



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

IN REPLY PLEASE
REFER TO OUR FILE

DECEMBER 27, 1999

A-00116301

TO ALL PARTIES

Application of Southeastern Pennsylvania Transportation Authority to modify the roadway known as King of Prussia Road where it crosses under the tracks of the National Railroad Passenger Corporation (S.R. 1021, AAR 531 292 P) owned Harrisburg Line in Radnor Township, Delaware County, to install a new concrete guard barrier along the east side of King of Prussia Road to connect the inbound and outbound sides of Radnor Railroad Station.

DOCKETED
1999
DEC 31

DOCUMENT
FOLDER

To Whom It May Concern:

This matter is before us by reason of an application filed on October 22, 1999, by Southeastern Pennsylvania Transportation Authority (SEPTA) seeking Commission approval to alter the crossing where King of Prussia Road (S.R. 1021) crosses below National Railroad Passenger Corporation's Harrisburg Line in Radnor Township, Delaware County.

In the application SEPTA states that this project involves installing a new concrete guard barrier along the east side of King of Prussia Road between the existing road and the existing sidewalk that parallels it. This guard barrier will be one hundred forty-six feet, zero inches (146'0") in length.

A field conference and investigation, arranged and conducted by a Commission staff engineer, was held at the site of the crossing on November 10, 1999, with the following parties in interest represented thereat:

Southeastern Pennsylvania Transportation Authority
National Railroad Passenger Corporation
Pennsylvania Department of Transportation
Radnor Township
PECO Energy

EEF

Consolidated Rail Corporation, Norfolk Southern Corporation, CSX Transportation, Inc. and Delaware County were notified of the time and place of the field conference, but were not in attendance.

At the time of the field conference SEPTA stated that it will bear the cost of furnishing the material and performing the work needed to construct the proposed walkway improvement. In addition to the previously discussed barriers, SEPTA proposes to place on top of the barriers fencing for the purpose of providing additional protection for the pedestrians. SEPTA will maintain this fencing until the time of its removal when the pedestrian tunnel, that the pedestrians normally use to access the rail station, reopens. It further agreed to maintain, at its initial cost, the concrete barrier constructed adjacent to King of Prussia Road and removal of snow and ice from the walkway in the interim between the opening of the walkway to public use and the Commission issuing a final order in this proceeding.

To install this guard barrier, SEPTA proposes removing a one hundred forty-six foot, zero inch (146'0") section of the existing concrete curb flush with the roadway surface, and installing one hundred forty-six feet, zero inches (146'0") of single-face, cast in place, concrete guard barrier. This guard barrier shall be constructed according to PennDOT 408 specifications.

Currently paralleling the proposed guard barrier location is an existing buried four inch (4") gas line owned by the PECO Energy Company (PECO). This gas line does not have to be relocated to accommodate the proposed work.

The installation of the guard barrier is considered necessary due to the renovation of the railroad station and temporary closure of the pedestrian tunnel that permits passengers to travel between the inbound and outbound tracks. Closure of the tunnel is due to improvements needed to comply with ADA requirements and will make it necessary for the passengers to use the walkway adjacent to King of Prussia Road. This alternate route for pedestrians is the only option available and the proposed construction involved herein is for the purpose of making the walkway adjacent to the King of Prussia Road passable and safer for pedestrians.

Estimated average daily volume of vehicular traffic crossing below the bridge is 11,900 vehicles. The estimated cost to construct the improvement is \$50,000.

There were no proposed changes to the roadway or modification of the non-carrier public utility facilities located in the project area. During construction SEPTA will maintain roadway traffic through the area of the crossing. Following completion of the project, Pennsylvania Department of Transportation agreed to bear the cost of maintaining the roadway area that lies between the curbs.

The Commission has received proof that a copy of the application has been served on all parties in interest and none has advised it has any objections to the approval of the application or desires to be heard in this matter.

Since no objections have been raised in this proceeding, and since the parties appear to have agreed to construction costs and expenses incidental to the project and interim or final maintenance responsibility; we are of the opinion that a public hearing is unnecessary at this time and that a Secretarial Letter may be issued approving the application of SEPTA. Upon completion of this project, it will determine whether a final Secretarial Letter can be issued that assigns final costs and responsibilities or a hearing is needed to resolve the remaining issues.

The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that:

1. The application of Southeastern Pennsylvania Transportation Authority for approval of the alteration of the crossing where King of Prussia Road (S.R. 1021, (AAR 531 292 P) crosses below grade of the tracks of National Railroad Passenger Corporation's Harrisburg Line in Radnor Township, Delaware County, be and is hereby approved to the extent provided herein.

2. Southeastern Pennsylvania Transportation Authority, at its sole cost and expense, and prior to the start of construction, prepare and submit to this Commission for approval and to all parties of record for examination, complete detailed construction plans for the proposed crossing alteration project.

3. Southeastern Pennsylvania Transportation Authority, at its sole cost and expense, furnish all material and perform all work necessary to maintain any traffic control devices that may be required to properly accommodate highway traffic during the time the crossing alteration work is being performed in accordance with the approved plans and this Secretarial Letter.

4. Southeastern Pennsylvania Transportation Authority, at its sole cost and expense, furnish all material and perform all work necessary to construct the continuous concrete barrier and its appurtenant features to be constructed parallel with and adjacent to the King of Prussia Road, all in accordance with the approved plans and this Secretarial Letter.

5. That the proposed crossing project be completed on or before December 31, 2000, and that on or before said date, Southeastern Pennsylvania Transportation Authority report the date of actual completion of the work and certify to this Commission that the work has been completed satisfactorily in accordance with the approved plans and this order.

6. Pennsylvania Department of Transportation and Southeastern Pennsylvania Transportation Authority cooperate with each other so that each of the other's facilities will not be endangered or unnecessarily impeded.

7. Southeastern Pennsylvania Transportation Authority pay all compensation for damages due to owners of property taken, injured or destroyed by reason of the construction of the crossing alteration project in accordance with this Secretarial Letter.

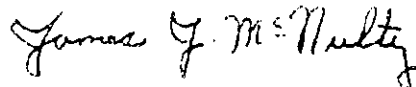
8. For the time period between completion of the work directed to be performed in accordance with Paragraph No. 4 of this Secretarial Letter and a final order or Secretarial Letter issued in this proceeding, Southeastern Pennsylvania Transportation Authority, at its initial cost and expense, furnish all material and perform all work necessary to maintain the barrier, the fencing placed upon it and removal of snow and ice from the adjacent pedestrian walkway for the entire length that it is utilized by Southeastern Pennsylvania Transportation Authority's passengers.

9. Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary to maintain the area of the road that lies below the subject bridge and between the curbs, the approach roadways thereto and removal of snow and ice from thereon.

10. Upon completion of the construction of this crossing improvement project and the Commission receiving written notice that there are issues that cannot be resolved, this proceeding be scheduled for a hearing at a time and place assigned by this Commission, upon due notice to all parties hereto, to receive evidence relative to the allocation of all costs of construction, responsibility for future maintenance or any other matters relevant to this proceeding.

If you are dissatisfied with the resolution of this matter, you may, as set forth in 52 Pa. Code §5.44, file a petition with the Commission within ten (10) days of the date of this letter.

Very truly yours,



James J. McNulty
Secretary