



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

April 11, 2011

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

RE: **Docket Nos. A-00111016 & C-00913256**

Dear Secretary Chiavetta:

Enclosed for filing, please find the original and one copy of the *Motion for Extension of Time* of the Department of Transportation.

A copy of this Motion has been served upon the parties in the Certificate of Service attached to the application.

Very truly yours,

Gina M. D'Alfonso
Assistant Counsel in Charge

Enclosures

220/GMD:gw

cc: Parties of Record
Mark J. Chappell, P.E., Chief, Utilities and Right-of-Way Section
Michael Gillespie, P.E., Assistant District Executive, Engineering District 8-0
Ahmed Lasloudji, Grade Crossing Administrator, Engineering District 8-0

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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,	:	
	:	
	:	Docket No. A-00111016
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	:	
Board of Supervisors of Bart Township,	:	
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	:	
v.	:	Docket No. C-00913256
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	:	
Consolidated Rail Corporation, and the Pennsylvania Department of Transportation and Commissioners of the County of Lancaster, et al.	:	

MOTION FOR EXTENSION OF TIME OF THE DEPARTMENT OF TRANSPORTATION

The Pennsylvania Department of Transportation (“Department”) hereby requests an extension of time within which to complete certain items of work it was ordered to perform in the Order of the Public Utility Commission (“PUC”) entered October 31, 2007, as supported by the following:

1. The name and address of the moving party is:

Commonwealth of Pennsylvania, Department of Transportation
P.O. Box 3362
Harrisburg, PA 17105-3362.

2. The name and address of counsel for the Department is:

Gina M. D’Alfonso, Assistant Counsel in Charge
P.O. Box 8212
Harrisburg, PA 17105-8212
gmdalfonso@state.pa.us

3. Ordering Paragraph 142 of the Opinion and Order originally entered on October 9, 1997, as modified by the October 31, 2007, order read as follows:

142. That, if Pennsylvania Department of Transportation has not let a contract to reconstruct and realign S.R. 0324, Marticville Road, by December 31, 2010, then Martic Township, having agreed to do so, at its sole cost and expense, by December 31, 2010, furnish all materials and do all work necessary to remove the bridge substructure and superstructure at the Marticville Road crossing to a point two (2) feet below the surrounding ground line, and to grade the embankments behind the structure to a two-to-one slope, and to grade, seed and mulch the areas thus disturbed to prevent soil erosion, all in a safe and satisfactory condition.

4. Preliminary Engineering is completed and approved. The project is in final design, which includes obtaining right-of-way and utility clearance. During this final design stage, the Department agrees to continue to keep Martic Township included in discussions of the final design, especially as it may relate to planned trail access.
5. If the project is permitted to proceed along the normal course of final design, it is anticipated that construction can begin in early 2013 with a completion date of December 31, 2013.
6. The Department requests that Ordering Paragraph 142 of the Opinion and Order originally entered on October 9, 1997, as modified by the October 31, 2007, order be modified as follows (modification is underlined):

142. That, if Pennsylvania Department of Transportation has not let a contract to reconstruct and realign S.R. 0324, Marticville Road, by June 30, 2013, then Martic Township, having agreed to do so, at its sole cost and expense, by December 31, 2014, furnish all materials and do all work necessary to remove the bridge substructure and superstructure at the Marticville Road crossing to a point two (2) feet below the surrounding ground line, and to grade the embankments behind the structure to a two-to-one slope, and to grade, seed and mulch the areas thus disturbed to prevent soil erosion, all in a safe and satisfactory condition.

Wherefore, the Department respectfully requests that this extension of time be granted.

Respectfully submitted,

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



Gina M. D'Alfonso
Assistant Counsel in Charge
Pennsylvania Attorney I.D. Number 46767
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
P.O. Box 8212
Harrisburg, PA 17105-8212
Telephone No. (717) 787-3128
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gdalfonso@state.pa.us

DATED: April 11, 2011


**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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,	:	
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Board of Supervisors of Bart Township,	:	
	:	
	:	
v.	:	Docket No. C-00913256
	:	
	:	
Consolidated Rail Corporation, and the Pennsylvania Department of Transportation and Commissioners of the County of Lancaster, et al.	:	
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VERIFICATION

I, Michael Gillespie, P.E., Assistant District Executive - Design hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Date: 4/8/11


Michael Gillespie, P.E.
Assistant District Executive - Design
Engineering District 8-0
Department of Transportation

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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	:	
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants listed below, in accordance with the requirements of 52 Pa. Code § 1.54, by electronic service and first class mail, postage prepaid:

Notification by first class mail addressed as follows:

Scott T. Wyland, Esquire
Hawke, McKeon & Sniscak, LLP
100 North Tenth Street
P.O. Box 1778
Harrisburg, PA 17105

Dennis M. Moore, Esquire
National Railroad Passenger Corporation
60 Massachusetts Avenue, NE
Washington, DC 20002

David Screven, Esquire
PA Public Utility Commission
Bureau of Transportation & Safety
P.O. Box 3265
Harrisburg, PA 17105-3265

City of Coatesville Authority
One City Hall Place
Coatesville, PA 19320

Eden Township Board of Supervisors
489 Stony Hill Road
Quarryville, PA 17566

DEP – Legal Services
P.O. Box 8464
Harrisburg, PA 17105-8464

Docket Nos.: A-00111016 & C-00913256 - Certificate of Service Continued

Joyce A. Nettke, Esquire
FAST
P.O. Box 27
Strasburg, PA 17579

Ms. Kim Flowers
PPL Electric Utilities Corporation
Two North Ninth Street/GENTW19
Allentown, PA 18101-1179

John Chase
Quarryville Water Authority
300 Saint Catherine Street
Quarryville, PA 17566

Comcast Communications, Inc.
Legal Department
1131 South Duke Street
Lancaster, PA 17602

Office of Special Assistants
PA Public Utility Commission
North Office Building – Room 210
P.O. Box 3265
Harrisburg, PA 17105-3265

Sadsbury Township
1077 White Oak Road
Christiana, PA 17509

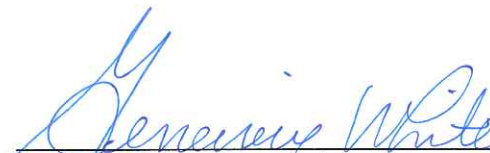
Borough of Quarryville
330 Saint Catherine Street
Quarryville, PA 17566

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

Notification by electronic service addressed as follows:

Benjamin C. Dunlap, Jr., Esquire
Nauman, Smith, Shissler & Hall, LLP
200 North Third Street, 18th Floor
P.O. Box 840
Harrisburg, PA 17108-0840
bdunlapjr@nssh.com

DATED: April 11, 2011



Genevieve White, Legal Assistant to
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