

# Nauman Smith

Attorneys At Law

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Harrisburg, PA 17108-0840

Benjamin C. Dunlap, Jr.  
E-mail: [bdunlapjr@nssh.com](mailto:bdunlapjr@nssh.com)

November 3, 2016

Via Electronic Mail

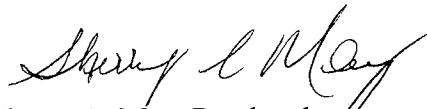
Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

**RE: Application of the Department of Transportation of the Commonwealth of Pennsylvania for the approval to alter the grade crossing by installation of automatically operated flashing-light railroad crossing warning signals with short arm gates where Diller Avenue crosses, at grade, (DOT 517 759 D) a single track of Norfolk Southern Railway Company in New Holland Borough, Lancaster County; all in accordance with the Federal Highway Grade Crossing Safety Program; and the allocation of costs incident thereto.  
Docket No. A-2013-2374997**

Dear Secretary Chiavetta:

I am enclosing Norfolk Southern Railway Company's Petition for Further Extension of Time for filing in the above matter. As evidenced by the attached Certificate of Service, copies of the Petition are being served on all interested parties. If you have any questions please contact our office.

Sincerely yours,



Sherry A. May, Paralegal to  
to Benjamin C. Dunlap, Jr.

Enclosures

cc: All Parties of Record (w/enc.)  
Wai R. Wong, Esquire (w/enc.)  
Gus B. Bankieris (w/enc.)

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**In re: Application of the Department of        :**  
**Transportation of the Commonwealth of       :**  
**Pennsylvania for the approval to alter        :**        **Docket No. A- 2013-2374997**  
**the grade crossing by installation of         :**  
**automatically operated flashing-light        :**  
**railroad crossing warning signals with       :**  
**short arm gates where Diller Avenue         :**  
**crosses, at grade, (DOT 517 759 D) a         :**  
**single track of Norfolk Southern Railway    :**  
**Company in New Holland Borough,           :**  
**Lancaster County; all in accordance with   :**  
**the Federal Highway Grade Crossing         :**  
**Safety Program; and the allocation of       :**  
**costs incident thereto                        :**

**PETITION FOR FURTHER EXTENSION OF TIME**

Norfolk Southern Railway Company (“Norfolk Southern”), by and through its counsel, Nauman, Smith, Shissler & Hall, LLP, hereby files this petition for further extension of time to perform the work ordered in the Commission’s Secretarial Letter dated July 3, 2014, pursuant to 52 Pa. Code § 1.15, based upon the following:

1. The aforementioned Secretarial Letter ordered Norfolk Southern to install new automatically operated flashing-light railroad crossing warning signals with short arm gates and an additional inverted cantilever in the northeast quadrant at the subject crossing, generally in accordance with the approved plans and in accordance with Part 8 of the Manual on Uniform Traffic Control Devices. Pursuant to numbered Paragraph 14 of the Secretarial Letter, the work was ordered to be completed on or before December 31, 2015.

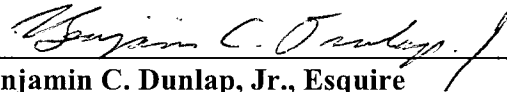
2. Norfolk Southern requested an extension of time until June 30, 2016, to perform the work, which was granted by the Commission on April 25, 2016.

3. Norfolk Southern is unable to complete the required work by the December 31, 2016, extended deadline due to ongoing utility relocations that will not be completed until the middle of December. Norfolk Southern needs additional time after the utility relocations are completed for its construction department to schedule and complete the project.

WHEREFORE, Norfolk Southern Railway Company respectfully requests an extension of time until March 31, 2017, to complete the crossing alteration project ordered in numbered Paragraph 4 of the Commission's Secretarial Letter dated July 3, 2014.

Respectfully submitted,

**NAUMAN, SMITH, SHISSLER & HALL, LLP**



**Benjamin C. Dunlap, Jr., Esquire**

**Supreme Court I.D. No. 66283**

200 N. 3<sup>rd</sup> Street, 18<sup>th</sup> Floor

P. O. Box 840

Harrisburg, PA 17108-0840

Telephone: (717) 236-3010


Facsimile: (717) 234-1925

Counsel for Norfolk Southern Railway Company

Dated: November 3, 2016

**VERIFICATION**

I, Stephen J. Klinger, Administrator Grade Crossing Program, Norfolk Southern Corporation, do state that I am authorized to make this statement on behalf of Norfolk Southern Railway Company and verify that I have read the attached Petition for Further Extension of Time and that the within information is true and correct to the best of my knowledge, information and belief. To the extent that the contents of the pleading are that of counsel, Verifier has relied upon counsel in making this verification. This verification is made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Stephen J. Klinger

Date: November 3, 2016

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**In re: Application of the Department of :  
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single track of Norfolk Southern Railway :  
Company in New Holland Borough, :  
Lancaster County; all in accordance with :  
the Federal Highway Grade Crossing :  
Safety Program; and the allocation of :  
costs incident thereto. :**

**CERTIFICATE OF SERVICE**

I hereby certify that I served one (1) copy of the Petition for Further Extension of Time of Norfolk Southern Railway Company, in the above action, this day by depositing the same in the United States mail, postage prepaid, in Harrisburg, Pennsylvania, addressed to:

Mark J. Chappell, P.E., Chief  
Right-of-Way and Utilities Division  
Bureau of Design, PennDOT  
P.O. Box 3362  
Harrisburg, PA 17105-3362

Ahmed Lasloudji  
Engineering District 8-0  
PA Department of Transportation  
2140 Herr Street  
Harrisburg, PA 17103-1699

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

Lancaster County Commissioners  
Lancaster County Government Center  
150 North Queen Street, Suite 715  
Lancaster, PA 17603

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

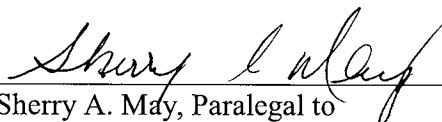
Granger Energy of Honey Brook, LLC  
Attn: Nick Rogers  
481 S. Churchtown Road  
Narvon, PA 17555-9574

PPL Electric Utilities Corp.  
Attn: Charlotte Krupa  
Two North Ninth Street, GENN3  
Allentown, PA 18101-1179

Comcast Cable  
Attn: Mark Deatrick, Construction Coordinator  
1131 South Duke Street  
Lancaster, PA 17601

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

Dated: November 3, 2016

  
\_\_\_\_\_  
Sherry A. May, Paralegal to  
Benjamin C. Dunlap, Jr.