COUNTY OF CHESTER

COMMISSIONERS

Robert J. Thompson, Chairman | Earl M. Baker | Patricia Moran Baldwin

PARKS AND RECREATION DEPARTMENT
235 West Market Street, West Chester, PA 19382 (215) 431-6415

October 29, 1986

RECEIVED
NOV 10 1986
SECRETARY'S OFFICE
Public Utility Commission

PA Public Utility Commission
Attn: David Fisher, PUC Engineer
Rail Safety Division
P.O. Box 3265
Harrisburg, PA 17120

Dear Mr. Fisher,

This letter is to officially advise you of Chester County's interest in purchasing the Conrail Coatesville Secondary Line. We wish to be made a part of your record for Docket A-00106465.

Sincerely yours,

Richard G. Sprenkle
Director

RGS/lal

DOCKETED
NOV 10 1986

DOCUMENT
FOLDER

ORIGINAL

CONRAIL

DOCKETED

JUN 2 3 1987

RECEIVED

JUN 2 2 1987

SECRETARYS OFFICE
Public Utility Commission

DOCUMENT FOLDER

June 19, 1987

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

SUBJECT: Chester County, Pennsylvania - Abandonment of the Coatesville Industrial Track and Coatesville Secondary, LC 0352, MP 34.85 to MP 53.80, Sub Docket No. 531 N, PAPUC Docket 106465, MPAB 142, Philadelphia Division, Eastern Region. (File: 320 - SCW) (Chester)

Dear Sir:

The ordered completion date for abolishing the crossings involved in this abandonment is June 30, 1987.

Our contractor is at work presently and as of June 17, 1987 the following numbered crossings had been completed:

3, 4, 5, 6, 7, 8, 9, 10, 19, 20 and 22.

The contractor hopes to complete the remainder of the crossings by June 30, 1987, if good weather holds out.

To provide for unforeseen contingencies, we think it prudent to seek from the Commission an extension of 30 days in which to complete this ordered work.

The additional time to complete crossings 1, 11, 12, 13, 15, 16, 17, 18, 21, 24 and 25 would be appreciated.

A copy of this letter has been served on the parties indicated.

Very truly yours,

J. T. Sullivan

J. T. Sullivan, P.E.
Chief Engineer
Design and Construction

Room 1200 - (215) 596-2925

cc: Pennsylvania Department of Transportation
5th Floor
Transportation & Safety Building
Harrisburg, PA 17120
Attention: Law Department

Chester County Commissioners
County Courthouse
West Chester, PA 19380

Valley Township
Valley Township Bldg.
West Lincoln Highway
Coatesville, PA 19320

West Caln Township
R. D. #2
Coatesville, PA 19320

West Brandywine Twp.
Municipal Bldg.
Lafayette and Hibernia Roads
Coatesville, PA 19320

Honeybrook Twp.
Supplee Road
Elverson, PA 19520

West Nantmeal Township
R. D. #1
Elverson, PA 19520

Elverson Borough
Chestnut Street
Elverson, PA 19520

West Caln Township
Chester County
Board of Supervisors
P.O. Box 175, Creamery Road
Wagontown, Pa. 19376

Gary L.Dunlap
Township Manager
and Zoning Officer

Phone 384-5643

July 2, 1987

RECEIVED
JUL 10 1987
SECRETARYS OFFICE
Public Utility Commission

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pa. 17120

RE: Chester County, Pennsylvnia - Abandonment of the Coatesville Industrial Track and Coatesville Secondary, LC 0352, MP 34.85 to MP 53.80, Sub Docket No. 531 N, PAPUC Docket 106465, MPAB 142, Philadelphia, Eastern Region. (File 320 - SCW) Chester.

Dear Mr. Rich:

In reference to the subject abandonment, The Board of Supervisor's of West Caln Township at thier monthly meeting on June 8, 1987, approved a motion opposing any future use of this right of way for any purposes other than a railroad or returned to the adjoining property owners to be included in thier deeds.

Now that most of the work has been completed in the removal of the ties and rails, a new problem has been created in that the former track bed is now being used by motorcyclists and riders of other types of recreational vehicles such as three and four wheelers, as well as trespassers who are holding unwanted and undesirable social events on the right of way. Due to the location of the former railroad bed, it is impossible to police this area to any degree of sucess.

It is requested that the Utility Commission initiate a plan that would include a suitable barricade that would eliminate passage on to the right of way. This would greatly reduce the liability of adjoining property owners and eliminate the problems that are mentioned above.

It would be greatly appreciated if consideration could be given to our concerns.

Thank you for your cooperation.

Sincerely,

GARY L. DUNLAP
Township Manager

cc: Mr. J. T. Sullivan
Chester County Parks Dept.

DOCUMENT FOLDER
DOCKETED
JUL 13 1987

CONRAIL ORIGINAL



RECEIVED

JUL 16 1987

SECRETARY'S OFFICE
Public Utility Commission

July 13, 1987

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

SUBJECT: Chester County, Pennsylvania - Abandonment of the Coatesville Industrial Track and Coatesville Secondary, LC 0352, MP 34.85 to MP 53.80, Sub Docket No. 531 N, PAPUC Docket 106465, MPAB 142, Philadelphia Division, Eastern Region. (File: 320 - RWH) (Chester)

Dear Mr. Rich:

Supplementing my previous letter of June 19, 1987 please be advised that all crossing removal work has been completed in accordance with the Commission's order.

The only item remaining to be completed is the installation of guide rail at Crossing #19. We have had conversations with PennDOT representatives concerning the exact placement of the guide rail and this work is to be completed shortly.

In addition, as information, Conrail has entered into a letter agreement with Honeybrook Township for the removal of Crossing #14. This crossing has been removed in a similar manner as Crossing #20 with West Nantmeal Township. Accordingly it only remains for Crossings #2 and #23 to be set for hearing.

Kindly contact this office if additional information is required.

Very truly yours,

DOCUMENT FOLDER

DOCKETED

JUL 17 1987

J. T. Sullivan, P.E.
Chief Engineer
Design and Construction

Room 1200 - (215) 596-2888

cc: Pennsylvania Department of Transportation
5th Floor
Transportation & Safety Building
Harrisburg, PA 17120
Attention: Law Department

Chester County Commissioners
County Courthouse
West Chester, PA 19380

Valley Township
Valley Township Bldg.
West Lincoln Highway
Coatesville, PA 19320

West Caln Township
R.D. #2
Coatesville, PA 19320

West Brandywine Twp.
Municipal Bldg.
Lafayette and Hibernia Roads
Coatesville, PA 19320

Honeybrook Twp.
Supplee Road
Elverson, PA 19520

West Nantmeal Township
R.D. #1
Elverson, PA 19520

Elverson Borough
Chestnut Street
Elverson, PA 19520

CONRAIL

DOCUMENT FOLDER

RECEIVED
JUL 29 1987
SECRETARY'S OFFICE
Public Utility Commission

July 13, 1987

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

SUBJECT: Chester County, Pennsylvania - Abandonment of the Coatesville Industrial Track and Coatesville Secondary, LC 0352, MP 34.85 to MP 53.80, Sub Docket No. 531 N, PAPUC Docket 106465, MPAB 142, Philadelphia Division, Eastern Region. (File: 320 - RWH) (Chester)

Dear Mr. Rich:

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The only item remaining to be completed is the installation of guide rail at Crossing #19. We have had conversations with PennDOT representatives concerning the exact placement of the guide rail and this work is to be completed shortly.

In addition, as information, Conrail has entered into a letter agreement with Honeybrook Township for the removal of Crossing #14. This crossing has been removed in a similar manner as Crossing #20 with West Nantmeal Township. Accordingly it only remains for Crossings #2 and #23 to be set for hearing.

Kindly contact this office if additional information is required.

one month later?

Very truly yours,

(SIGNED) D. S. TAYLOR

J. T. Sullivan, P.E.
Chief Engineer
Design and Construction

Room 1200 - (215) 596-2888

cc: Pennsylvania Department of Transportation
5th Floor
Transportation & Safety Building
Harrisburg, PA 17120
Attention: Law Department

Chester County Commissioners
County Courthouse
West Chester, PA 19380

Valley Township
Valley Township Bldg.
West Lincoln Highway
Coatesville, PA 19320

West Caln Township
R.D. #2
Coatesville, PA 19320

West Brandywine Twp.
Municipal Bldg.
Lafayette and Hibernia Roads
Coatesville, PA 19320

Honeybrook Twp.
Supplee Road
Elverson, PA 19520

West Nantmeal Township
R.D. #1
Elverson, PA 19520

Elverson Borough
Chestnut Street
Elverson, PA 19520

BUREAU OF
S & C /
SEP 21 1987
RAIL SAFETY
DIVISION

September 14, 1987

5 Evergreen Drive, R.D. 7
Coatesville, PA 19320

DOCKET
FOLDER

Mr. David Fischer
Public Utility Commission
Bureau of Safety and Compliance
P.O. Box 3265
Harrisburg, PA 17120

DOCKETED
SEP 23 1987

Re: Docket no. A106465
Removal of Conrail bridge LR15119 (340 West Caln Township, Chester County) Station 347 &76

Dear Mr. Fischer:

The Siousca Wagontown Association of Property Owners (SWAPO), comprised of landowners in West Caln Township, requests to be kept apprised of all hearing dates and all developments in connection with removal of the above bridge, which, we understand is one of several requests contained in the above petition.

Thank you for your cooperation.

Sincerely,

Barbara J. Meredith
Chairperson, SWAPO

cc: R. Brendza, Esquire
Committee members (list attached)

1. L. Daniel Givler

L. Daniel Givler
P.O. Box 65
Wagontown, PA 19376

2. G J Feister
Marianne Feister

George J. Feister
Marianne Feister
P.O. Box 144
Wagontown, PA 19376

3. Joseph L. Meredith
Barbara J. Meredith

Joseph L. Meredith
Barbara J. Meredith
5 Evergreen Drive, R.D. 7
Coatesville, PA 19320

4. Chester M Eckman
Patricia W Eckman

Chester M. Eckman
Patricia W. Eckman
1033 W. King's Highway
Coatesville, PA 19320

5. Barry L. Greiner
Carole H Greiner

Barry L. Greiner
Carole H. Greiner
2 Evergreen Drive, R.D. 7
Coatesville, PA 19320

6. David A Dubinski
Joan Dubinski

David A. Dubinski
Joan Dubinski
4 Evergreen Drive, R.D. 7
Coatesville, PA 19320

7. Robert R. Fleck Jr.
Brenda L Fleck

Robert R. Fleck, Jr.
Brenda L. Fleck
P.O. Box 122
Wagontown, PA 19376

8. John M. Michel
Nancy A. Michel

John M. Michel
Nancy A. Michel
6 Evergreen Drive, R.D. 7
Coatesville, PA 19320

9. Paul H Armstrong
Sara Jane Armstrong

Paul H. Armstrong
Sara Jane Armstrong
P.O. Box 17
Wagontown, PA 19376

10. Martha E. Feister

Martha E. Feister
P.O. Box 72
Wagontown, PA 19376

11. _____

12. _____

ORIGINAL

West Caln Township
Chester County
Board of Supervisors
P.O. Box 175, Creamery Road
Wagontown, Pa. 19376

Gary L.Dunlap
Township Manager
and Zoning Officer

Phone 384-5643

RECEIVED
DEC 22 1988
SECRETARYS OFFICE
Public Utility Commission

December 19, 1988

Mr. Jerry Rich, Secretary
Paennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pa. 17120

RE: Chester County, Pennsylvania-Abandonment of the Coatesville Industrial Track and Coatesville Secondary, LC 0352, MP 34.85 to MP 53.80, Sub Docket No. 531, N, PAPUC Docket 106465, MPAB 142, Phialdelphia, Eastern Region. (File 320-SCW) Chester.

Dear Mr. Rich: 1987,

On July 2, 1988, I wrote to you concerning the above captioned abandonment. At that time, I requested that the Utility Commission initiate aplan to require a suitable barricade that would eleiminate passage on to the abandoned rail line.

As of this date, I have not received a reply concerning this request or any other action the Commission has taken on the matter.

It would be greatly appreciated , if I could here from you in regards to this matter.

Thank you for your cooperation.

Sincerely,

Gary L. Dunlap

GARY L. DUNLAP
Manager

DOCUMENT FOLDER

DEC 28 1988

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265
May 2, 1994

In Re: **A-106465**

DOCKETED
MAY 17 1994

(See attached list)

DOCUMENT FOLDER

Application of Consolidated Rail Corporation

For approval of the abolition of 25 at-grade, or separated grade, crossings where its Coatesville Industrial Track, or Coatesville Secondary Line cross public highways at locations in Elverson Borough, and West Nantmeal, Honey Brook, West Brandywine, West Caln and Valley Townships, all in Chester County.

N O T I C E

This is to inform you that an initial hearing on the above-captioned case will be held Thursday, July 14, 1994 at 10:00 a.m. in an available hearing room, 13th Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania.

We are enclosing herewith, a list of questions, prepared by our Bureau of Safety & Compliance, indicating information to be developed at the hearing, along with other relevant testimony.

LDA

Each party is requested to submit testimony and exhibits with respect to the entire crossing alteration project with the understanding that the Commission may, in adjudicating this matter, take jurisdiction over any desired portion of the project.

If any party intends to offer prepared written testimony, such testimony must be served upon each participant of record no less than twenty (20) days prior to this hearing.

You are advised that if you fail to appear at the hearing, the hearing will proceed without you. In that event, it is possible that you or your client will have issues determined against you and that you might be assigned positive duties or be required to pay money and will have waived any objection thereto.

The Commission's Rules require that all parties (except individuals appearing on their own behalf) be represented by counsel at hearing, therefore, will you please have counsel of your choice file an appearance on your behalf prior to the hearing date herein stated.

If you intend to file exhibits, please be advised that two copies of all hearing exhibits to be presented into evidence must be submitted to the Reporter and an additional copy should be furnished to the presiding officer and each party of record.

The presiding officer in this proceeding is Administrative Law Judge Cynthia M. Williams. Judge Williams can be contacted at 1302 Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania 19130; telephone (215) 560-2105.

IF YOU ARE A PERSON WITH A DISABILITY, AND WISH TO ATTEND THE HEARING SCHEDULED ABOVE, AND REQUIRE AN AUXILIARY AID, SERVICE, OR OTHER ACCOMMODATION TO PARTICIPATE IN THE PROCEEDING, PLEASE CONTACT THE AT&T RELAY SERVICE NUMBER (TT) 1-800-654-5988 OR NORMA R. LEWIS (VOICE ONLY) (717) 787-1399 AT THE PENNSYLVANIA PUBLIC UTILITY COMMISSION (PUC) TO DISCUSS HOW THE PUC MAY BEST ACCOMMODATE YOUR NEEDS.

pc: Judge Williams
John Frazier - BPL
Law Bureau - 2
Safety & Compliance - 2
Norma Lewis
Pat Young, Scheduler
Stephen Springer
Beth Plantz
Docket Room

RECEIVED
'04 MAY -3 AM 9:08
P.U.C.
PA. CONTROL DIV.
INFO.

QUESTIONS AND PROCEDURES

A-00106465 April 1994

CROSSINGS

1.	Railroad above L.R. 15119 (S.R. 0340)	West Caln Township
2.	Township Rd. 475 above railroad	Honey Brook Township
23.	Railroad above L.R. 15139 (S.R. 0401)	Elverson Borough

1. Consolidated Rail Corporation (Conrail) shall submit testimony as to the exact corporate name of the owner and operator of the line of railroad involved at these locations.

2. Conrail shall submit maps showing and testimony describing the general location of the grade-separated crossings involved in this proceeding.

3. Conrail shall submit testimony describing the type, number of spans, and the general physical condition of the substructure and superstructure of each of the existing bridge structures and the party or parties responsible for its construction.

4. Conrail shall submit testimony as to its present obligation with respect to the maintenance of each existing structure.

5. Conrail shall submit testimony indicating whether, in its opinion, the existing crossing areas are adequate to accommodate safely the class and volume of traffic normally using the highway at these locations and submit testimony describing the general nature and extent of all work which it deems necessary or advisable to improve the conditions at these locations.

6. Conrail shall submit testimony as to what portion of the work it will agree to perform at each location; what portion of the construction costs it will agree to assume; and what portions of the complete improvement at each location it will agree to maintain, in the event an improvement of the crossing area is ordered by this Commission.

7. Pennsylvania Department of Transportation (PennDOT) shall submit testimony regarding the name, location and termini of the public highways in the vicinity of crossing nos. 2 and 23.

8. PennDOT shall submit testimony describing in detail the type, width of pavement, alignment, grade and general physical condition of the highway approaches to, through and beyond crossing nos. 2 and 23.

9. PennDOT shall submit testimony as to its present obligation with respect to the maintenance of the existing crossing structures and the highway approaches thereto at crossing nos. 2 and 23.

10. PennDOT shall submit testimony indicating whether, in its opinion, the involved rail-highway crossing areas should be altered or reconstructed, and whether the bridge structures should be altered or removed, to effectuate the prevention of accidents and promote the safety of the public using the highways at crossing nos. 2 and 23.

11. PennDOT shall submit testimony indicating what portion of the work; what portion of the cost of construction; and what portion of future maintenance of any alteration or reconstruction it will agree to assume, in the event an improvement of the crossing areas is ordered by this Commission.

12. Honey Brook Township (Township) shall submit testimony regarding the name, location and termini of the public highways in the vicinity of the crossing no. 14.

13. Township shall submit testimony describing in detail the type, width of pavement, alignment, grade and general physical condition of the highway approaches to, through and beyond crossing no. 14.

14. Township shall submit testimony as to its present obligation with respect to the maintenance of the existing crossing structure and the highway approaches thereto at crossing no. 14.

15. Township shall submit testimony indicating what portion of the work; what portion of the cost of construction; and what portion of future maintenance of any alteration or reconstruction it will agree to assume, in the event an improvement of the crossing area is ordered by this Commission.

16. Query whether any of the parties in interest, or any other party desires to submit any additional relevant testimony.

A-106465 Application of Consolidated Rail Corporation

For approval of the abolition of 25 at-grade, or separated grade, crossings where its Coatesville Industrial Track, or Coatesville Secondary Line cross public highways at locations in Elverson Borough, and West Nantmeal, Honey Brook, West Brandywine, West Caln and Valley Townships, all in Chester County.

Charles E. Mechem, Esquire
Consolidated Rail Corporation
2001 Market Street
Philadelphia, PA 19103

William D. Pickering, Utility Engineer
PA Department of Transportation
509 Transportation & Safety Building
Harrisburg, PA 177120

John Heaton, Chief Counsel
PA Department of Transportation
521 Transportation & Safety Building
Harrisburg, PA 17120

Scott Debroff, Esquire
PA PUC - Law Bureau
G-28 North Office Building
P.O. Box 3265
Harrisburg, PA 177105

Karen L. Martynick, Chairwoman
Chester County Commissioners
2 North High Street, Suite 512
West Chester, PA 19380-3066

John S. Halsted, Esquire
Chester County Solicitor
20 North Church Street
West Chester, PA 19380

Evelyn Snyder, Mayor
Borough of Elverson
Chestnut Street
Elverson, PA 19520

Landis Law Associates
Elverson Borough Solicitors
310 North High Street
West Chester, PA 19380

Omar Beam, Chairman
West Nantmeal Township,
Supervisors
R.D. #2
Elverson, PA 19520

Ronald Nagle, Esquire
West Nantmeal Solicitor
304 North High Street
West Chester, PA 19380

Raymond Means, Chairman
Honey Brook Township,
Supervisors
R.D. #4
Honey Brook, PA 19344

John E. Good, Esquire
Honey Brook & West Brandywine
Townships Solicitor
331 West Miner Street
West Chester, PA 19380

Josef G. Obernier, Sr., Chairman
West Brandywine Township,
Supervisors
1199 Lafayette Road
Coatesville, PA 19320

Paul E. Pfitzenmeyer, Chairman
West Caln Township,
Supervisors
P.O. Box 175
Wagontown, PA 19376

Keen, Keen & Good
West Caln Township Solicitors
236 East Main Street
Coatesville, PA 19320

John Cuff, Jr., Chairman
Valley Township Supervisors
211 Cemetery Road
Coatesville, PA 19320

Alan Jarvis, Esquire
Valley Township Solicitor
744 East Lincoln Highway
Coatesville, PA 19320

Barbara J. Meredith, Chairperson
Siousca Wagontown Association
of Property Owners
5 Evergreen Drive, R.D. #7
Coatesville, PA 19320

Frederick Carlson
PA Dept. Environmental Resources
2nd Floor, Fulton Building
P.O. Box 2063
Harrisburg, PA 17120

Honey Brook Township Board of Supervisors

CHESTER COUNTY

BUREAU OF
S & C
MAY 1 1 1994
RAIL SAFETY
DIVISION

Box 1281, Honey Brook, PA 19344-1281
Telephone (610) 273-3970 Fax (610) 273-3909

RECEIVED
94 MAY 12 AM 10:40
PA. P.U.C.
INFO. CONTROL DIV.

May 9, 1994

Commonwealth of PA
Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

RE: A-106465

Dear Sir/Madam:

In response to your notice of May 2, 1994 regarding application of Consolidated Rail Corporation abolition of crossings, we are requesting a map reflecting exactly what locations are involved in Honey Brook Township.

Please provide this information so we may make an assessment of the impact on our roads.

Thank you for your kind attention to this request./

Very truly yours,

Ruby M. Witman
Ruby M. Witman
Secretary/Treasurer

LOA

DOCKETED
MAY 25 1994
DOCUMENT
FOLDER

CONRAIL

ORIGINAL

RECEIVED

RECEIVED
94 JUN 15 AM 10:45
PA. P. U. C.
INFO. CONTROL DIV.

JUN 0 1 1994
PUBLIC UTILITY COMMISSION
PHILADELPHIA OFFICE
ADMINISTRATIVE LAW JUDGE

June 1, 1994

VIA HAND DELIVERY

The Honorable Cynthia M. Williams
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
1302 Philadelphia State Office Building
Broad and Spring Garden Streets
Philadelphia, PA 19130

RE: Application of Consolidated Rail Corporation for approval of the abolition of 25 at-grade, or separated grade, crossings where its Coatesville Industrial Track, or Coatesville Secondary Line cross public highways at locations in Elverson Borough, and West Nantmeal, Honey Brook, West Brandywine, West Caln and Valley Townships, all in Chester County, Pennsylvania - Docket No. A-106465

Dear Judge Williams:

Enclosed please find an original Entry of Appearance and two copies in the above-referenced matter.

Very truly yours,

Scott K. Wasserkrug

Scott K. Wasserkrug
Associate General Counsel

DOCUMENT FOLDER

Consolidated Rail Corporation
Law Department - 16-A
2001 Market Street
P.O. Box 41416
Philadelphia, PA 19101-1416
(215) 209-4997
FAX (215) 209-4819

SKW/dmm

34

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Consolidated Rail Corporation for approval of the abolition of 25 at-grade, or separated grade, crossings where its Coatesville Industrial Track, or Coatesville Secondary Line cross public highways at locations in Elverson Borough, and West Nantmeal, Honey Brook, West Brandywine, West Caln and Valley Townships, all in Chester County, Pennsylvania.	:	Docket No. A-106465

ENTRY OF APPEARANCE

Kindly enter my Appearance, Scott K. Wasserkrug, attorney at law, on behalf of Consolidated Rail Corporation with reference to the above-captioned matter.

Scott K. Wasserkrug, Esquire
Attorney I.D. No. 31619
Attorney for
Consolidated Rail Corporation

Law Department 16-A
2001 Market Street
P.O. Box 41416
Philadelphia, PA 19101-1416
(215) 209-4997
Fax (215) 209-4819

DOCKETED
JUN 20 1994

DOCUMENT
FOLDER

ORIGINAL

LAW OFFICES
KEEN, KEEN & GOOD
THORNDALE PROFESSIONAL BUILDING
ONE BONDSVILLE ROAD
DOWNINGTOWN, PENNSYLVANIA 19335

(610) 269-5336
FAX (610) 269-2255

WILLIAM R. KEEN, JR.
WILLIAM T. KEEN
GARY N. MOSKOVITZ
KATHLEEN K. GOOD

June 23, 1994

RECEIVED
JUN 27 1994
SECRETARY'S OFFICE
Public Utility Commission

Commonwealth of Pennsylvania
Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Re: A-106465

Gentlepersons:

Please file the enclosed Entry of Appearance in connection with the above-referenced matter.

Sincerely,

Gary N. Moskovitz

GNM/tms
Enclosure
cc: Board of Supervisors, West Caln Twp.
Scott Wasserkrug, Esquire
Gina Delfontso, Esquire
Scott H. DeBroff, Esquire
John E. Good, Esquire

DOCUMENT FOLDER

DOCS MUNIC WCALN CONRAIL.2T

ORIGINAL

APPLICATION OF CONSOLIDATED RAIL CORPORATION FOR APPROVAL OF ABOLITION OF AT-GRADE OR SEPARATED GRADE CROSSING : BEFORE THE PUBLIC UTILITY COMMISSION

: NO. A-106465

RECEIVED
JUN 27 1994
SECRETARY'S OFFICE
Public Utility Commission

ENTRY OF APPEARANCE

Please enter my appearance on behalf of West Caln Township in connection with the above-referenced matter.

KEEN, KEEN & GOOD

By: _____
Gary N. Moskovitz
Attorney for West Caln Township

DOCKETED
JUL 01 1994

DOCUMENT FOLDER

THE COUNTY OF CHESTER

Commissioners:
Joseph J. Kenna, Chairman
Karen L. Martynick
Andrew E. Dinniman

SOLICITOR'S OFFICE
Courthouse, 2 N. High St., Suite 7
West Chester, PA 19380-3070
(610) 344-6195 FAX: (610) 344-5471

JOHN S. HALSTED
Solicitor

ORIGINAL

June 23, 1994

RECEIVED
JUN 27 1994
...FICE
...mission

Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, PA 17105-3265

Re: Application of Consolidated Rail Corporation
No. A-106465

Dear Sir/Madam:

I am enclosing my Entry of Appearance on behalf of the County of Chester in the above captioned matter which has been set for hearing on Thursday, July 14, 1994 at 10:00 A.M. at the Philadelphia State Office Building, Broad and Spring Garden Streets Philadelphia, Pennsylvania. I would appreciate having this Appearance entered of record since a County representative and I will be attending the hearing.

LDA

This Appearance is entered in conformity with the instructions contained in the notice sent to our County Solicitor by you on May 4, 1994.

If you require anything further regarding this matter, please do not hesitate to contact me.

DOCUMENT FOLDER

Very truly yours,

C. Robert Elicker, Jr.

C. Robert Elicker, Jr.
Assistant County Solicitor

CRE:bjs
Encl.
cc - I. Mineo, Parks & Recreation Dept.

In re:	APPLICATION OF CONSOLIDATED	:	COMMONWEALTH OF PENNSYLVANIA
	RAIL CORPORATION	:	PENNSYLVANIA PUBLIC UTILITY COMMISSION
	A-106465	:	

ENTRY OF APPEARANCE

To the Prothonotary:

Please enter my appearance on behalf of the County of Chester in this matter.

COUNTY OF CHESTER

By: C. Robert Elicker, Jr.
C. ROBERT ELICKER, JR., ESQ.
Assistant County Solicitor

DOCUMENT FOLDER

DOCKETED
JUL 01 1994

SUPERVISORS OF WEST NANTMEAL TOWNSHIP

Box 234
Elverson, Pennsylvania 19520

(215) 286-9722

FAX (215) 286-0476

ORIGINAL

June 29, 1994

DOCKETED
JUL 11 1994

RECEIVED
94 JUN 30 AM 10:49
PA. P.U.C.
INFO. CONTROL DIV.

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Application of Consolidated Rail Corporation
Before the Pennsylvania Public Utility Commission
Docket No. A-106465

Dear Public Utility Commission:

West Nantmeal Township, Chester County doesn't intend to submit any written testimony at the hearing scheduled for July (13), 14 1994 at 10:00 A.M. but we would like to inform you of a potentially dangerous area in our township that involves a state road and a former Conrail crossing.

The area in question is located on Chestnut Tree Road (SR 4025). (LR. 15145) A steel overhead bridge was removed, leaving a 15 ft. wall that drops off on both sides of the road. The township doesn't have any jurisdiction on state roads, but we wanted to make you aware of this location, especially since it was not mentioned in the Questions and Procdures under Crossings dated April 1994.

Sincerely,

WEST NANTMEAL TOWNSHIP

Susan L. Ward

Susan L. Ward, Secretary

DOCUMENT FOLDER

14

CONRAIL

ORIGINAL

RECEIVED
94 JUL 12 AM 10:04
PA. P.U.C.
INFO. CONTROL DIV.

July 8, 1994

John G. Alford, Secretary
Pennsylvania Public Utility Commission
Room B-18, North Office Building
North Street & Commonwealth Avenue
Harrisburg, PA 17105

RE: Application of Consolidated Rail Corporation for approval of the abolition of 25 at-grade, or separated grade, crossings where its Coatesville Industrial Track, or Coatesville Secondary Line cross public highways at locations in Elverson Borough, and West Nantmeal, Honey Brook, West Bradywine, West Caln and Valley Townships, all in Chester County, Pennsylvania - Docket No. A-106465

Dear Mr. Alford:

Pursuant to the instructions listed in the Hearing Notice dated May 2, 1994, enclosed please find copies of Proof of Publication in the above-entitled proceeding.

If you have any questions, please contact me.

Very truly yours,

Felicia D. Garnett

Felicia D. Garnett
Corporate Paralegal

Consolidated Rail Corporation
Law Department - 16-A
2001 Market Street
P.O. Box 41416
Philadelphia, PA 19101-1416
(215) 209-5029
Fax (215) 209-4819

DOCUMENT FOLDER

FDG/dmm

No. .....Term, 19 .....

Proof of Publication of Notice in The Philadelphia Inquirer

Under Act No. 160, P.L. 877, July 9, 1976

Commonwealth of Pennsylvania }
County of Philadelphia } ss.:

M. Ruchalski ..... being duly sworn, deposes and says that THE PHILADELPHIA INQUIRER is a daily newspaper published at Broad and Callowhill Streets, Philadelphia County, Pennsylvania, which was established in the year 1829, since which date said daily newspaper has been regularly published and distributed in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of said daily newspaper on the following dates, viz.:

.....

.....

.....and the 29th day of June A. D. 1994

Affiant further deposes that he is duly authorized by Philadelphia Newspapers, Inc., a corporation, publisher of THE PHILADELPHIA INQUIRER, a daily newspaper, to verify the foregoing statement under oath, and also declares that affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

M. Ruchalski

POOR ORIGINAL

DOCUMENT FOLDER

Sworn to and subscribed before me this 29th

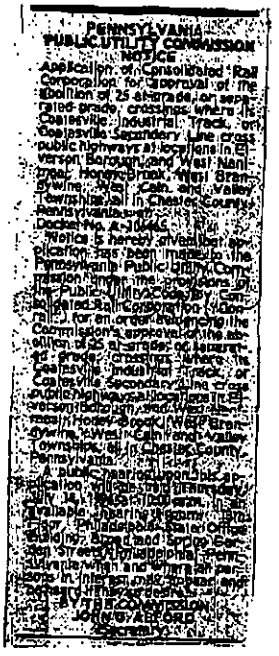
day of June 19 94

Elaine Smith
Notary Public.

My Commission Expires:

NOTARIAL SEAL
ELAINE SMITH, Notary Public
City of Philadelphia, Phila. County
My Commission Expires April 29, 1996

Copy of notice or publication



PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Application of Consolidated Rail Corporation for approval of the abolition of 25 at-grade, or separated grade, crossings where its Coatesville Industrial Track, on Coatesville Secondary Line cross public highways at locations in Elverson Borough and West Nantmeal, Honeybrook, West Brandywine, West Caln, and Valley Townships all in Chester County, Pennsylvania.

Docket No. A-[illegible]

Notice is hereby given that application has been made to the Pennsylvania Public Utility Commission under the provisions of the Public Utility Code by Consolidated Rail Corporation (Conrail), for an order authorizing the Commission's approval of the abolition of 25 at-grade or separated grade crossings where its Coatesville Industrial Track, or Coatesville Secondary Line cross public highways at locations in Elverson Borough and West Nantmeal, Honeybrook, West Brandywine, West Caln and Valley Townships, all in Chester County, Pennsylvania.

A public hearing upon this application will be held on Thursday, July 14, 1994 at 10:00 a.m. in the available Hearing Room, 1st Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania, where and when all persons in interest may appear and be heard if they desire.

BY THE COMMISSION
JOHN G. ALFORD
Secretary

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JUL 12 1994
SECRETARY'S OFFICE
Public Utility Commission

DOCKETED
JUL 19 1994

** TOTAL PAGE.02 **

No. .....Term, 19 .....

Proof of Publication of Notice in The Philadelphia Inquirer

Under Act No. 160, P.L. 877, July 9, 1976

Commonwealth of Pennsylvania } ss.:
County of Philadelphia }

M. Ruchalski ..... being duly sworn, deposes and says that THE PHILADELPHIA INQUIRER is a daily newspaper published at Broad and Callowhill Streets, Philadelphia County, Pennsylvania, which was established in the year 1829, since which date said daily newspaper has been regularly published and distributed in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of said daily newspaper on the following dates, viz.:

.....

.....

.....and the 6th .....day of July .....A. D. 19 94 .....

Affiant further deposes that he is duly authorized by Philadelphia Newspapers, Inc., a corporation, publisher of THE PHILADELPHIA INQUIRER, a daily newspaper, to verify the foregoing statement under oath, and also declares that affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

M. Ruchalski

Copy of notice or publication

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE

Application of Consolidated Rail Corporation for approval of the abolition of 25 at-grade, or separated grade, crossings where its Coatesville Industrial Track, or Coatesville Secondary Line cross public highways at locations in Elverson Borough, and West Nantmeal, Honey Brook, West Brandywine, West Cain and Valley Townships, all in Chester County, Pennsylvania.

Docket No: A-906465

Notice is hereby given that application has been made to the Pennsylvania Public Utility Commission under the provisions of the Public Utility Code, by Consolidated Rail Corporation (Conrail) for an order evidencing the Commission's approval of the abolition of 25 at-grade, or separated grade, crossings where its Coatesville Industrial Track, or Coatesville Secondary Line cross public highways at locations in Elverson Borough, and West Nantmeal, Honey Brook, West Brandywine, West Cain and Valley Townships, all in Chester County, Pennsylvania.

A public hearing upon this application will be held Thursday, July 14, 1994 at 10:00 a.m. in an available hearing room, 1 John Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania, when and where all persons in interest may appear and be heard if they so desire.

BY THE COMMISSION
JOHN G. ALFORD
Secretary

DOCKETED
JUL 19 1994

Sworn to and subscribed before me this 6th

day of July 19 94

Elaine Smith
Notary Public.

My Commission Expires:

NOTARIAL SEAL
ELAINE SMITH, Notary Public
City of Philadelphia, Phila. County
My Commission Expires April 29, 1996

DOCUMENT FOLDER

PNI-1045

** TOTAL PAGE.02 **

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

ORIGINAL

IN REPLY PLEASE
REFER TO OUR FILE

July 11, 1994

RECEIVED
94 JUL 11 PM 3:40
P.U.C.
PA. CONTROL DIV.
INFO.

John G. Alford, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Application of Consolidated Rail Corporation for approval of abolition of 25 at-grade or separated grade crossings where its Coatesville Industrial track or Coatesville secondary lines cross public highways at Elverson Borough and West Nantmeal, Honeybrook, West Brandywine, West Caln and Valley Townships in Chester County.

Docket No. A-00106465

Dear Secretary Alford:

Enclosed herewith, please find the original and three copies of the Pennsylvania Public Utility Commission Law Bureau's Notice of Appearance in the above-captioned matter.

Copies have been served on the parties as stated on the attached Certificate of Service.

Very truly yours,

Scott H. DeBroff
Assistant Counsel

DOCUMENT
FOLDER

SHD/lst

Enclosures

cc: As per Certificate of Service

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Consolidated Rail Corporation for approval of abolition of 25 at-grade or separated grade crossings where its Coatesville Industrial track or Coatesville secondary lines cross public highways at Elverson Borough and West Nantmeal, Honeybrook, West Brandywine, West Caln and Valley Townships in Chester County.	:	Docket No. A-00106465

RECEIVED
'94 JUL 11 PM 3:42
PA. P.U.C.
INFO. CONTROL DIV.

NOTICE OF APPEARANCE

To the Secretary:

Please enter the appearance of the Law Bureau of the Pennsylvania Public Utility Commission in the above-captioned proceeding.

Counsel for the Law Bureau in this proceeding is:

Scott H. DeBroff

All service on and communications to the Law Bureau in this proceeding should be addressed to:

Scott H. DeBroff
Assistant Counsel
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 783-2840
(717) 783-3458 (facsimile)

DOCKETED
JUL 19 1994

DOCUMENT FOLDER

Scott H. DeBroff
Assistant Counsel

DATED: July 11, 1994

CERTIFICATE OF SERVICE

I hereby certify that I am this date serving the foregoing document upon the persons and in the manner indicated below, which service satisfies the requirements of the Pennsylvania R.C.P. 440:

SERVICE BY FIRST CLASS MAIL ADDRESSED AS FOLLOWS:

Scott K. Wasserkrug, Esquire
Law Department 16-A
Consolidated Rail Corporation
Two Commerce Square
2001 Market Street
P.O. Box 41416
Philadelphia, PA 19101-1416

John Heaton, Chief Counsel
PA Department of Transportation
521 Transportation & Safety Building
Harrisburg, PA 17120

Karen L. Martynick, Chairwoman
Chester County Commissioners
2 North High Street, Suite 512
West Chester, PA 19380-3066

Evelyn Snyder, Mayor
Borough of Elverson
Chestnut Street
Elverson, PA 19520

Omar Beam, Chairman
West Nantmeal Township
Supervisors
R.D. #2
Elverson, PA 19520

Raymond Means, Chairman
Honey Brook Township
Supervisors
R.D. #4
Honey Brook, PA 19344

William D. Pickering
Utility Engineer
PA Department of Transportation
509 Transportation & Safety Building
Harrisburg, PA 17120

John S. Halsted, Esquire
Chester County Solicitor
20 North Church Street
West Chester, PA 19380

Landis Law Associates
Elverson Borough Solicitors
310 North High Street
West Chester, PA 19380

Ronald Nagle, Esquire
West Nantmeal Solicitor
304 North High Street
West Chester, PA 19380

John E. Good, Esquire
Honey Brook & West Brandywine
Townships Solicitor
331 West Miner Street
West Chester, PA 19380

Josef G. Obernier, Sr., Chairman
West Brandywine Township
Supervisors
1199 Lafayette Road
Coatesville, PA 19320

Keen, Keen & Good
West Caln Township Solicitors
236 East Main Street
Coatesville, PA 19320

Alan Jarvis, Esquire
Valley Township Solicitor
744 East Lincoln Highway
Coatesville, PA 19320

Frederick Carlson
PA Department of Environmental Resources
16th Floor
Market Street State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

Paul E. Pfitzenmeyer, Chairman
West Caln Township Supervisors
P.O. Box 175
Wagontown, PA 19376

John Cuff, Jr., Chairman
Valley Township Supervisors
211 Cemetery Road
Coatesville, PA 19320

Barbara J. Meredith, Chairperson
Siosca Wagontown Association of
Property Owners
5 Evergreen Drive, R.D. #7
Coatesville, PA 19320

Gary N. Moskovitz, Attorney
Thorndale Professional Building
One Bondsville Road
Downingtown, PA 19335

C. Robert Elicker, Jr., Esquire
Assistant County Solicitor
Courthouse, Suite 7
2 North High Street
West Chester, PA 19380-3070

Scott H. DeBroff
Assistant Counsel
Pennsylvania Public
Utility Commission

P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 783-2840

DATED: July 11, 1994

APPEARANCE SHEET

ALJ HEARING REPORT

Docket No. A-106465

Case Name Application of Consolidated Rail Corporation

Location Philadelphia

Date July 14, 1994

ALJ Williams

Reporting Firm Blum-Moore Reporting

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JUL 19 1994
OFFICE OF C.A.J.J.
Public Utility Commission

CHECK THOSE BLOCKS WHICH APPLY:

Prehearing held	YES ___	NO ✓
Hearing held	YES ✓	NO ___
Testimony taken	YES ✓	NO ___
Hearing concluded	YES ✓	NO ___
Further hearing needed	YES ___	NO ✓
Estimated add'l days		
RECORD CLOSED	YES ___	NO ___
DATE		
Briefs to be Filed	YES ✓	NO ___
DATE		
BENCH DECISION	YES ___	NO ___

REMARKS: The briefing schedule will be set after the transcript is

DOCKETED
AUG 11 1994

RECEIVED
JUL 20 1994

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD
PLEASE PRINT CLEARLY
INCOMPLETE INFORMATION MAY RESULT IN DELAYED PROCESS

OFFICE OF ALJ/PA PUC
ELIZABETH L. PLANTZ

NAME and TELEPHONE NUMBER	ADDRESS	APPEARING FOR
Gina M. D'Alfonso Telephone No. 717-787-2819	513 TES Bldg City: Hbg State: PA Zip: 17120	Com. of PA, Dept. of Trans.
DAVID A. MALMAN, ESQ. LANDIS LAW ASSOCIATES Telephone No. 610-696-8500	310 N. High St. City: West Chester State: PA Zip: 19380	Elverson Borough
Gary N. Moskovitz Telephone No. 269-5336	1 Bundsville Rd City: Downingtown State: PA Zip: 19371	W. Caln Township

☐ CHECK THIS BOX IF ADDITIONAL PARTIES OR COUNSEL OF RECORD APPEAR ON BACK.

Carol Dignolies
REPORTER

NAME and TELEPHONE NUMBER	ADDRESS			APPEARING FOR
Robert Elicker	Courthouse			Chester County
Telephone No. 610-344-6197	City W. Chester	State Pa	Zip	
Scott H. DeBroff	P.O. Box 3265			PA PUC Law Bureau
Telephone No. (717) 783-2840	City Harrisburg	State PA	Zip 17105	
Scott K. Wasserkrug	2001 Market St, 16-A			Conrail
Telephone No. (215) 209-4997	City Philadelphia	State PA	Zip 19101-1416	
Telephone No.	City	State	Zip	
Telephone No.	City	State	Zip	
Telephone No.	City	State	Zip	
Telephone No.	City	State	Zip	
Telephone No.	City	State	Zip	
Telephone No.	City	State	Zip	
Telephone No.	City	State	Zip	