



September 15, 2011

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

Re: Application of Sunesys, LLC for approval to alter the public crossing where Foote Avenue crosses at grade the tracks of Luzerne & Susquehanna Railway in Duryea Borough, Luzerne County, (DOT# 265-877G) by the installation of one (1) – 1.5” aerial telecommunications conduit with (1) 48ct Fiber Optic Cable.

Dear Secretary Chiavetta,

Enclosed for filing are the original and three copies of Sunesys’ Application for approval to cross the tracks of Luzerne & Susquehanna Railway in Duryea Borough, Luzerne County, within the confines of Foote Avenue, a dedicated highway right of way. Please acknowledge your receipt of this filing by date stamping the extra copy of this cover letter that is enclosed, and returning it to me in the stamped, self-addressed envelope provided for your convenience.

A copy of the enclosed Application has also been served upon all persons and entities listed on the Certificate of Service attached to the Application.

Sincerely,
SUNESYS, LLC

A handwritten signature in black ink, appearing to read 'Paul T. Bradshaw', is written over a light blue horizontal line.

Paul T. Bradshaw
Senior Counsel

**BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: Application of **Sunesys, LLC** for approval to alter the public crossing where Foote Avenue crosses at grade the tracks of Luzerne & Susquehanna Railway in Duryea Borough, Luzerne County (DOT # 265-877G) by the installation of one (1) 1.5" aerial telecommunications conduit with (1) 48ct Fiber Optic Cable.

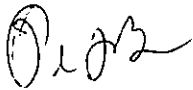
Application
Docket No.

To Pennsylvania Public Utility Commission:

1. The Applicant: Sunesys, LLC, is a Delaware Limited Liability Company with offices at 185 Titus Avenue, Warrington, PA 18976.
2. The Applicant's Attorney is Paul Bradshaw, Esq., Senior Counsel, Sunesys, LLC, 185 Titus Avenue, Warrington, PA 18976.
3. The Applicant, Sunesys, LLC is a Competitive Access Provider (CAP) providing point to point telecommunications service with the right to alter the above referenced crossing granted by the PUC in order to provide approved service.
4. Sunesys, LLC, in order to provide telecommunications service to a customer with locations throughout the Commonwealth of Pennsylvania, is proposing to alter an existing at grade crossing by installing one (1) – 1.5" aerial duct with one (1) 48 count fiber optic cable as shown on the attached reference drawings titled Railroad Permit, O-51-RR-08, Permit 1 and 2 all of which are attached hereto as exhibit 'A' and made a part hereof.
5. The names and addresses of the persons and entities concerned or affected by this application and the proposed project are to the best of the Applicant's knowledge, listed on the attached Certificate of Service.
6. Sunesys, LLC as the owner and installer of the proposed telecommunications facilities will be responsible for the inspection and maintenance of the proposed facilities. The estimated cost of installation is One-Thousand Five Hundred dollars (US\$1500.00), funded solely by the Applicant, Sunesys, LLC.
7. The alteration is necessary in order for Sunesys, LLC as an approved provider of CAP services granted by the Public Utility Commission, to provide those services to a customer location.

Wherefore, applicant prays your Honorable Commission to approve the application:

Respectfully Submitted,



Paul T. Bradshaw
Sunesys, LLC
185 Titus Avenue
Warrington, PA 18976
267-927-2000

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SEP 22 2011

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

In re: Application of **Sunesys, LLC** for approval to alter the public crossing where Foote Avenue crosses at grade the tracks of Luzerne & Susquehanna Railway in Duryea Borough, Luzerne County (DOT # 265-877G) by the installation of one (1) 1.5" aerial telecommunications conduit with (1) 48ct Fiber Optic Cable.

Application
Docket No.

§ 1.36. Verification.

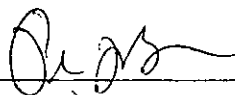
(a) Applications, petitions, formal complaints, motions and answers thereto containing an averment of fact not appearing of record in the action or containing a denial of fact shall be personally verified by a party thereto or by an authorized officer of the party if a corporation or association. Verification means a signed written statement of fact supported by oath or affirmation or made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities). If verification is required, notarization is not necessary.

(b) The Verification form should comply substantially with the following:

VERIFICATION

I, Paul Bradshaw, hereby state that the facts above set forth are true and correct (or 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: 9-22-11



(Signature)

Exhibit "B"

The public utilities, municipalities, corporations, or property owners concerned in or affected by the proposed alteration of the crossing are identified below:

Mr. Mark Chappel
ROW & Utility Division, Bureau of Design
Pennsylvania Department of Transportation
P.O. Box 3362
Harrisburg, PA 17105-3362

Denise Swarts
General Manager
Luzerne & Susquehanna Railway
1 Rutledge Street
Pittston, PA 18640
607-687-6883

Gina M. D'Alfonso
Pennsylvania Department of Transportation
Office of Chief Counsel
P.O. Box 8212
Harrisburg, PA 17105-8212

Keith Moss
Mayor
Duryea Borough
315 Main Street
Duryea, PA 18642
570-655-2829

Doug Page
County Manager
Luzerne County
200 North River Street
Wilkes-Barre, PA 18711
570-825-1635

Robert Grey
SVP General Counsel
PPL Electric Utilities
827 Hausman Rd
Allentown, PA 18104-9392

Susan De Busk Paiva, Esq.
Assistant General Counsel – PA
Verizon
1717 Arch Street, 3rd Floor
Philadelphia, PA 19103

In re: Application of **Sunesys, LLC** for approval to alter the public crossing where Foote Avenue crosses at grade the tracks of Luzerne & Susquehanna Railway in Duryea Borough, Luzerne County (DOT # 265-877G) by the installation of one (1) 1.5" aerial telecommunications conduit with (1) 48ct Fiber Optic Cable.

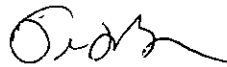
Application
Docket No.

CERTIFICATE OF SERVICE

I, Paul Bradshaw Senior Counsel for Sunesys, LLC, 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 § 1.54 (*relating to service by participant*).

1. Luzerne & Susquehanna Railway, 1 Rutledge Street, Pittston, PA 18640. Attn: Denise Swarts, General Manager. 607-687-6883.
2. Pennsylvania Department of Transportation (ROW & Utility Division, Bureau of Design - PennDOT, P.O. Box 3362, Harrisburg, PA 17105-3362
3. Office of Chief Counsel - PennDOT, P.O. 8212, Harrisburg, PA 17105-8212
4. Duryea Borough, 315 Main Street, Duryea, PA 18642. Attn: Keith Moss, Mayor. 570-655-2829.
5. Luzerne County, 200 North River Street, Wilkes-Barre, PA 18711. Attn: Doug Page, County Manager. 570-825-1635.
6. PPL Electric Utilities, 827 Hausman Road, Allentown, PA 18104-9392, Attn: Robert Grey, SVP General Counsel.
7. Verizon Communications, 1717 Arch Street, 3rd Floor, Philadelphia, PA, 19103. Attn: Susan De Busk Paiva, Esq.

Dated this 22nd day of September, 2011.



(Signature)



KEYSTONE INITIATIVE for
NETWORK BASED
EDUCATION and RESEARCH

DRAWINGS DESIGNED BY:

SPECTRUM PLANNING
2170 BLUESTONE DR
ST CHARLES, MD 21303
(301-818-6500)



NO.	DATE	DESCRIPTION

PROJECT NUMBER: OP-5550

ENGINEERED BY: SPI

DATE: 08/16/2011

DRAFTED BY: RC

DATE: 08/16/2011

SCALE: 1" = 10'

THIS DRAWING HAS BEEN ISSUED TO THE OWNER FOR THEIR EXCLUSIVE USE, AND ONLY REPRESENTS THE STATE OF THE PROJECT AS OF THE LAST REVISION. NO OTHER USES OR REPRODUCTIONS HAVE BEEN AUTHORIZED BY BLAIR PARK SERVICES OR THE STATE OF PENNSYLVANIA.

PROJECT:

RAILROAD
PERMIT

USE ADDRESS:

O-51-RR-08

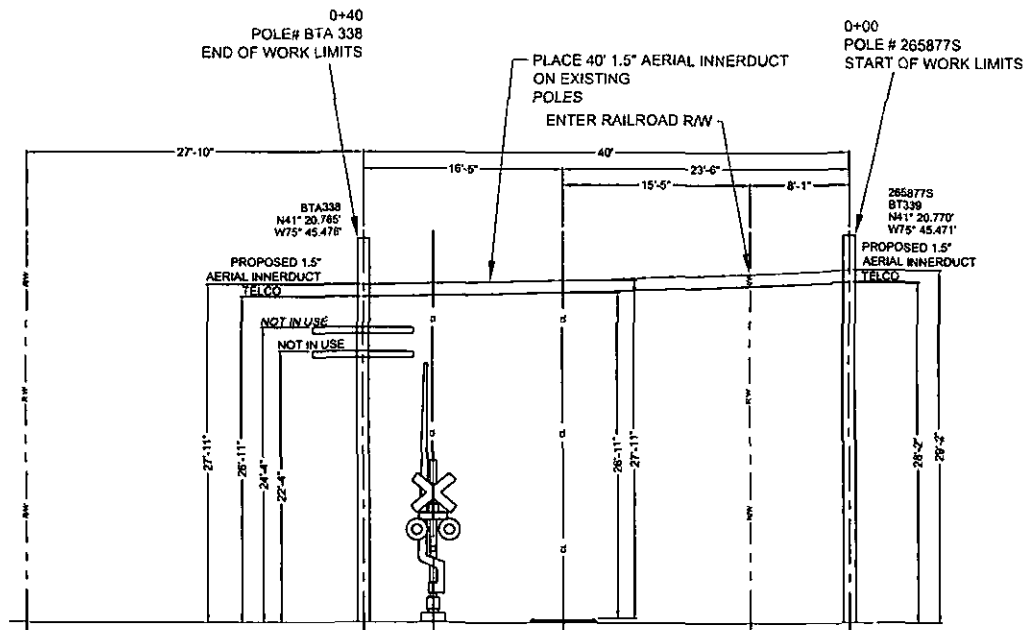
DRAWING NUMBER:

PERMIT
2 OF 2

REVISION

0

FILE NAME: O-51-RR-08.dwg



READING & NORTHERN
DURYEA, PA 18842

SECTION A-A
LOOKING NORTHWEST
1"=10'



CALL BEFORE YOU DIG
1-800-242-1776
72 HOURS NOTICE REQUIRED

NOTE: MAINTAIN 12" SEPARATION
FROM EXISTING UTILITIES.

Christopher R. Carcanague

CERTIFY
THAT THESE DRAWINGS ARE THE
CORRECT PROJECT DRAWINGS

Chris R. Car 9/22/11
SIGNATURE DATE

U.S. DOT - CROSSING INVENTORY INFORMATION
AS OF 9/15/2011

Crossing No.: **265877G** Update Reason: **Changed Crossing** Effective Begin-Date of Record: **03/22/10**
 Railroad: **LSX Luzerne & Susquehanna Rwy Co. [LSX]** End-Date of Record:
 Initiating Agency **State** Type and Position: **Public At Grade**

Part I Location and Classification of Crossing

Division:		State:	PA
Subdivision:		County:	LUZERNE
Branch or Line Name:	L&B JCT. BR.	City:	In DURYEA
Railroad Milepost:	0000.71	Street or Road Name:	FOOTE AVE.
RailRoad I.D. No.:	0.71	Highway Type & No.:	LR40103
Nearest RR Timetable Stn:	AVOCA	HSR Corridor ID:	
Parent Railroad:		County Map Ref. No.:	
Crossing Owner:		Latitude:	41.3461200
ENS Sign Installed:	No	Longitude:	-75.7579600
Passenger Service:		Lat/Long Source:	Actual
Avg Passenger Train Count:	0	Quiet Zone:	No
Adjacent Crossing with Separate Number:	Yes		361435P

Private Crossing Information:

Category: Public Access: **Unknown**
 Specify Signs: Specify Signals:

	ST/RR A	ST/RR B	ST/RR C	ST/RR D
Railroad Use:				
State Use:		LSX		

Narrative:

Emergency Contact: **(800)272-0911** Railroad Contact: **(215)209-2000** State Contact: **(717)772-3079**

Part II Railroad Information

Number of Daily Train Movements: Less Than One Movement Per Day: **Yes**
 Total Trains: **0** Total Switching: **0** Day Thru: **0**
 Typical Speed Range Over Crossing: From **1** to **10** mph Maximum Time Table Speed: **10**
 Type and Number of Tracks: Main: **1** Other **0** Specify:
 Does Another RR Operate a Separate Track at Crossing? **Yes: LV**
 Does Another RR Operate Over Your Track at Crossing? **No**

U.S. DOT - CROSSING INVENTORY INFORMATION

Crossing **265877G**

Continued

Effective Begin-Date of Record: **03/22/10**

End-Date of Record:

Part III: Traffic Control Device Information

Signs:

Crossbucks:	1	Highway Stop Signs:	0
Advanced Warning:	Yes	Hump Crossing Sign:	No
Pavement Markings:	Stop Lines and RR Xing Symbols	Other Signs:	0
		Specify:	0

Train Activated Devices:

Gates:	2	4 Quad or Full Barrier:	No
Mast Mounted FL:	0	Total Number FL Pairs:	0
Cantilevered FL (Over):	0	Cantilevered FL (Not over):	0
Other Flashing Lights:	0	Specify Other Flashing Lights:	
Highway Traffic Signals:	0	Wigwags:	0
Other Train Activated Warning Devices:		Bells:	0
Channelization:		Special Warning Devices Not Train Activated:	
Track Equipped with Train Signals?	No	Type of Train Detection:	None
		Traffic Light	N/A
		Interconnection/Preemption:	

Part IV: Physical Characteristics

Type of Development:	Residential	Smallest Crossing Angle:	60 to 90 Degrees
Number of Traffic Lanes	2	Are Truck Pullout Lanes Present?	No
Crossing Railroad:			
Is Highway Paved?	Yes		
Crossing Surface:	Asphalt	If Other:	
Nearby Intersecting Highway?	N/A	Is it Signalized?	No
Does Track Run Down a Street?	No	Is Crossing Illuminated?	No
Is Commercial Power Available?	Yes		

Part V: Highway Information

Highway System:	Other FA Highway - Not NHS	Functional Classification of Road at Crossing:	Urban Collector
Is Crossing on State Highway System:	Yes		
Annual Average Daily Traffic (AADT):	007312	AADT Year:	2010
Estimated Percent Trucks:	02	Avg. No of School Buses per Day:	0
Posted Highway Speed:	35		

From: (267) 927-2000
 Chris Carcanague
 Sunesys
 185 Titus Avenue
 Warrington, PA 18976

Origin ID: SEGA



Ship Date: 22SEP11
 ActWgt: 1.0 LB
 CAD: 4081429/NET3180

Delivery Address Bar Code

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SEP 23 2011

PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU

SHIP TO: (717) 772-7777

BILL SENDER

Rosemary Chiavetta
 Pennsylvania Public Utility Comm.
 400 NORTH ST
 COMMONWEALTH KEYSTONE BUILDING
 HARRISBURG, PA 17120

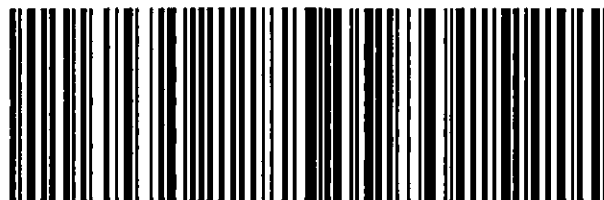
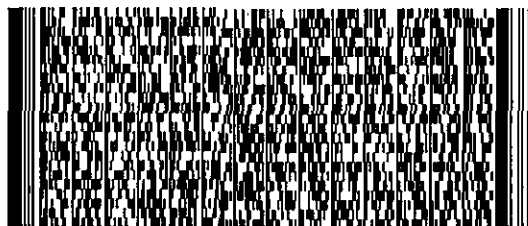
Ref #
 Invoice #
 PO #
 Dept #

FRI - 23 SEP A1
 STANDARD OVERNIGHT

TRK# 7952 1639 9615

0201

17120
 PA-US
 MDT

ZN MDTA

50FG214299/F5F4

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
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3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

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