



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

June 15, 2012

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

RE: **Docket No. A-00111016 and C-00913256 (Consolidated)**

Dear Secretary Chiavetta:

Enclosed for filing please find the original and one (1) copy of the Department's *Joint Petition for the Amendment of the Order Entered May 25, 2012*, 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, appearing to read "Gina M. D'Alfonso".

Gina M. D'Alfonso
Assistant Counsel in Charge

Enclosure

220/GMD:aca

cc: Parties of Record
Jonathan Nace, Esquire, Public Utility Commission
Mark J. Chappell, P.E., Acting Chief, Utilities and Right-of-Way Section
Ahmed Lasloudji, Grade Crossing Administrator, 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,	:	A-00111016
Sub No. 1095, Harrisburg Division, Lancaster	:	
County	:	
	:	
Board of Supervisors of Bart Township,	:	
	:	
v.	:	C-00913256
	:	
Consolidated Rail Corporation,	:	
and the Pennsylvania Department of	:	
Transportation and Commissioners of the	:	
County of Lancaster, et al.	:	

JOINT PETITION FOR AMENDMENT OF THE ORDER ENTERED MAY 25, 2012

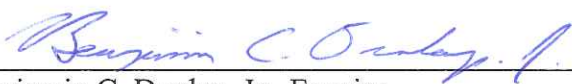
AND NOW, the parties to this proceeding, being the Pennsylvania Department of Transportation (“PennDOT”), by its counsel, Gina M. D’Alfonso, Esquire; the Pennsylvania Public Utility Commission’s Bureau of Investigation and Enforcement (“Bureau”), by its counsel, David E. Screven, Esquire; the Department of Conservation and Natural Resources (“DCNR”) by its counsel, Martha R. Smith, Esquire; Norfolk Southern Railway Corporation (“Norfolk Southern”), by its counsel, Benjamin C. Dunlap, Jr., Esquire; and Providence Township (“Township”), by its counsel, Melvin E. Newcomer, Esquire, hereby submit this Joint Petition requesting amendment of the Public Utility Commission (“Commission”) Order entered May 25, 2012, pursuant to 52 Pa. Code 5.572(a) requesting that the following amendment of the Commission Order be considered.

1. The Recommended Decision of Administrative Law Judges Elizabeth H. Barnes and Joel H. Cheskis, dated April 17, 2012, recommended that the matter be marked closed. The parties hereto, focusing on the substantive issues being addressed inadvertently missed the recommendation that the matter be closed.
2. The Commission Order entered May 25, 2012, adopted the recommendation of the Administrative Law Judges and ordered the matter closed.
3. This matter addresses multiple crossings. There are still outstanding issues in this proceeding, specifically at Pumping Station Road and SR 321. The docket should remain open until all work on all of the crossings has been completed.
4. The undersigned respectfully request that the Commission Order entered May 25, 2012, be amended to allow this matter to remain open until the outstanding work at the above referenced crossings is completed.
5. The parties hereto agree that this Petition can be signed in individual counterparts.

WHEREFORE, all of the parties to this Petition request that the Order of the Commission entered May 25, 2012, be amended consistent with this Petition.

Respectfully Submitted,

Date: 6/11/12



Benjamin C. Dunlap, Jr., Esquire
Attorney for Norfolk Southern Railway Company

Date: _____

Gina M. D'Alfonso, Esquire
Pennsylvania Department of Transportation

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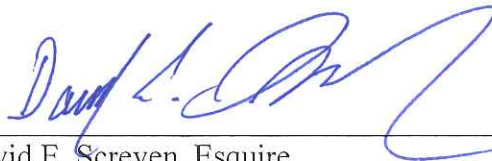
Date: _____

Benjamin C. Dunlap, Jr., Esquire
Attorney for Norfolk Southern Railway Company

Date: 6/13/12

Gina M. D'Alfonso
Gina M. D'Alfonso, Esquire
Pennsylvania Department of Transportation

Date: 6-11-2012



David E. Screven, Esquire
Pennsylvania Public Utility Commission's Bureau of
Investigation and Enforcement

Date: _____

Martha Smith, Esquire
Department of Conservation and Natural Resources

Date: _____

Melvin E. Newcomer, Esquire
Solicitor for Providence Township

Date: _____

David E. Screven, Esquire
Pennsylvania Public Utility Commission's Bureau of
Investigation and Enforcement

Date: 6-12-12

Martha R. Smith

Martha Smith, Esquire
Department of Conservation and Natural Resources

Date: _____

Melvin E. Newcomer, Esquire
Solicitor for Providence Township

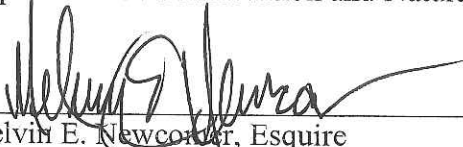
Date: _____

David E. Screven, Esquire
Pennsylvania Public Utility Commission's Bureau of
Investigation and Enforcement

Date: _____

Martha Smith, Esquire
Department of Conservation and Natural Resources

Date: 6/11/12



Melvin E. Newcomer, Esquire
Solicitor for Providence Township

**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.	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **JOINT PETITION FOR THE AMENDMENT OF THE ORDER ENTERED MAY 25, 2012**, 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
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P.O. Box 1778
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David Screven, Esquire
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Bureau of Transportation & Safety
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Harrisburg, PA 17105-3265

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

Eden Township Board of Supervisors
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Martha Smith-- Legal Services
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Hershey, PA 17033

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PA Public Utility Commission
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Harrisburg, PA 17105-3265

Borough of Quarryville
330 Saint Catherine Street
Quarryville, PA 17566

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: June 15, 2012


Harrisburg, PA 17105-8464

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

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Legal Department
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Lancaster, PA 17602

Sadsbury Township
1077 White Oak Road
Christiana, PA 17509

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


Alicia Adair, Legal Assistant to
Gina M. D'Alfonso
Assistant Counsel-in-Charge
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
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Harrisburg, PA 17105-8212
Telephone No. : (717) 787-3128