

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: TSR
- 3. SECTION(S):
- 5. APPROVED BY:
DIRECTOR:
SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: A-00113589
- 4. PUBLIC MEETING DATE:
00/00/00
- 7. DATE FILED: 12/06/96
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT:

RESPONDENT/APPLICANT: LEBANON TRANSIT AUTHORITY, COUNTY OF

COMP/APP COUNTY: LEBANON

UTILITY CODE: 950000

ALLEGATION OR SUBJECT

APPLICATION OF THE COUNTY OF LEBANON TRANSIT AUTHORITY FOR APPROVAL OF THE SUSPENSION OF A SERIES OF CROSSINGS INVOLVING THE CORNWALL INDUSTRIAL TRACK OF CONSOLIDATED RAIL CORPORATION LOCATED IN THE CITY OF LEBANON, LEBANON COUNTY.

DOCKETED

DEC 10 1996

**DOCUMENT
FOLDER**

Law Offices
REILLY, WOLFSON, SHEFFEY, SCHRUM AND LUNDBERG

JAMES T. REILLY
FREDERICK S. WOLFSON
TIMOTHY D. SHEFFEY
LOREN A. SCHRUM
PAUL A. LUNDBERG *
PAUL C. BAMETZREIDER
HARRY W. FENTON
ANTHONY J. FITZGIBBONS **
JOHN J. FERRY, JR.
* ALSO ADMITTED TO THE
FLORIDA BAR
** ALSO ADMITTED TO THE
OHIO BAR

1601 CORNWALL ROAD
LEBANON, PENNSYLVANIA 17042-7460
717 / 273-3733
FAX 717 / 273-1535
rwssl@leblaw.com

WILLIAM H. EGLI
(1940-1984)

FRANK BICKEL, JR.
(1972-1984)

RECEIVED
PROTHONOTARY OFFICE
MYERSTOWN OFFICE
112 W. MAIN STREET
MYERSTOWN, PA 17067-1019
717 / 866-9095
FAX: 717 / 866-9160

000158

96 DEC -6 AM 9:00

December 5, 1996

**DOCUMENT
FOLDER**

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

A-00113589

Re: Application of the County
of Lebanon Transit Authority
for Approval of Suspension of
a Series of Crossings

Dear Mr. Alford:

Enclosed with this letter you will find an original and three copies of an Application of the County of Lebanon Transit Authority seeking approval to suspend a series of crossings within the City of Lebanon, Lebanon County. Would you please have docketed, date and time-stamped, and returned to me in the stamped, addressed envelope provided, one of the copies.

Attached to the Application is a Certificate of Service showing that a copy of the Application has been provided to the City of Lebanon, Lebanon County, Consolidated Rail Corporation, and the Pennsylvania Department of Transportation at the addresses identified.

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Page 2
December 5, 1996

If there is any filing fee that has not been provided, please contact me promptly and such filing fee will be provided. If there are any questions or concerns that you have, please feel free to contact me about those.

Very truly yours,

REILLY, WOLFSON, SHEFFEY,
SCHRUM AND LUNDBERG


Timothy D. Sheffey

TDS:cmr

Enclosures

cc: City of Lebanon
County of Lebanon
Consolidated Rail Corporation
Pennsylvania Department of Transportation
Mr. Gerald Walmer
Mr. Allen Freed

000159

96 DEC -6 AM 9:57

RECEIVED
PROTHONOTARY'S OFFICE

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE:

: APPLICATION DOCKET NO. A-00113589

:
: APPLICATION OF THE COUNTY
: OF LEBANON TRANSIT AUTHORITY :
: FOR APPROVAL OF THE :
: SUSPENSION OF A SERIES OF :
: CROSSINGS INVOLVING THE :
: CORNWALL INDUSTRIAL TRACK :
: OF CONSOLIDATED RAIL :
: CORPORATION LOCATED IN THE :
: CITY OF LEBANON, LEBANON :
: COUNTY

DOCKETED

DEC 10 1996

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TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. The name and address of the Applicant is COUNTY OF LEBANON TRANSIT AUTHORITY (hereinafter "COLT"), 200 Willow Street, City of Lebanon, Lebanon County, Pennsylvania.

2. The name and address of Applicant's attorney are Timothy D. Sheffey, Esquire, Reilly, Wolfson, Sheffey, Schrum and Lundberg, 1601 Cornwall Road, Lebanon, Pennsylvania, 17042.

3. The Cornwall Industrial Track of Consolidated Rail Corporation is now and for the foreseeable future out of service.

4. The following crossings involving the Cornwall Industrial Track are requested to be suspended:

(a). The at-grade highway crossing along Cumberland Street (U.S. Route 422), identified as AAR-DOT 591-528T;

(b). The at-grade highway crossing of Chestnut Street, identified as AAR 591-529A;

(c). The at-grade highway crossing of Walnut Street, identified as AAR 591-530U;

(d). The at-grade highway crossing of Twelfth Street, identified as AAR 591-531B;

(e). The at-grade highway crossing of Tenth Street, identified as AAR 592-346K;

(f). The at-grade highway crossing of Ninth Street, identified as AAR 592-344W; and

(g). The at-grade highway crossing of Eighth Street, identified as AAR 535-103E.

Attached hereto, made a part hereof, and marked Exhibit "A" is a true and correct marked-up copy of the Cornwall Industrial Track identifying the described at-grade highway crossings and setting forth their identification numbers.

5. The only public utility companies or municipalities affected are, to the best of your Petitioner's knowledge and belief:

(a). Lebanon County Commissioners, Rose Marie Swanger, Chairman, Lebanon County-City Municipal Building, 400 South Eighth Street, Lebanon, PA, 17042;

(b). City of Lebanon, Betty J. Eiceman, Mayor, Lebanon County-City Municipal Building, 400 South Eighth Street, Lebanon, PA, 17042;

(c). Consolidated Rail Corporation, 218 Enola Road, Enola, PA, 17025;

(d). Pennsylvania Department of Transportation, 21st and Herr Streets, Harrisburg, PA, 17103;

6. The Applicant COUNTY OF LEBANON TRANSIT AUTHORITY provides municipal scheduled transit service and demand transit service throughout the City of Lebanon and Lebanon County and crosses these various at-grade highway crossings numerous times on a daily basis.

7. The suspension of the described at-grade highway crossings is necessary and proper in that:

(a). The Cornwall Industrial Track is no longer in use;

(b). COLT vehicles must come to a complete stop before crossing at these at-grade highway crossings, therefore providing a frequent obstacle to regular traffic patterns;

(c). The frequent crossing of the at-grade highway crossings by the COLT transit vehicles and demand response vehicles causes excessive mechanical and related maintenance and concerns over the service life of these vehicles; and

(d). The safety of the public would be strengthened.

WHEREFORE, your Petitioner prays your Honorable Commission for approve of the suspension of the described at-grade highway crossings of the Cornwall Industrial Track, City of Lebanon,

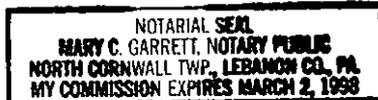
Lebanon County, and the allegation of costs and expenses incident thereto.



Allen E. Freed, Chairman
COUNTY OF LEBANON TRANSIT AUTHORITY

Sworn and subscribed to
before me this 5th day of
December, A.D., 1996

Mary C. Garrett
NOTARY PUBLIC



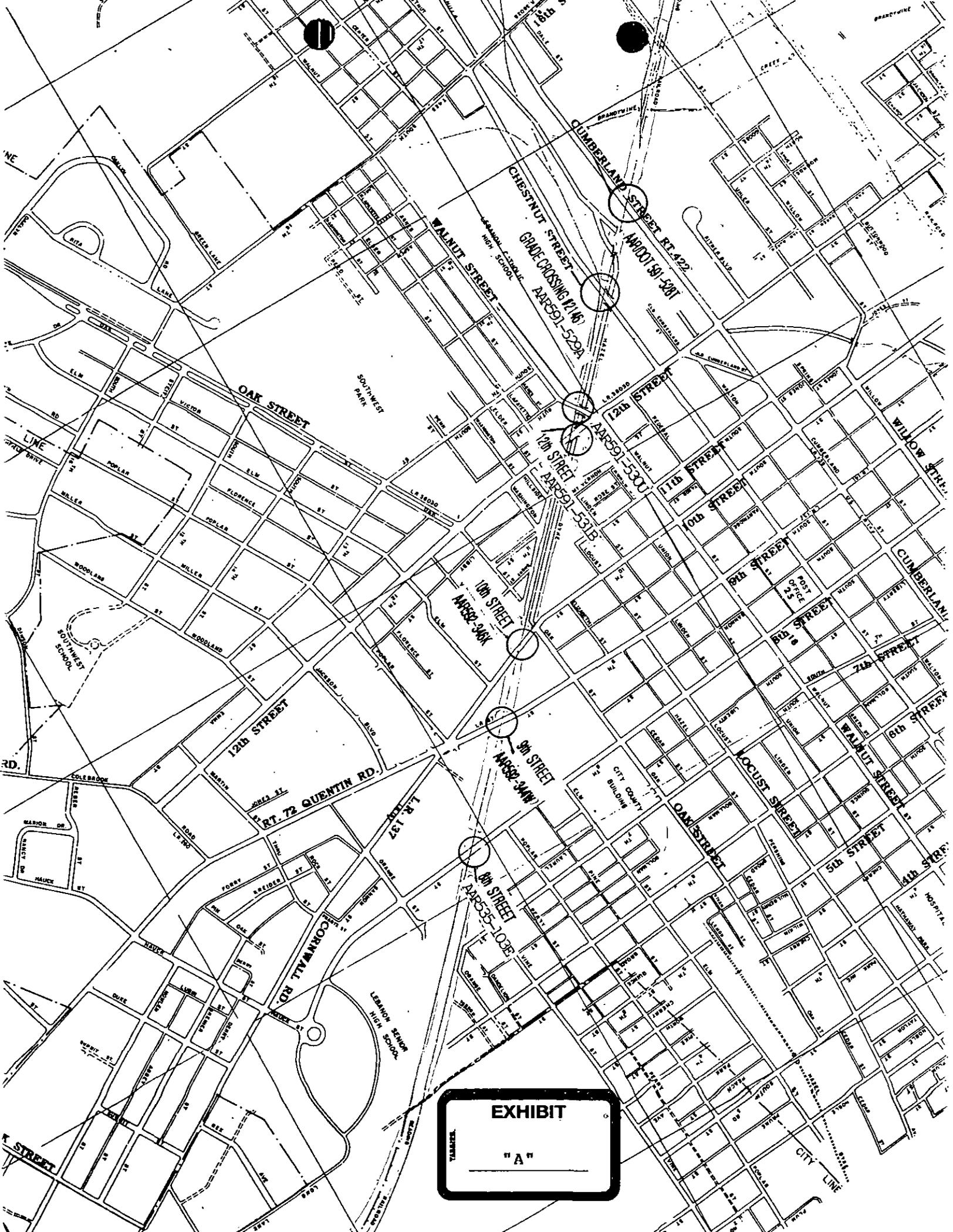


EXHIBIT
"A"

CERTIFICATE OF SERVICE

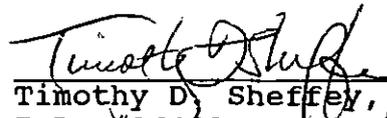
TIMOTHY D. SHEFFEY, ESQUIRE hereby certifies that he is counsel for COUNTY OF LEBANON TRANSIT AUTHORITY and that as such he served a copy of the foregoing Application upon the following, by mailing said copy by regular United States mail, postage prepaid, on Thursday, December 5, 1996:

City Clerk
City of Lebanon
Lebanon City-County Municipal Building
400 South 8th Street
Lebanon, PA 17042

County Commissioners' Office
County of Lebanon
Lebanon City-County Municipal Building
400 South 8th Street
Lebanon, PA 17042

Mr. John Pensis
Consolidated Rail Corporation
2605 Interstate Drive
Harrisburg, PA 17110

Pennsylvania Department of Transportation
521 Transportation and Safety Building
Harrisburg, PA 17120



Timothy D. Sheffey, Esquire
I.D. #26483
Counsel for COUNTY OF LEBANON
TRANSIT AUTHORITY

Date: December 5, 1996



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

**IN REPLY PLEASE
REFER TO OUR FILE**

December 10, 1996

A-00113589

TIMOTHY D SHEFFEY ESQUIRE
REILLY-WOLFSON SHEFFEY SCHRUM & LUNDBERG
1601 CORNWALL ROAD
LEBANON PA 17042

APPLICATION OF THE COUNTY OF LEBANON TRANSIT AUTHORITY FOR APPROVAL OF THE SUSPENSION OF A SERIES OF CROSSINGS INVOLVING THE CORNWALL INDUSTRIAL TRACK OF CONSOLIDATED RAIL CORPORATION LOCATED IN THE CITY OF LEBANON, LEBANON COUNTY.

Dear Mr. Sheffey:

Receipt is acknowledged of the application of the County of Lebanon Transit Authority which has been captioned and docketed to the above number.

We note that you have served copies of the application upon the parties involved.

The matter will receive the Commission's attention, and you will be advised of any further procedure.

Very truly yours,

for John G. Alford
Secretary

wjz

**DOCUMENT
FOLDER**

DOCKETED

DEC 10 1996

COMMONWEALTH OF PENNSYLVANIA

DATE: December 12, 1996

SUBJECT: A-00113589

TO: Bureau of Transportation and Safety - Rail Division

FROM:  John G. Alford, Secretary

APPLICATION OF THE COUNTY OF LEBANON TRANSIT AUTHORITY
FOR APPROVAL OF THE SUSPENSION OF A SERIES OF CROSSINGS
INVOLVING THE CORNWALL INDUSTRIAL TRACK OF CONSOLIDATED
RAIL CORPORATION LOCATED IN THE CITY OF LEBANON, LEBANON
COUNTY.

We attach hereto copy of the application of the
County of Lebanon Transit Authority, which has been
captioned and docketed to the above number.

Applicant has served copies of the application upon
the parties involved.

This matter is assigned to your Bureau for necessary
action.

Attachment

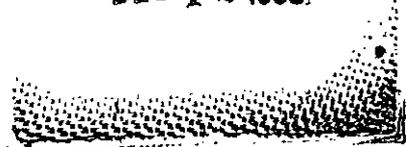
cc: TSL - w/copy of application

wjz

DOCUMENT
FOLDER

DOCKETED

DEC 12 1996



January 14, 1997

In re: A-00113589 - Application of the County of Lebanon Transit Authority for approval of the suspension of a series of crossings involving the Cornwall Industrial Track of Consolidated Rail Corporation located in the City of Lebanon, Lebanon County.

Dear :

This is to advise that a field investigation and conference will be held beginning at the site of the Cumberland Street crossing on Friday, February 7, 1997 at 10:00 a.m. to discuss the suspension of the subject crossings.

Kindly arrange to have a representative present.

Very truly yours,

JAF

W. J. Knerr
Senior Civil Engineer
Rail Safety Division
Bureau of Transportation and Safety

WJK:nm

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JAN 1 1997

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PROTHONOTARY'S OFFICE

SIMILAR LETTER LIST

A-00113589

MR ALLEN E FREED CHAIRMAN
COUNTY OF LEBANON TRANSIT AUTHORITY
200 WILLOW STREET
LEBANON PA 17042

MR WILLIAM D PICKERING PE CHIEF
RIGHT OF WAY AND UTILITY DIVISION
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
555 WALNUT STREET 7TH FLOOR
HARRISBURG PA 17101-1900

MR JAMES J KASPRZYCKI
MANAGING DIRECTOR ASSET OPTIMIZATION
CONSOLIDATED RAIL CORPORATION
2001 MARKET STREET 12-C
PO BOX 41412
PHILADELPHIA PA 19101-1412

MR DONALD J RHINE CHIEF CLERK
LEBANON COUNTY COMMISSIONERS
ROOM 207 MUNICIPAL BUILDING
400 SOUTH 8TH STREET
LEBANON PA 17042-6794

MR EDWARD M KEENER CITY ENGINEER
MUNICIPAL BUILDING
LEBANON PA 17042