



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

May 9, 2012

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

RE: **Docket No. A-00111016**

Dear Secretary Chiavetta:

Enclosed for filing please find the original and one (1) copy of the Answer to the Petition in the above-captioned matter.

I hereby certify that a copy has been sent to all parties of record as indicated by the Certificate of Service.

Very Truly Yours,

A handwritten signature in blue ink that reads "Gina M. D'Alfonso".

Gina M. D'Alfonso
Assistant Counsel in Charge

Enclosure
2200/GMD:bjk

cc: Parties of Record
Chris Drda, P.E., Design Services Engineer, District 8-0
Ahmed Lasloudji, Senior Civil Engineer, District 8-0
Greg Vaughn, Grade Crossing Engineer, Utilities & Right of Way Section

**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
	:	
	:	
Consolidated Rail Corporation, and the Pennsylvania Department of Transportation and Commissioners of the County of Lancaster, et al.	:	

ANSWER OF THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION TO THE PETITION OF EDEN TOWNSHIP, LANCASTER COUNTY TO MODIFY PORTIONS OF THE OCTOBER 9, 1997, OPINION AND ORDER ENTERED BY THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

The Pennsylvania Department of Transportation (“Department”) hereby files the following Answer to the Petition as follows:

1. The Department is opposed to the masonry arch remaining in place at Crossing 10, Pumping Station Road, S.R. 2015. The safety measures proposed throughout the Petition are not satisfactory to the Department and will not adequately address the Department’s safety concerns.
2. The safety concerns that existed at the time the Stipulation of Settlement was signed still exist. The vertical clearance is posted at 12’4” and the horizontal clearance within the arch is 29 ½ feet. The approach roadway is 18 feet. The Pennsylvania Public Utility

Commission (PUC) also took these safety concerns and the fact that there are no viable alternatives into consideration

3. In addition, drainage issues have developed which often result in standing water on the roadway at the crossing and the Department's concerns regarding the drainage were addressed in its objections to Norfolk Southern's removal plan which was filed on or about December 15, 2011.
4. The historical relevance of the rail line has already been addressed by the PUC and the STB.

Wherefore, the Department of Transportation respectfully requests that the modification of the October 9, 1997, Order as requested by Eden Township be denied.

Respectfully submitted,

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



Gina M. D'Alfonso
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DATED: May 9, 2012


**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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	:	
v.	:	Docket No. C-00913256
	:	
	:	
Consolidated Rail Corporation, and the Pennsylvania Department of Transportation and Commissioners of the County of Lancaster, et al.	:	

VERIFICATION

I, Christopher A. Drda, P.E., 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: May 9, 2012



Christopher A. Drda, P.E.
District Design Services Engineer
Engineering District 8-0
Department of Transportation

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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v.	:	Docket No. C-00913256
	:	
	:	
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 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:

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Dated this 9th day of May 2012

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