

140th anniversary
Nauman Smith
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May 9, 2012

Via Hand Delivery

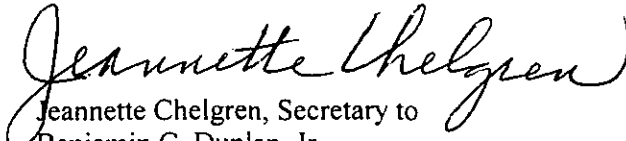
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

**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 Sixth 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,	:	
	:	
	:	Docket No. A-00111016
	:	
	:	
	:	
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.	:	

SIXTH 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 Sixth 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. This Status

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Report addresses only developments in the two crossing matters that were outstanding at the time Norfolk Southern filed its Fifth Status Report on September 23, 2011.

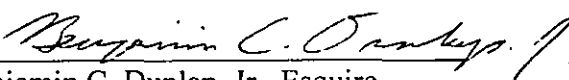
1. Pursuant to the Commission Order entered November 10, 2011, in this proceeding, Norfolk Southern was granted an extension of time until December 31, 2012, to perform the bridge removal work for Crossing No. 10 (Bridge 11.68 over Pumping Station Road in Eden Township), as required by Ordering Paragraph 70 of the 1997 Opinion and Order. On April 23, 2012, Eden Township filed a Petition to Modify the 1997 Opinion and Order to permit the Pumping Station Road bridge structure to remain in place. In its Petition, Eden Township requests that the Commission stay the present deadline for removal of the crossing structure, pending disposition of its Petition. No action has been taken on the Petition to date.

2. 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. The parties filed a Stipulation of Settlement with the Commission on March 22, 2012, which would permit the crossing to be abolished in place and resolves all issues concerning that crossing. A Recommended Decision, which recommends that the Commission adopt the Stipulation of Settlement, was issued by Administrative Law Judges Elizabeth H.

Barnes and Joel H. Cheskis on April 24, 2012. The Commission has not yet acted on the Recommended Decision.

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
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(717) 236-3010

Date: May 9, 2012

Attorney for Norfolk Southern Railway Company

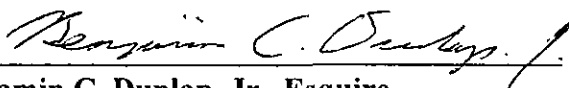
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**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

VERIFICATION

I, **Benjamin C. Dunlap, Jr., Esquire**, a member of the firm of Nauman, Smith, Shissler & Hall, LLP, attorneys for Norfolk Southern Railway Company ("Norfolk Southern") in the foregoing proceeding, make this verification on behalf of Norfolk Southern, and do state that as an attorney for Norfolk Southern, I am authorized to make this Verification on behalf of Norfolk Southern, and further state that, based on information provided to me by Norfolk Southern, the facts set forth in the foregoing **Sixth Status Report** are true and correct to the best of my knowledge, information and belief. I understand that my statements are made subject to 18 Pa. C.S. § 4904 providing for criminal penalties for unsworn falsification to authorities.



Benjamin C. Dunlap, Jr., Esquire

Date: May 9, 2012

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

**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

**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.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Sixth 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:

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Sadsbury Township
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Reese, Samley, Wagenseller, Mecum
& Longer
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Lancaster, PA 17602

Lancaster County Commissioners
150 North Queen Street #715
Lancaster, PA 17603-3562

Martic Township
270 Steinman Farm Road
Pequea, PA 17565

Lancaster County Planning Commission
50 North Duke Street
P. O. Box 83480
Lancaster, PA 17608-3480

Date: May 9, 2012


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

PA JUD
SECRETARY'S BUREAU

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