



**pennsylvania**  
DEPARTMENT OF TRANSPORTATION  
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July 18, 2013

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

RECEIVED  
2013 JUL 19 PM 4: 06  
PA.P.U.C.  
SECRETARY'S BUREAU

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the public at-grade crossing by the installation of new automatically operated flashing-light crossing warning signals with short arm gates where Diller Avenue crosses the single track of Norfolk Southern Railway Company (DOT No.: 517759 D) in New Holland Borough, Lancaster County *all in accordance with the Federal Grade Crossing Program* and the allocation of costs incident thereto.

Dear Ms. Chiavetta:

Enclosed for filing, please find the original and three (3) copies of the application of the Department of Transportation.

A copy of this application has been served upon the parties in the Certificate of Service attached to the application.

Sincerely,

Michael S. Gillespie, P.E.,  
Assistant District Executive - Design  
Engineering District 8-0  
Department of Transportations

Enclosure

**BEFORE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the public at-grade crossing by the installation of new automatically operated flashing-light crossing warning signals with short arm gates where Diller Avenue crosses the single track of Norfolk Southern Railway Company (DOT No.: 517759 D) in New Holland Borough, Lancaster County *all in accordance with the Federal Grade Crossing Program* and the allocation of costs incident thereto.

Application  
Docket No. \_\_\_\_\_

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To the Pennsylvania Public Utility Commission:

1. The name and address of applicant are Commonwealth of Pennsylvania, Department of Transportation, Michael S. Gillespie, P.E., Assistant District Executive for Design, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699
2. The name and address of attorney for the applicant are William J. Cressler, Chief Counsel, Commonwealth of Pennsylvania, Department of Transportation, Office of Chief Counsel, P.O. Box 8212, Harrisburg, PA 17105-8212.
3. The applicant is an agency of Commonwealth of Pennsylvania, organized and existing under the Administrative Code of 1929, 71 P.S. § 511, et. seq. and generally 36 P.S. § 670 - 401 et. seq., filing this application on behalf of New Holland Borough as evidenced by Exhibit "A" which is attached hereto.
4. It is desirable to alter the subject at-grade crossing by replacing the existing cross bucks with new automatically operated flashing-light crossing warning signals with short arm gates where Diller Avenue crosses at-grade the single track of the Norfolk Southern Railway Company (DOT# 517759 D) in New Holland Borough, Lancaster County. (For location map see Exhibit "B" attached.)
5. The names and addresses of the persons, parties and entities concerned in, or affected by the proposed construction, to the best of the applicant's knowledge, are shown in the certificate of service. In addition to those served the applicant requests that the following also receive service of all documents in this matter.
6. Diller Avenue crosses at-grade the single track of the Norfolk Southern Railway Company and said crossing should be altered as indicated. The ADT for Diller Avenue is 494 vehicles with 3% trucks.

7. New Holland Borough agrees to reimburse Norfolk Southern Railway Company for its actual design costs up to \$6,500.00 ( refer to Exhibit "A") and the Department agrees to provide 100% Federal Funds for construction for the installation of new automatically operated flashing-light crossing warning signals with short arm gates

8. This project is necessary and proper for the safety and convenience of the public.

9. A conference of all parties of interest should be held to discuss the proposed alteration.

Wherefore, applicant respectfully requests that the Public Utility Commission approve the application:

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Michael S. Gillespie". The signature is written in a cursive style with a large initial "M".

Michael S. Gillespie., P.E  
Assistant District Executive-Design  
Engineering District 8-0  
Department of Transportation

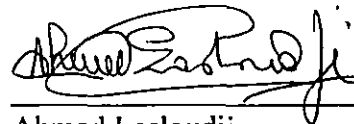
Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the public at-grade crossing by the installation of new automatically operated flashing-light crossing warning signals with short arm gates where Diller Avenue crosses the single track of Norfolk Southern Railway Company (DOT No.: 517759 D) in New Holland Borough, Lancaster County ***all in accordance with the Federal Grade Crossing Program*** and the allocation of costs incident thereto.

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VERIFICATION

I, Ahmed Lasloudji, 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: 7/18/2013



Ahmed Lasloudji  
Grade Crossing Administrator  
Engineering District 8-0

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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 first class mail, postage prepaid:

Mr. Mark J. Chappell, P.E., Chief  
Utilities & Right-of-Way  
Bureau of Design  
Pennsylvania Department of Transportation  
P.O. Box 3362  
Harrisburg, PA 17105-3362

Mr. Michael S. Gillespie, P.E.  
Assistant District Executive - Design  
Engineering District 8-0  
Pennsylvania Department of Transportation  
2140 Herr Street  
Harrisburg, PA 17103-1699  
Attn: Ahmed Lasloudji

Ms. Cayela Wimberly  
Admin, Highway Grade Crossing  
Norfolk Southern Railway Company  
1200 Peachtree Street  
Atlanta, GA 30309

Mr. Jason M. Morris, Esquire  
Attorney General  
Norfolk Southern Railway Company  
Three Commercial Place  
Norfolk, VA 23510-9241

Mr. Donald J. Herrington, President  
New Holland Borough  
436 East Main Street  
New Holland, PA 17557  
Lancaster, PA 17602

Lancaster County Commissioners  
Lancaster County Government Center  
150 North Queen Street  
7<sup>th</sup> Floor, Suite 715  
Lancaster, PA 17603

Mr. J. Richard Fulcher, Manager  
New Holland Borough Authority  
436 East Main Street  
New Holland, PA 17557

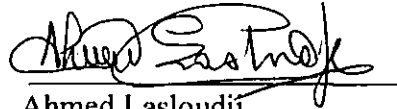
Mr. Craig Pletz  
Frontier Communications of PA, Inc.  
37 Diller Avenue  
New Holland, PA 17557

Mr. Nick Rogers  
Granger Energy of Honey Brook, LLC  
481 S. Churchtown Road  
Narvon, PA 17555-9574

Ms. Charlotte Krupa  
PPL Electric Utilities Corporation  
Two North Ninth Street, GENN3  
Allentown, PA 18101-1179

Mark Deatrick, Construction Coordinator  
Comcast Cable Communications, Inc.  
1131 South Duke Street  
Lancaster, PA 17602

Dated 07 Day of 18 2013



Ahmed Lasloudji  
Grade Crossing Administrator  
Engineering District 8-0



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DEPARTMENT OF TRANSPORTATION

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March 27, 2013

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Lancaster County  
New Holland Borough  
AT-GRADE CROSSING  
Diller Avenue  
DOT # 517759 D

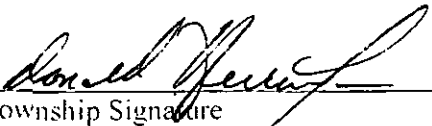
Mr. Richard Fulcher, Manager  
New Holland Borough  
436 E Main Street  
New Holland, PA 17557

Dear Mr. Filcher:

As you may be aware, the Commonwealth of Pennsylvania, Department of Transportation (the Department) is filing an application with the Pennsylvania Public Utility Commission (PUC) for the approval to alter the public at-grade crossing where Diller Avenue Crossing crosses, at-grade, the single track of Norfolk Southern Railroad (DOT #: 517759 D) located in New Holland Borough, Lancaster County.

This action is in accordance with the Section 130 Federal Rail Safety Program, which provides 100 percent Federal funding for the construction of railroad warning devices on public roads. In order to qualify for these Federal funds, the New Holland Borough must agree to provide a local match of up to six thousand five hundred (\$6,500.00) dollars for the design of the warning devices. The railroad would be billing the Borough directly for the design costs that they incur, and any costs over \$6,500.00 will be paid for by the railroad. The railroad will then seek reimbursement through the Department for 100 percent of the construction costs.

Please sign, date, and affix the (municipality) seal at the space provided on this letter and return the original to me. Please also provide a resolution agreeing to allow the Department to file this application on your behalf, authorize the Department to issue Notice to Proceed letters to the railroad for design and/or construction, and indicate that you concur with providing up to a maximum of \$6,500.00 for the design of the project. If a resolution is not provided it will be presumed that by signature, date, and seal of this letter that you concur with these conditions and authority is granted, and no resolution is necessary.

  
Township Signature

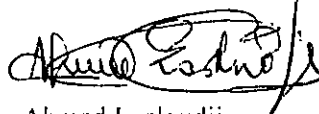
5/7/13  
Date

(municipality seal)

Mr. Richard Fulcher, Manager  
Page 2  
March 27, 2013

Forthcoming will be a copy of the application that will be made by the Department to the PUC, which will then be followed by a letter from the PUC advising you of a subsequent diagnostic field view at the crossing. Should you have any questions with regards to this matter, please contact me at (717) 787-4732.

Sincerely,



Ahmed Lasloudji  
Engineering District 8-0  
Department of Transportation

EXHIBIT "A"

Page 2 of 4

RESOLUTION #457

A RESOLUTION OF THE BOROUGH OF NEW HOLLAND, LANCASTER COUNTY, PENNSYLVANIA, APPROVING THE BOROUGH'S INTENTION TO PARTICIPATE IN THE FEDERAL RAIL SAFETY PROGRAM THROUGH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION; AND FURTHER IDENTIFYING THE AUTHORIZED OFFICIALS OF THE BOROUGH TO EXECUTE SUCH AN AGREEMENT.

WHEREAS the Commonwealth of Pennsylvania through the Pennsylvania Department of Transportation desires to work with the Borough of New Holland to construct railroad crossing devices on Diller Avenue in the Borough of New Holland, under the Federal Rail Safety Program; and

WHEREAS the railroad crossing at Diller Avenue in the Borough of New Holland, has been identified as a crossing of concern by the Federal Railroad Administration; and

WHEREAS the maximum cost commitment request from the Borough of New Holland is \$6,500 for reimbursement of engineering costs for the project; and


WHEREAS by way of this Resolution the Borough agrees to allow the Pennsylvania Department of Transportation (Penn DOT) to file the necessary Application and related project documents including the Notice To Proceed for the Railroad to design and plan to construct the new crossing.

NOW THEREFORE BE IT RESOLVED that the New Holland Borough Council hereby approves the participation of the Borough with Penn DOT through the Federal Rail Safety Program to proceed to have railroad warning devices installed at Diller Avenue, New Holland Borough; and further that the Borough officials hereby authorized to execute such Agreements shall be the Borough Council President and Borough Secretary.

As duly Adopted this the 7<sup>th</sup> day of May 2013.

Attest:

Borough of New Holland

  
Richard Fulcher, Secretary


  
Donald J. Herrington, President

EXHIBIT "A"

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# LOCATION MAP

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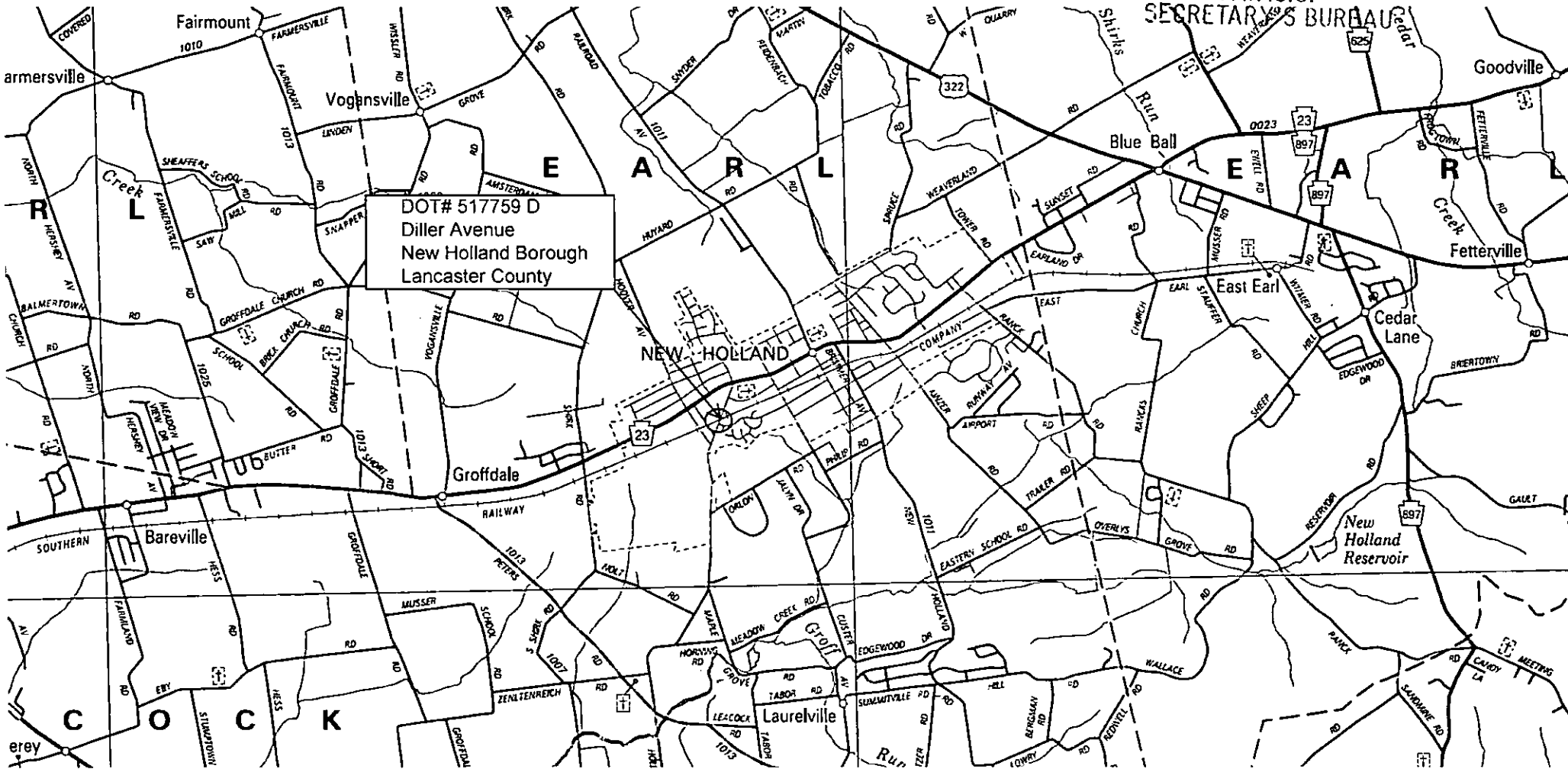


EXHIBIT "B"

## CERTIFICATE

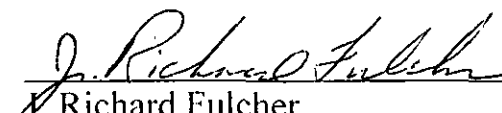
I, J. Richard Fulcher, the undersigned Secretary of the Borough of New Holland, Lancaster County, Pennsylvania ("Borough"), hereby certify that:

The forgoing is a true and correct copy of Resolution 457 of the Council of the Borough;

Such Resolution was duly enacted by affirmative vote of a majority of the Council of the Borough of New Holland at a meeting held on May 7, 2013; and

Such Resolution has been duly recorded in the Resolution book of the Borough.

IN WITNESS WHEREOF, I attest my hand and affix the official seal of the Borough of New Holland, this 7<sup>th</sup> day of May 2013.

  
J. Richard Fulcher  
Borough Secretary

[BOROUGH SEAL]

EXHIBIT "A"

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PA DEPARTMENT OF TRANSPORTATION  
HIGHWAY DESIGN  
2140 HERR STREET  
HARRISBURG, PA 17103-1699

**FIRST CLASS MAIL**

**INTER-OFFICE**

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