



Please Reply to:
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Benjamin C. Dunlap, Jr.
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September 23, 2011

Via Hand Delivery

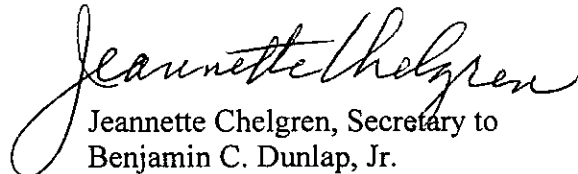
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

**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:

Enclosed is the original and three (3) copies of the Fifth Status Report 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. Please time-stamp the extra copy of the Status Report for return to our messenger. If you have any questions or need additional information, please let us know.

Sincerely yours,


Jeannette Chelgren, Secretary 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.)

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**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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	:	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.	:	

FIFTH STATUS REPORT OF NORFOLK SOUTHERN RAILWAY COMPANY

Norfolk Southern Railway Company (“Norfolk Southern”), by and through its attorneys, Nauman, Smith, Shissler & Hall, LLP, hereby files the following Fifth Status Report, pursuant to the requirements of Ordering Paragraph 21 in the Commission’s Opinion and Order entered October 31, 2007, in the above-referenced matter. This status report pertains to the work ordered to be performed by Norfolk Southern pursuant to the Commission’s Opinion and Order entered on October 9, 1997 (“1997 Opinion and Order”), as subsequently modified.

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1. The removal of Crossing No. 4 (Bridge 6.35 over White Oak Road in Sadsbury Township), pursuant to the requirements of Ordering Paragraph 39 of the 1997 Opinion and Order, was completed on or before August 31, 2009, which is prior to the deadline of December 31, 2009, as established in Ordering Paragraph 15 of the Commission's Opinion and Order entered October 31, 2007.

2. Norfolk Southern had previously obtained an extension of time until June 30, 2011, to perform the bridge removal work for Crossing No. 10 (Bridge 11.68 over Pumping Station Road in Eden Township), as required by Ordering Paragraph 70 of the 1997 Opinion and Order. See Opinion and Order entered November 22, 2010, at Ordering Paragraph 2. This extension of time was based, in part, on the assertions of the National Railroad Passenger Corporation ("Amtrak") that it would complete its necessary electrical transmission line relocation work by January 2011. However, Amtrak did not complete the relocation work until September 2011. In addition, Norfolk Southern is in discussions with other parties regarding the scope of work to be performed in connection with the bridge removal. This may entail further authorizations and/or resolution by the Commission. A further Motion for Extension of Time in regard to this crossing is being filed the same date as this Status Report.

3. Crossings 15 and 26 (Bridge 14.46 over Oak Bottom Road and Bridge 21.02 over Sigman Road in Providence Township), were removed by Providence Township pursuant to the provisions of Ordering Paragraphs 86 and 136 of the 1997 Opinion and Order and an agreement between Norfolk Southern and Providence Township. Payments will be made for the work pursuant to Paragraph 6.2 of the Stipulation of Settlement between Consolidated Rail Corporation and the involved Townships dated February 25, 1997.

4. In regard to Ordering Paragraph No. 92 of the 1997 Opinion and Order, referring to Crossing No. 16 (Bridge 14.62 over Route 222 in Providence Township), Norfolk Southern completed the bridge removal work and installed guardrails prior to the deadline of September 30, 2009, as granted in the Commission's Opinion and Order entered March 16, 2009.


5. Providence Township filed a Petition dated March 15, 2011, to modify the 1997 Opinion and Order to permit Crossing No. 21 (Bridge 18.08 over Hollow Road (West)) to be abolished in place. This was the second time that Providence Township had made such a request, as its previous request had been withdrawn. Answers to Providence Township's second Petition were filed by PennDOT, the Commission's Bureau of Transportation and Safety ("BTS") and the Pennsylvania Department of Conservation and Natural Resources. Removal plans for this crossing are being held in abeyance until the Commission makes a determination on the matter.

6. The relocation of Amtrak's transmission lines from Crossing No. 28 (Bridge 2.76 over River Road in Conestoga Township), pursuant to Ordering Paragraph 149 of the 1997 Opinion and Order, was completed on May 14, 2011. This was prior to the deadline of July 31,

2011, for completion of this work, as established in the Commission's Opinion and Order entered February 25, 2011.

Respectfully Submitted:

NAUMAN, SMITH, SHISSLER & HALL, LLP

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

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

Date: September 23, 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 "Fifth Status Report of Norfolk Southern Railway Company" 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.


Kevin G. Hauschildt

Dated: 9/23/11

**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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	:	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.	:	
	:	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Fifth Status Report 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 23rd day of September, 2011:

Janet L. Miller, Esquire
Hawke McKeon & Sniscak LLP
100 North Tenth Street
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Harrisburg, PA 17105

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

Gina M. D'Alfonso, Esquire
Office of Chief Counsel
PennDOT
P. O. Box 8212
Harrisburg, PA 17105-8212

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

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

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Harrisburg, PA 17105-8464

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Strasburg, PA 17579

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

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

Borough of Quarryville
330 St. Catherine Street
Quarryville, PA 17566

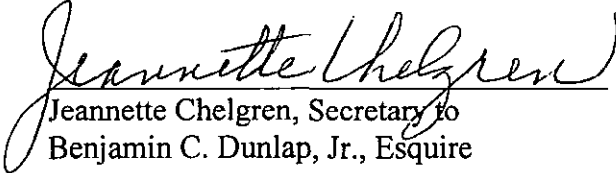
Pennsylvania Power & Light
2 North Ninth Street
Allentown, PA 18101

Donald LeFever, Esquire
Solicitor for Lancaster County
Lancaster County Courthouse
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Lancaster, PA 17602

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

Sadsbury Township
1077 White Oak Road
Christiana, PA 17509

Date: September 23, 2011


Jeannette Chelgren, Secretary to
Benjamin C. Dunlap, Jr., Esquire