extension of Time on behalf of Norfolk Southern Railway Company for filing 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. A hard copy of the attached document will be mailed to the Filing Office.

Sincerely yours,



Sherry A. May, Paralegal  
to Benjamin C. Dunlap, Jr.

Enclosures

cc: All Interested Parties (w/enc.)  
Randal S. Noe, Esquire (w/enc.)  
Jonathan M. Broder, Esquire (w/enc.)  
Kevin G. Hauschildt, P.E. (w/enc.)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Application of Consolidated Rail Corporation for the abolition of thirty-one crossings of the Enola Branch, LC201323, MP 3.5 to MP 27.0, Sub No. 1095X, Harrisburg Division, Lancaster County,</b>	:	
	:	
	:	<b>Docket No. A-00111016</b>
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	:	
<b>Board of Supervisors of Bart Township,</b>	:	
	:	
	:	
<b>v.</b>	:	<b>Docket No. C-00913256</b>
	:	
	:	
<b>Consolidated Rail Corporation, and the Pennsylvania Department of Transportation and Commissioners of the County of Lancaster, et al.</b>	:	<b>Filed Electronically</b>
	:	

**MOTION TO REQUEST A PARTIAL FURTHER EXTENSION OF TIME**

Norfolk Southern Railway Company (“Norfolk Southern”), by and through its attorneys, Nauman, Smith, Shissler & Hall, LLP, files this Motion to Request a Partial Further Extension of Time to perform certain work ordered in the Opinion and Order of the Public Utility Commission (“Commission”) entered on October 31, 1997, in the above-referenced matter, pursuant to 52 Pa. Code § 1.15, based upon the following:

1. In its Order entered October 31, 2007, in the above-referenced consolidated proceedings, Norfolk Southern was granted permission for extensions of time to perform certain work ordered in the Commission’s Opinion and Order entered on October 9, 1997, as subsequently modified.

2. In particular, Norfolk Southern was granted an extension of time until December 31, 2010, to remove the electric transmission line towers of the National Railroad Passenger Corporation (“Amtrak”) from the Martic Forge bridge (Crossing No. 28) and to resuspend the line in a manner satisfactory to Amtrak, pursuant to Ordering Paragraph No. 149 of the Commission’s Opinion and Order originally entered on October 9, 1997, as subsequently modified. See Opinion and Order entered August 12, 2009, at Ordering Paragraph 3 on pages 5-6.

3. The removal of Amtrak’s electric transmission line from the Martic Forge Bridge and its resuspension has been incorporated within Amtrak’s current transmission line modernization project, for which it has received federal stimulus funding, as detailed in Norfolk Southern’s prior Petition for a time extension to complete the work at this crossing, filed on June 26, 2009.

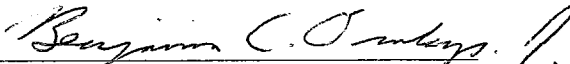
4. Norfolk Southern had earlier been informed that Amtrak would complete the electric transmission line removal and resuspension at the Martic Forge bridge in January of 2011. However, Norfolk Southern has recently been informed that Amtrak’s work in this regard is now projected to be completed in May of 2011.

WHEREFORE, Norfolk Southern Railway Company respectfully requests that it receive an extension of time until July 31, 2011, to perform the transmission line resuspension work

ordered in Ordering Paragraph No. 149 of the Commission's Opinion and Order herein originally entered on October 9, 1997, as subsequently modified.

Respectfully Submitted:

**NAUMAN, SMITH, SHISSLER & HALL, LLP**

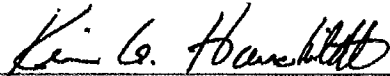
By   
Benjamin C. Dunlap, Jr., Esquire  
Supreme Court I.D. #66283

200 North Third Street, 18<sup>th</sup> Floor  
P.O. Box 840  
Harrisburg, PA 17108-0840  
(717) 236-3010  
Attorney for Norfolk Southern Railway Company

Date: January 31, 2011

**VERIFICATION**

I, Kevin G. Hauschildt, P.E., Engineer Structures, of Norfolk Southern Railway Company in the foregoing proceeding, do make the following statement subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsifications to authority, and do state that as Engineer Structures for Norfolk Southern Railway Company, I am authorized to make this statement on behalf of Norfolk Southern Railway Company, and that the facts set forth in the foregoing "Motion to Request A Partial Further Extension of Time" are true and correct to the best of my knowledge, information and belief. To the extent that the contents of the pleading are that of counsel, verifier has relied upon counsel in making this verification.

  
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Kevin G. Hauschildt, P.E.

Dated: *January 31, 2011*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Application of Consolidated Rail Corporation for the abolition of thirty-one crossings of the Enola Branch, LC201323, MP 3.5 to MP 27.0, Sub No. 1095X, Harrisburg Division, Lancaster County,</b>	:	
	:	
	:	<b>Docket No. A-00111016</b>
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<b>Board of Supervisors of Bart Township,</b>	:	
	:	
	:	
<b>v.</b>	:	<b>Docket No. C-00913256</b>
	:	
	:	
<b>Consolidated Rail Corporation, and the Pennsylvania Department of Transportation and Commissioners of the County of Lancaster, et al.</b>	:	

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Motion for Partial Further Extension of Time of Norfolk Southern Railway Company was served upon the parties listed below in accordance with the requirements of § 1.54, by first-class mail, postage prepaid this 31<sup>st</sup> day of January, 2011:

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Bureau of Transportation & Safety  
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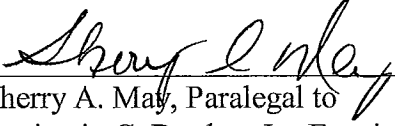
Pennsylvania Power & Light  
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Allentown, PA 18101

Donald LeFever, Esquire  
Solicitor for Lancaster County  
Lancaster County Courthouse  
50 North Duke Street  
P. O. Box 83480  
Lancaster, PA 17602

Suburban Cable Company  
Legal Department  
202 Shoemaker Road  
Pottstown, PA 19464

Sadsbury Township  
1077 White Oak Road  
Christiana, PA 17509

Date: January 31, 2011

  
\_\_\_\_\_  
Sherry A. May, Paralegal to  
Benjamin C. Dunlap, Jr., Esquire