

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Public Meeting held May 13, 1975
Harrisburg, PA.

COMMISSIONERS PRESENT:

Acting Chairman Kelly - Approval
Commissioner Bloom - Approval
Commissioner Carter - Approval

Complaint Docket No. 20235 - Borough of Folcroft v. Penn Central
Transportation Company, Department of Transportation of the
Commonwealth of Pennsylvania, County of Delaware and South-
eastern Pennsylvania Transportation Authority

O R D E R

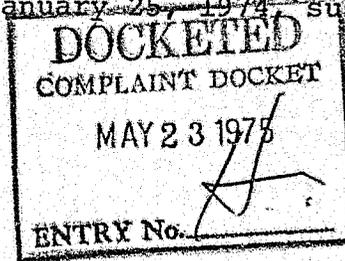
BY THE COMMISSION:

This matter is before us upon the complaint of
Borough of Folcroft, filed January 16, 1974, alleging that
hazardous and inadequate conditions exist at the crossings
where Folcroft Avenue (a borough street), partly in the
borough of Folcroft and partly in the borough of Sharon
Hill, and Primos Avenue (State Highway Route 420), partly in
the borough of Folcroft and partly in the borough of Glenolden,
cross above the grade of the electrified tracks of Penn
Central Transportation Company, all in Delaware County, and
requesting that respondent railroad company undertake immediate
repairs to the structures, to determine and post load limits,
and take steps necessary to replace the inadequate bridges
with modern structures.

By telegram order of March 5, 1974 (ratified
March 18, 1974), this Commission directed Pennsylvania
Department of Transportation to correct an undermined pavement
condition and replace the defective guard fence on the west
side of the south approach to the Primos Avenue crossing,
above grade.

Following hearing on April 24, 1974 on this proceeding,
this Commission issued an order on ~~January 25, 1974~~ sustaining
the complaint of the borough.

RECORD
FOLDER



The order also determined that a new, modern structure is necessary at the Primos Avenue crossing, to safely accommodate the traveling public and, as such, Department of Transportation was directed to prepare preliminary plans and cost estimate for the reconstruction of said crossing and the approaches thereto. The order further directed the department to install and maintain advance weight limit warning signs to divert truck traffic from Primos Avenue; directed Penn Central Transportation Company to make any necessary repairs, including the bituminous wearing surface to the two bridges involved in this proceeding, and to perform an in-depth inspection of the Folcroft Avenue bridge; directed Boroughs of Folcroft and Glendora to install speed limit signs on the approaches to the Primos Avenue bridge and to enforce the 7 ton posted weight limit on said bridge; directed Boroughs of Folcroft and Sharon Hill to post speed limit signs on the approaches to the Folcroft Avenue bridge; and directed that the matter be set down for further hearing.

Upon notification from Penn Central Transportation Company that an analysis of the load carrying capability of the Folcroft Avenue bridge, performed in compliance with the June 25, 1974 order, revealed the floor beams to be insufficient in strength to safely accommodate a vehicle weighing in excess of 7-1/2 tons, this Commission issued a telegram order on November 22, 1974 (ratified December 16, 1974) directing Borough of Folcroft to post said bridge and the approaches thereto for a maximum load limit of 7 tons, and further directing Department of Transportation to post and maintain suitable alternate routes for vehicular traffic in excess of 7 tons. The ratifying order also directed Boroughs

of Folcroft and Sharon Hill to enforce the weight limit posting of the bridge.

Further hearing was held on this proceeding in Media on February 25, 1975, with Howard A. Sellers, Civil Engineer, Grade Crossing Unit, Roger W. Heebner, Civil Engineer, District 6-0, and Dennis E. Tiney, Assistant District Traffic Engineer, District 6-0 for Pennsylvania Department of Transportation; Walter A. Kautz, Senior Civil Engineer for Penn Central Transportation Company; Russell T. Wiley, Folcroft Borough Mayor, George Kilmartin, Folcroft Borough Councilman, and Robert Thompson, Second Assistant Chief, Folcroft Fire Company, for Borough of Folcroft; John G. McKay, Jr., Vice President of Engineering, for Philadelphia Suburban Water Company; John Eppright, Engineer in the Outside Plant Department for The Bell Telephone Company of Pennsylvania; Edward J. Silver, Senior Engineer, Gas Distribution and Utilization, for Philadelphia Electric Company; Albert J. Derr for Southeastern Pennsylvania Transportation Authority; Harrison F. Minnech, Bridge Inspector, for County of Delaware; and Steven McDonough for Delaware County Planning Commission, making appearances and giving testimony. The record shows that Borough of Glenolden was represented at the hearing but it did not offer any testimony, and that Borough of Sharon Hill was not represented.

Mr. Sellers testified for the department that the department has erected the advance weight limit signs for the Primos Avenue bridge in compliance with the order of June 25, 1974, and has performed routine maintenance on the approaches to said bridge.

Under cross-examination, the witness testified that the department, in compliance with the telegram order

of March 5, 1974, installed guard fence along the west side of the south approach to the crossing, and it is the department's opinion that, although guard fence along the east side of the south approach adjacent to a parking lot, will provide some protection, the absence of such guard fence is not critical.

Mr. Tiney testified for the department that the department has not posted a detour for vehicular traffic in excess of 7 tons, as its studies indicate that it is very difficult to obtain proper sites to place advance warning signs as the only practical alternate route does not have right-of-way sufficient to erect effective signing; however, the department is continuing its study on this matter. The witness further testified that strict enforcement of the bridge posting by the local authorities would eliminate vehicles in excess of 7 tons from using the crossings involved in this proceeding.

Department of Transportation, in compliance with the order of June 25, 1974, has prepared preliminary plans for the reconstruction of Primos Avenue in the vicinity of said highway's crossing with Penn Central Transportation Company, as a portion of its contemplated improvement of State Highway Route 420, Section 2. In this proceeding we will assume jurisdiction in the area between Highway Survey Stations 70+50 and 93+00.

PennDOT Exhibit No. 1, admitted at the February 25, 1975 hearing, consists of 11 sheets of preliminary drawings for the reconstruction of State Highway Route 420, Section 2, between approximate Highway Survey Stations 69+00 and 99+00; said Exhibit, according to the department's witness, being basically the same as PennDOT Exhibit No. 1, admitted at the April 24, 1974 hearing in this proceeding.

The plan shows that beginning at the southerly limit of this Commission's jurisdiction, directly north of Warwick Avenue, State Highway Route 420, reconstructed as proposed, following the general horizontal alignment of the existing highway, will cross Virginia Avenue at grade, cross above the grade of Elmwood Avenue, and cross above the grade of the tracks of Penn Central Transportation Company. North of the railroad company crossing, State Highway Route 420, reconstructed as proposed, will sever Woodland Avenue, at which location the southbound lanes of State Highway Route 420 begin to separate from the northbound lanes, with the separated roadways intersecting Glen Avenue at grade, at the northern limit of this Commission's jurisdiction.

The plan also shows the horizontal alignment of both approaches to the crossing to be basically tangent. The southerly approach vertical alignment will be on a 300 foot long crest vertical curve providing a gradual transition between ascending grades of 4.9 and 0.88 percent; the northerly approach vertical alignment will be on a 250 foot long crest vertical curve, providing a gradual transition between an ascending grade of 3.51 percent and a descending grade of 0.88 percent.

The typical highway section in the vicinity of the crossing, above grade, will consist of dual roadways, each 26 feet in width, separated by a traffic separator, four feet in width, with cement concrete sidewalks five feet in width on each side of the paved roadways.

The plan further shows that replacement stairs will be provided, in the southeast and northeast quadrants of the railroad-highway crossing, for pedestrian access to and from State Highway Route 420 and the Folcroft railroad station.

PennDOT Exhibits Nos. 2 and 3, admitted at the April 24, 1974 hearing, and not readmitted at the February 25, 1975 hearing, are alternate preliminary general plans for a proposed bridge to carry State Highway Route 420 over and above the grade of the four tracks of Penn Central Transportation Company, in the area of the Primos Avenue crossing involved in this proceeding. The plans show that both schemes provide for a structure having an overall width of 72 feet 6 inches consisting of two 26-foot roadways, separated by a 4 foot mountable median between concrete safety parapets, with a sidewalk 5 feet in width on the outside of each safety parapet.

The plan for Exhibit No. 2 shows a three span prestressed concrete box beam bridge, with a total length of approximately 170 feet between end bearings, supported on reinforced concrete piers and abutments. The center span, approximately 80 feet in length, spans the four electrified tracks of the railroad company and a station platform on each side thereof and provides a vertical clearance of 23.82 feet between the top of rail and underside of structure.

The plan for Exhibit No. 3 shows a single 78 foot clear span prestressed concrete bridge, supported on high reinforced concrete abutments, over the same facilities as described hereinabove for Exhibit No. 2, and will provide a vertical clearance of 23.6 feet between the top of rail and underside of structure.

PennDOT Exhibit No. 4, admitted at the April 24, 1974 hearing, and not readmitted at the February 25, 1975 hearing, is two sheets of a preliminary general plan for a proposed bridge to carry State Highway Route 420 over Elmwood Avenue, which is approximately 400 feet south of the

Primos Avenue crossing involved in this proceeding. The plan shows a single span reinforced concrete box beam bridge, approximately 46 feet in length, supported on high reinforced concrete abutments, spanning a roadway of 30 feet 0 inches and a sidewalk on each side thereof.

PennDOT Exhibit No. 5, admitted at the February 25, 1975 hearing, consists of 9 sheets of preliminary plans for 6 retaining walls required for the improvement within the limits of this Commission's jurisdiction.

The cost of constructing the improvement, within the limits of this Commission's jurisdiction, shown on PennDOT Exhibit No. 6, is estimated by the department at \$2,517,246, based on the preliminary plans.

Mr. Sellers testified that the department estimates that 12 houses will have to be relocated or taken with approximately 36 partial property takes in accordance with its preliminary plan, for which it estimates that the right-of-way damages will amount to \$756,000.

The witness further testified that, due to the complexity of the problem and lack of design funds, maintenance of highway traffic, during construction of the improvement, has not been worked out.

Under cross-examination, Mr. Heebner testified that the department is aware of the problems associated with the access to the fire house due to a proposed retaining wall but he is certain that the problems can be resolved.

The department agrees to prepare construction plans for the reconstruction of State Highway Route 420, Section 2, as a four lane facility, generally in accordance with its Exhibit No. 1, as the Pennsylvania Legislature has approved the design funding therefor, and that it agrees to

proceed with the design of the improvement upon bond money being obtained by the Commonwealth.

Mr. Heebner testified that the department is not willing to prepare plans for a two lane facility at this location, and that from the time this project was initiated, both Delaware Valley Regional Planning Commission and Delaware County Planning Commission have agreed that a four lane facility is required.

Mr. Sellers testified that upon completion of the Environmental Impact Statement which will take one to two years, depending on the local governing bodies and the people, a period of one year will be required to complete the construction plans in accordance with PennDOT Exhibit No. 1. Under cross-examination, the witness testified that a minimum of three years additional time will be required to acquire right-of-way and construct the project.

Mr. Kautz testified for Penn Central Transportation Company that the company has no objection to the preliminary plans prepared by the department for the Primos Avenue crossing involved in this proceeding. In connection therewith, the company will require a minimum horizontal clearance of 18 feet 6 inches from center line of outside track to face of bridge substructure, a minimum vertical clearance of 23 feet 6 inches from top of rail to underside of structure, and pedestrian access to the bridge from both sides of the track.

Penn Central Exhibit No. 1, admitted at the February 25, 1975 hearing, a document dated November 21, 1974, entitled "Eastern Region - Chesapeake Division - Main Line - O.H. Bridge No. 7.58 - Folcroft Avenue - Folcroft, Pennsylvania" is a report of the in-depth inspection,

prepared by the railroad company in compliance with our order of June 25, 1974, of the bridge carrying Folcroft Avenue above the grade of the tracks of Penn Central Transportation Company. The results of in-depth inspection, according to the calculations attached to the Exhibit, show that, with the exception of the floor beams, all members of the bridge can safely carry a vehicle weighing up to 20 tons, with the floor beams having the capability of supporting a vehicle with the maximum weight of 7-1/2 tons.

The witness testified that to renew the floor beams it will be necessary to remove the deck and stringers with only the wrought iron girders built in 1883 remaining in the superstructure, which, the witness further testified, should be removed as dictated by good engineering practice. The company estimates the cost of completely replacing the superstructure, at its present width, to be \$185,000, with the cost probably exceeding \$250,000 if the bridge were to be widened.

The witness testified that, in compliance with the order of June 25, 1974, the company has made repairs to the bituminous wearing surface of the Primos Avenue and Folcroft Avenue bridges, but due to the bridges being consistently abused by overweight vehicles, the wearing surface needs constant repair. The witness further testified that the company is unwilling to make any further repairs to the bridges and in its opinion, the bridges should be closed to vehicular traffic if and when they are not safe for the posted weight limits, unless other parties are willing, at their expense, to make the necessary repairs.

Under cross-examination the witness testified that, from a recent observation of the Primos Avenue bridge,

Philadelphia Suburban Water Company Exhibit No. W-2 admitted at the February 25, 1975 hearing, consists of 9 sheets of company testimony presented at the hearing by John G. McKay, Jr.

Twelve Year Highway Capital Program. has approved the facility and included it in the agency's and that the Delaware Valley Regional Planning Commission the construction of a four lane facility for Primos Avenue Planning Commission that the Planning Commission supports Mr. McDonough testified for Delaware County

that the involved bridges are used by county residents. Under cross-examination, the witness testified to assume any maintenance responsibility thereof. ever performed any maintenance thereto, and it is not willing highway crossings involved in this proceeding, nor has it no responsibility for the maintenance of the railroad-

The witness further testified that the county has Department of Transportation in this proceeding. Avenue in accordance with the preliminary plans submitted by the county has no objection to the reconstruction of Primos Mr. Minnich testified for County of Delaware that vehicular or pedestrian traffic.

his opinion, said phenomenon is not a safety hazard to will reoccur, and to prevent said reoccurrence, and that, in that the company is not willing to determine if this phenomenon of the bridge wearing surface. The witness further testified catenary wires, which created a force sufficient to pop some Primos Avenue bridge and came into contact with the company's testified that recently some icicles formed underneath the Under further cross-examination, the witness

patching the bituminous wearing surface. posted limit, and the only repair necessary at this time is he believes the bridge to be adequate for the present 7 ton

The witness testified that the company has no objection to the reconstruction of Primos Avenue in accordance with the plans submitted by Department of Transportation.

Philadelphia Suburban Water Company Exhibit No. W-1 admitted at the February 25, 1975 hearing, consists of one sketch sheet showing the location of company facilities north and south of the Primos Avenue crossing involved in this proceeding.

The witness testified that, in the vicinity of the proposed improvement for Primos Avenue, the water company maintains water mains in Primos Avenue and intersecting streets together with numerous service lines that will need to be relocated or adjusted by reason of the construction of the improvement.

The witness further testified that should this Commission adopt the preliminary plans as submitted by Department of Transportation, or slight modifications thereto, the company will request approval to install a new 16-inch ductile iron water main the entire length of reconstructed Primos Avenue, including installation on the proposed bridge over the tracks of the railroad company, which will eliminate the necessity for relocating some of its existing facilities that would be required otherwise.

The witness also testified that the company has not had sufficient time to determine the effect the proposed retaining walls, as shown on PennDOT Exhibit No. 5, will have on company facilities.

Mr. Eppright testified for The Bell Telephone Company of Pennsylvania that the company facilities affected by the proposed reconstruction of Primos Avenue, within the limits of this Commission's jurisdiction, are 100 percent

Authority is concerned that the maintenance of railway Southeastern Pennsylvania Transportation Authority, the Transportation Company who provides the passenger service for maintenance of railway traffic rests with Penn Central Transportation Authority that, while the direct responsibility Mr. Derr testified for Southeastern Pennsylvania

its facilities can be arranged to its satisfaction. not have any objection to the proposed improvement provided The witness also testified that the company does

made for future electric ducts on the structure. is reconstructed the company requests that provisions be Avenue over the tracks of Penn Central Transportation Company preliminary nature. However, if the bridge carrying Primos of Primos Avenue due to the department's plans being of required to its facilities to accommodate the reconstruction Company has not determined the specific changes that will be According to the witness, Philadelphia Electric

Transportation Company. carrying Primos Avenue over the tracks of Penn Central it does not have any facilities in the existing bridge the vicinity of the proposed Primos Avenue improvement but Company that the company has electric and gas facilities in Mr. Silver testified for Philadelphia Electric

improvement of Primos Avenue. record that the company has no objection to the proposed Counsel for the telephone company stated for the proposed roadway above the surrounding terrain.

Avenue in underground facilities due to the height of the desires to replace some of its aerial crossings of Primos aerial and are located on public right-of-way. The company

traffic, during the construction of the improvement, will be accomplished so as not to cause any adverse affects on the desirability, attractiveness or utilization of the railway service by the patrons or the operating cost of providing this service.

The witness also testified that the Authority is further concerned relative to the effects the grade separation proposed at Primos Avenue and Elmwood Avenue will have on the patrons using the buses that presently operate over Elmwood Avenue.

Mr. Wiley testified for Borough of Folcroft that the borough has complied with this Commission's order of June 25, 1974 and this Commission's telegram order of November 22, 1974, in that it has posted signs limiting the maximum speed to 15 miles an hour on the highway approaches to the Primos Avenue and Folcroft Avenue crossings; that it has posted 7 ton weight limit signs on the approaches to the Folcroft Avenue crossing; and that the borough is enforcing said posted maximum speed and weight limits for both the Primos Avenue and Folcroft Avenue crossings.

The witness also testified that the signs posted by Department of Transportation warning the motoring public of the 7 ton weight restriction at the Primos Avenue crossing does not include "BRIDGE" in the message.

Mr. Wiley and Mr. Kilmartin testified for the borough that on February 13, 1975, an explosion, supposedly created by icicles underneath the existing Primos Avenue bridge deck coming in contact with the railroad catenary wires, damaged the bridge wearing surface to such an extent that the plank floor was exposed at several locations.

Mr. Kilmartin testified that he was a witness to the explosion and he observed the debris being sprayed over the bridge roadway and pedestrian walkway.

At the hearing, Borough of Folcroft produced photographs of the Primos Avenue bridge, taken soon after the heretofore described electrical explosion, with said photographs to be submitted to all parties as late-filed Borough Exhibits Nos. 1, 2, 3, 4, 5, 10, 11 and 12. The record does not show that Exhibits Nos. 1, 2, 3, 4 and 5 have been filed with this Commission. Exhibit No. 10 shows a hole in the deck wearing surface, which according to Mr. Kilmartin, was caused by the explosion. The witness testified that Exhibit No. 12 shows a continuous line of broken insulators between the catenary wires and the bridge, cracked timber members and a hole through the corrugated metal panels along the outside of the bridge adjacent to the bridge walkway. Exhibit No. 11 shows a view of the north side of the bridge taken from the west side of the railroad company tracks.

The witnesses for the borough testified that since Department of Transportation and Penn Central Transportation Company do not keep the bridge wearing surface in good repair, the borough, in the interest of the safety of the people using the Primos Avenue bridge, has repaired the wearing surface on numerous occasions, including the damage caused by the explosion. Mr. Kilmartin testified that the railroad company offered manual labor only, in the repair of the wearing surface after the explosion.

Mr. Wiley testified that in the borough's opinion, Department of Transportation and Penn Central Transportation Company should share equal responsibility for the maintenance

of the Primos Avenue bridge. The witness further testified that the borough is willing to cooperate with Penn Central Transportation Company in making required repairs to the Folcroft Avenue bridge, if the company is willing to cooperate with the borough, but that the borough's repairs should be confined mostly to keeping the wearing surface in operating condition.

The witness further testified that electricians were inspecting wiring underneath the Folcroft Avenue bridge after reports that electrical arcing was observed during the passage of a truck over the bridge.

Mr. Wiley also testified that the lack of guard fence along the east side of the south highway approach to Primos Avenue crossing, involved in this proceeding, creates a dangerous condition for motor vehicles skidding on the icy pavement and plunging over the highway embankment onto automobiles in the parking lot below. At the hearing, the borough produced photographs of the roadway conditions, said photographs to be submitted as late-filed Borough Exhibits Nos. 6, 7, 8 and 9. The record does not show that these Exhibits have been filed with this Commission.

Mr. Thompson testified for Borough of Folcroft that the present condition of the Primos Avenue crossing is such that the safety of the public is endangered as it relates to the ability of the fire department to respond to fires. The witness further testified that the fire company has a truck that weighs 13 tons. If the Primos Avenue bridge was closed to traffic, according to the witness, the fire department would have a difficult time responding to fires, especially during peak traffic hours, as the remaining

alternate routes across the railroad company tracks are over Folcroft Avenue and Ashland Avenue, both of which are presently posted for a maximum weight limit of 7 tons.

Counsel for Borough of Folcroft stated that he was requested by the School District to express its concern over any proposed closing of the Primos Avenue bridge, because school buses are not permitted to use the Folcroft Avenue bridge.

Mr. Wiley testified that the borough administration has no objection to the reconstruction of Primos Avenue in accordance with the preliminary plans submitted by Department of Transportation in this proceeding.

Mr. Klimartin testified that upon completion of the proposed reconstruction of Primos Avenue, in accordance with the plan submitted by Department of Transportation which provides a grade separation at Elmwood Avenue, the motorway public, by human nature, will take the shortest way home, which means that the old Folcroft Avenue bridge will be required to handle an increased volume of traffic, thereby creating a burden for the residents of Folcroft.

Our review of the record in this proceeding reveals that a potentially hazardous condition exists at the Primos Avenue crossing in that water leaks through the bridge deck in sufficient quantity to form icicles which, on one occasion of record, have come in contact with the catenary wires of Penn Central Transportation Company, resulting in an explosive force that blew several holes in the bridge deck wearing surface with the debris therefrom spraying over the roadway and pedestrian walkway areas. The record shows that the bridge was built by the Pennsylvania Railroad Company in 1891 and has been maintained by that railroad and/or its

successors since the time of construction and that the railroad company's catenary wires are attached to the underside of the bridge. It is the opinion of this Commission that, in the interest of safety to the public using the crossing, Penn Central Transportation Company should make all efforts to prevent the reoccurrence of the hereinbefore described electrical problem, and we shall so order the railroad company to install non-conductive shields between its catenary wires and the underside of the Primos Avenue bridge to drain the leaking water away from the catenary wires.

In addition thereto, we shall order Penn Central Transportation Company to inspect its catenary system at the crossings, make repairs if necessary, and file a report with this Commission stating that the electrical system is safe and does not provide a hazard to the traveling public utilizing the highways at the crossings involved in this proceeding.

The record also shows that the corrugated metal panels on the outside of the Primos Avenue bridge, adjacent to the pedestrian walkway, are in need of repair as the existing conditions create a potentially hazardous situation for pedestrians, especially for children, possibly coming in contact with the catenary wires, and we shall order Penn Central Transportation Company to immediately make the required repair.

The record further shows that the signs posted by Department of Transportation on the approaches to the Primos Avenue crossing, warning the motoring public of a 7 ton weight limit restriction, does not contain the message that

said restriction pertains to the bridge; therefore, we shall order the department to include "BRIDGE" in the message of said warning signs, in order to better alert the motoring public of the existing condition.

Further, it is our opinion, that due to the physical conditions existing at the Primos Avenue crossing, requiring vehicles to travel at a slow speed, and to the presence of an earth shoulder on the east side of the south approach to said crossing which will act as a brake for a skidding vehicle, installation of a guard fence in this area is not justified.

The record is clear that the general area of the crossings involved in this proceeding is urgently in need of a highway crossing of the main line tracks of Penn Central Transportation Company that can safely accommodate the vehicular traffic necessary to adequately serve the needs of the people, a fact that we note is affirmed by PennDOT's difficulty in providing a suitable alternate route for vehicles weighing in excess of 7 tons. It is this Commission's opinion that the crossing where Primos Avenue crosses above the grade of the tracks of Penn Central Transportation Company should be reconstructed and opened to traffic at the earliest possible time and, as such, we will order Department of Transportation, having agreed so to do, to prepare and submit detailed construction plans, within this Commission's jurisdiction, generally in accordance with Exhibits 1, 2 or 3, 4 and 5 admitted at the hearings by Department of Transportation, together with right-of-way plans and detailed estimates of cost, for said reconstruction, and any pertinent supplemental data. Upon receipt of the plans,

estimate of cost and supplemental data, this proceeding will be set down for further hearing for the adoption of a plan, the allocation of the costs for the construction and future maintenance of the improvement and any other matters pertinent to the proceeding; THEREFORE,

IT IS ORDERED:

1. That Department of Transportation of the Commonwealth of Pennsylvania, within fifteen months from date of service of this order, prepare and submit to this Commission and to each party of record, detailed construction plans providing for the reconstruction of the existing crossing where Primos Avenue (State Highway Route 420) crosses, above grade, the tracks of Penn Central Transportation Company, generally in accordance with either the department's Exhibit No. 2 or its Exhibit No. 3, admitted at the hearing in this proceeding held April 24, 1974.

2. That Department of Transportation, within fifteen months from date of service of this order, prepare and submit to this Commission and to each party of record, right-of-way plans and detailed construction plans, providing for the construction of the highway approaches to said Primos Avenue crossing, above grade, generally in accordance with the department's Exhibits Nos. 1, 4 and 5 admitted at the hearing in this proceeding held April 24, 1974 and/or February 25, 1975.

3. That Department of Transportation include the word "BRIDGE" on the signs it has erected on the approaches to the Primos Avenue bridge, warning the motoring public of a weight restriction on said existing bridge.

4. That Trustees of Penn Central Transportation Company, on or before November 1, 1975, install non-conductive

shields on said existing Primos Avenue bridge, between its catenary wires and the underside of the bridge to drain any water leaking through the bridge deck away from the catenary wires, to the satisfaction of this Commission, and on or before said date, report to this Commission the exact date of completion of the work.

5. That Trustees of Penn Central Transportation Company, within 30 days from date of service of this order, inspect its catenary system at the two crossings involved in this proceeding, make repairs as necessary and report to this Commission that the electrical system is safe and does not provide a hazard to the traveling public utilizing the highways at these crossings.

6. That Trustees of Penn Central Transportation Company, within 30 days from date of service of this order, repair the corrugated steel panels, as required, located adjacent to the pedestrian walkway on the outside of the Primos Avenue bridge.

7. That during the preparation of the construction plans, hereinafter ordered, Trustees of Penn Central Transportation Company cooperate with Department of Transportation in all matters relevant to preparation of said plans at this location.

8. That during the preparation of the plans hereinafter ordered, Borough of Folcroft, Borough of Glenolden, Delaware County and each involved non-carrier public utility company cooperate with the department, and with each other, so that this proceeding will be expedited and not unduly delayed.

9. That upon completion of the plans herein ordered prepared and their service upon all parties of record, this case be scheduled for further hearing at a time

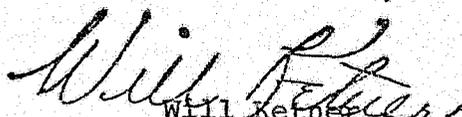
and place to be determined by this Commission, for the purpose of taking testimony upon the adoption of the plans, the allocation of the costs and expenses incident to the construction and future maintenance of the Primos Avenue improvement and to the cost all parties have incurred to date in complying with prior orders in this proceeding, and any other matters relevant to this proceeding.

10. That at further hearing to be scheduled in this proceeding, Department of Transportation submit into evidence copies of the right-of-way plans and detailed construction plans prepared by it, together with a detailed estimate of the cost of construction pertaining thereto; and, in addition, submit descriptions by metes and bounds of each parcel of land required to accommodate the construction thereof, said descriptions to contain the name and post office address of the record owner of each such parcel and reference to the recording of title thereof.

11. That in all respects not inconsistent herewith, our prior orders in this proceeding remain in full force and effect.

12. That all of the foregoing, insofar as it relates to Penn Central Transportation Company, is subject to the approval of the Reorganization Court (U.S. District Court, Eastern District of Pennsylvania, Railroad Bankruptcy No. 70-347, Fullam, J.) if such approval is required.

BY THE COMMISSION,


Will Kettner
Secretary

ORDER ADOPTED: May 13, 1975

ORDER ENTERED: MAY 22 1975