

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

1. REPORT DATE: February 3, 1999	2. BUREAU AGENDA NO. MAR-1999-TS-RS-7*
3. BUREAU: Transportation & Safety	
4. SECTION(S): Rail Safety Division	5. PUBLIC MEETING DATE:
6. APPROVED BY: Director: Mahan 3-3846 <i>cm</i> Supervisor: Hart 7-9732 <i>cut</i>	March 4, 1999
7. PERSONS IN CHARGE: <i>dad</i> Oliver 7-5189	REP COPIED MAR 11 1999
8. DOCKET NO.: A-00111016, C-00913256	

9. (a) CAPTION (abbreviate if more than 4 lines)
 (b) Short summary of history & facts, documents & briefs
 (c) Recommendation

(a) Application of Consolidated Rail Corporation for the abolition of thirty-one crossings of the Enola Branch, Harrisburg Division, Lancaster County.

(b) By letter received January 20, 1999, Consolidated Rail Corporation informed the Commission that it lowered the posted allowable load limit from 9-tons to 3-tons on the bridge carrying Fairview Road (S.R. 3016, AAR 518 203 P, crossing no. 17) over its tracks in Providence Township.

(c) The Bureau of Transportation and Safety recommends that the Commission affirm Conrails action that lowered the posted maximum load limit to 3-tons.

DOCUMENT
FOLDER

10. MOTION BY: Commissioner *Chm Quain*
 SECONDED: Commissioner *Bloom*
 Commissioner Rolka - Yes
 Commissioner Brownell - Yes
 Commissioner Wilson - Yes

CONTENT OF MOTION: Staff recommendation adopted.



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

IN REPLY PLEASE
 REFER TO OUR FILE

March 9, 1999

A-00111016
 C-00913256

SCOTT WASSERKRUG ASST GEN CNSL
 CONSOLIDATED RAIL CORPORATION
 LEGAL DEPT 16-A
 2001 MARKET STREET 2 COMMERCE SQ
 P O BOX 41416
 PHILADELPHIA PA 19101-1417

Application of Consolidated Rail Corporation for
 the abolition of thirty-one crossings of the Enola
 Branch, Harrisburg Division, Lancaster County.

To Whom It May Concern:

This is to advise you that an Order has been adopted by the Commission in Public Meeting on March 4, 1999 in the above entitled proceeding.

An Order has been enclosed for your records.

Very truly yours,

James J. McNulty
 James J. McNulty
 Secretary

law
 encls
 cert. mail

See attached
 for additional
 parties of record

EEF

DOCUMENT
 FOLDED & DOCKETED
 MAR 18 1999

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held March 4, 1999

Commissioners Present:

**John M. Quain, Chairman
Robert K. Bloom, Vice-Chairman
David W. Rolka
Nora Mead Brownell
Aaron Wilson, Jr.**

Application of Consolidated Rail Corporation for
the abolition of thirty-one crossings of the Enola
Branch, Harrisburg Division, Lancaster County.

A-00111016
C-00913256

ORDER

BY THE COMMISSION:

By letter received January 20, 1999, Consolidated Rail Corporation (Conrail) informed the Commission that it conducted a bridge inspection of the structure that carries Fairview Road (S.R. 3016, AAR 518 203 P, Crossing No. 17) above the right-of-way of Conrail in Providence Township, Lancaster County.

The inspection revealed that the floor system stringers are in poor condition due to their general deterioration. The wood plank deck that is carried by the steel stringers described above is also deteriorated. The bridge is currently posted for a maximum load limit of 9-tons.

Based on the observed physical condition of the bridge, and a general knowledge of the area and the vehicles and equipment that pass over the structure, Conrail determined that the posted 9-ton load limit was inadequate and reduced the allowable load limit by posting the bridge for 3-tons.

In accordance with the Commission's order adopted October 9, 1997 (entered October 9, 1997), Pennsylvania Department of Transportation (Department) was directed to remove the bridge and reconstruct the roadway on earth embankment within two years from the entry date of the order. The Department was also assigned maintenance responsibility for the bridge superstructure, substructure and approach roadways.

DOCKETED
MAR 18 1999
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Since the time the Commission's order was entered, Friends of the Atglen-Susquehanna Trail, Inc., (FAST) and the Historic Preservation Trust of Lancaster County have petitioned the Pennsylvania Supreme Court for allowance of appeal of the Commonwealth Court's affirmance of the aforementioned Commission Opinion and Order. FAST has also filed an application for review of the Commonwealth Court's denial of FAST's request for a supersedes. No action on these matters has been taken to date and is resulting in delays of the proposed work directed to be performed by the Commission.

Representatives of the following parties were served with a copy of Conrail's letter recommending the lowering of the posted allowable load limit. None of the notified have informed the Commission that they object to the lowering of the bridge posted maximum load limit recommended by Conrail. The remainder of the parties involved in this proceeding were not notified by Conrail.

Pennsylvania Department of Transportation
Lancaster County
Sadsbury Township
Bart Township
Providence Township
Conestoga Township
Historical Preservation Trust of Lancaster County
Friends of the Atglen-Susquehanna Trail, Inc.
National Railroad Passenger Corporation
Martic Township

The results of the recent inspection show that the bridge structural components are deteriorating. Conrail has determined that its current posted load-carrying capacity is inadequate and none of the parties informed by Conrail of its actions have expressed any objections. Accordingly, we will find that Conrail's action is proper and in the interest of safety to the public and should be affirmed; THEREFORE,

IT IS ORDERED:

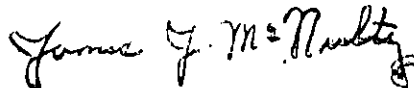
1. That the action taken by Consolidated Rail Corporation in posting the bridge carrying Fairview Road (AAR 518 203 P) over and above the right-of-way of Consolidated Rail Corporation in Providence Township, Lancaster County, for a maximum load limit of three (3) tons, be and is hereby affirmed.

2. That the Pennsylvania Department of Transportation, at its initial cost and expense, furnish all material and perform all work necessary to establish, mark and maintain any detour routes needed for vehicles weighing in excess of the maximum load limit established in this order.

3. That Pennsylvania Department of Transportation enforce the posted maximum load limit established herein, enlisting the assistance of the Commonwealth Weight Enforcement Teams if necessary.

4. That a copy of this order be served on the Commissioners of the Pennsylvania State Police.

BY THE COMMISSION,



James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: March 4, 1999

ORDER ENTERED: MAR 09 1999