

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CSX Double Stack Clearance Project:

A-00114082 - Chester Pike, Borough of Darby (AAR 140 644 M)

A-00114083 - 68th Street, Philadelphia (AAR 140 637 C)

A-00114084 - 65th Street, Philadelphia (AAR 140 635 N)

A-00114085 - Cemetery Street, Philadelphia (AAR 140 634 G)

A-00114086 - Lindbergh Boulevard, Philadelphia (AAR 140 629 K)

A-00114087 - Pine Street, Borough of Darby (AAR 140 643 F)

A-00114088 - Clifton Avenue, Borough of Collingdale (AAR 140 645 U)

A-00114089 - Woodland Avenue, Philadelphia (AAR 140 632 T)

A-00114090 - 61st Street, Philadelphia (AAR 140 633 A)

A-00114213 - Pedestrian Bridge No. 87F (AAR 140 636 V)

PETITION FOR FURTHER EXTENSION OF TIME

CSX Transportation, Inc. ("CSXT"), by and through its attorneys, NAUMAN, SMITH, SHISSLER & HALL, LLP, files this Petition for a Further Extension of Time to perform the work ordered in the above-referenced proceedings, pursuant to 52 Pa. Code §1.15(a)(1), based upon the following:

1. The Secretarial Letters in each of the above-referenced matters exempted CSXT from the Commission's minimum overhead and horizontal clearance requirements of 52 Pa. Code § 33.121 and § 33.122 at the following crossings:

Chester Pike, Borough of Darby (AAR 140 644 M) (A-00114082)
68th Street, Philadelphia (AAR 140 637 C) (A-00114083)
65th Street, Philadelphia (AAR 140 635 N) (A-00114084)
Cemetery Street, Philadelphia (AAR 140 634 G) (A-00114085)
Lindbergh Boulevard, Philadelphia (AAR 140 629 K) (A-00114086)
Pine Street, Borough of Darby (AAR 140 643 F) (A-00114087)
Clifton Avenue, Borough of Collingdale (AAR 140 645 U) (A-00114088)
Woodland Avenue, Philadelphia (AAR 140 632 T) (A-00114089)
61st Street, Philadelphia (AAR 140 633 A) (A-00114090)
Pedestrian Bridge No. 87F (AAR 140 636 V) (A-00114213)

2. The Secretarial Letters also provided that CSXT, at its initial cost and expense, furnish all material and do all work necessary to alter the crossings by lowering the tracks to the specified requirements at the grade-separated crossings by December 30, 1998.

3. CSXT received an extension of time in the Secretarial Letter issued July 19, 2000, and further extensions of time pursuant to the Secretarial Letters issued June 18, 2001, and June 17, 2008, in the above-referenced matters. The most current date ordered for completion of the work was December 31, 2012.

4. Due to the operational constraints of adjoining subdivisions, the Philadelphia Subdivision Clearance Project was put on hold and delayed with the concurrence of the Pennsylvania Department of Transportation ("PennDOT") until work was completed on the Trenton Line Clearance Improvement Project. The Philadelphia Subdivision Clearance Project is now in final design with construction expected to begin in the Spring of 2017.

5. CSXT therefore requests that this Commission grant an extension of time to December 31, 2018, for it to complete the clearance work in the subject Commission proceedings.

7. The work ordered in each proceeding is not safety related and is solely to accommodate double-stack container traffic on the rail line. Thus, an additional extension of time will have no adverse effect on the public interest, safety or well-being.

8. CSXT therefore requests that each respective Secretarial Letter to modified as follows:

- (a) The Secretarial Letter, dated February 25, 1998, at docket A-00114082 and A-00114088, as modified by the Secretarial Letters issued July 19, 2000, June 18, 2001, and June 17, 2008, be further modified by extending the completion date stated in paragraph 7 to December 31, 2018.

- (b) The Secretarial Letter, dated April 28, 1998, at docket A-00114083, as modified by the Secretarial Letters issued July 19, 2000, June 18, 2001, and June 17, 2008, be further modified by extending the completion date stated in paragraph 7 to December 31, 2018.
- (c) The Secretarial Letter, dated April 21, 1998, at docket A-00114084, A-00114085, A-00114086, A-00114089, and A-00114090, as modified by the Secretarial Letters issued July 19, 2000, June 18, 2001, and June 17, 2008, be further modified by extending the completion date stated in paragraph 7 to December 31, 2018.
- (d) The Secretarial Letter, dated March 4, 1998, at docket A-00114087, as modified by the Secretarial Letters issued July 19, 2000, June 18, 2001, and June 17, 2008, be further modified by extending the completion date stated in paragraph 7 to December 31, 2018.
- (e) The Secretarial Letter, dated April 29, 1998, at docket A-00114213, as modified by the Secretarial Letters issued July 19, 2000, June 18, 2001, and June 17, 2008, be further modified by extending the completion date stated in paragraph 7 to December 31, 2018.

WHEREFORE, CSX Transportation, Inc., respectfully requests that it be granted a further extension of time until December 31, 2018, to complete the altering of the subject crossings by lowering the tracks.

Respectfully submitted,
NAUMAN, SMITH, SHISSLER & HALL, LLP

By: 

Benjamin C. Dunlap, Jr., Esquire
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Attorneys for CSX Transportation, Inc.

Date: March 6, 2017

VERIFICATION

I, Derek S. Mihaly, Project Manager II, for CSX Transportation, Inc., in the foregoing proceeding, make the following statement subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsifications to authority, and do state that as Project Manager II for CSX Transportation, Inc., I am authorized to make this statement on behalf of CSX Transportation, Inc., and that the facts set forth in the foregoing **“Petition for Further Extension of Time”** are true and correct to the best of my knowledge, information and belief.


Derek S. Mihaly

Date: *5/6/12*

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A-00114213 - Pedestrian Bridge No. 87F (AAR 140 636 V)

CERTIFICATE OF SERVICE

I hereby certify that I served one (1) copy of CSX Transportation Inc.'s Petition for Further Extension of Time in the above action this day by depositing the same in the United States mail, postage prepaid, in Harrisburg, Pennsylvania, addressed to the following:

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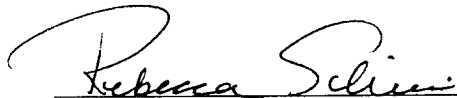
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Rebecca Silvia, Secretary to
Benjamin C. Dunlap, Jr., Esquire

Date: March 7, 2017