

EDWARD R. KERSTETTER
President

ROBERT J. PATTERSON
Finance and Law

CHARLES W. BARRAR, JR., Chairman
Police and Fire Committee

VINCENT J. TOTH, Chairman
Highway and Light Committee

HANDLEY W. RICKS, Chairman
Sewer and Health Committee

ANGELO FLOCCO, Chairman
Parks and Property

WILLIAM G. SAVAGE, Chairman
Building and Zoning Committee

JOHN J. MacVEIGH III
Mayor

MYRTLE I. RAPP
Secretary

FRANCIS X. FOSTER
Treasurer

JOSEPH A. DAMICO, JR., Esq.
Solicitor
Media, Pa. 19063

H. GILROY DAMON ASSOCIATES
Engineers
Sharon, Hill, Pa. 19079

Borough of Glenolden

DELAWARE COUNTY
PENNSYLVANIA 19036

LUdlow 3-3222
LUdlow 3-3221

RECEIVED

OCT 31 1977

October 28, 1977
SECRETARY'S OFFICE
PUBLIC UTILITY COMMISSION

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17120

Attention: C. J. McElwee, Secretary

RE: Borough of Folcroft
vs.

Penn Central Transportation Company,
Department of Transportation of the Common-
wealth of Pennsylvania, County of Delaware,
Southeastern Pennsylvania Transportation Authority,
Consolidated Rail Corporation, and National Rail-
road Passenger Corporation

Dear Mr. McElwee:

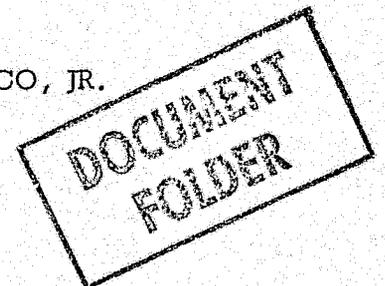
I am enclosing herewith the acknowledgment of the receipt of the Executed Order, in the above. Please note my change of address to 602 E. Baltimore Avenue, Media, Pennsylvania 19063. Unfortunately, your letter of October 20, 1977 addressed to me at 107 W. Third Street did not arrive in my new office until Thursday, October 27, 1977.

Very truly yours,

JAD, JR. :fms
Enclosure

JOSEPH A. DAMICO, JR.

cc: Borough of Glenolden
Attn.: Myrtle I. Rapp, Secretary



PHILADELPHIA ELECTRIC COMPANY

EDWARD G. BAUER, JR.
VICE PRESIDENT
AND GENERAL COUNSEL

EUGENE J. BRADLEY
ASSOCIATE GENERAL COUNSEL

DONALD BLANKEN
RUDOLPH A. CHILLEMI
E. C. KIRK HALL
T. H. MAHER CORNELL
PAUL AUERBACH
ASSISTANT GENERAL COUNSEL

EDWARD J. CULLEN, JR.
ASSISTANT COUNSEL

2301 MARKET STREET

PHILADELPHIA, PA. 19101

(215) 841-4000

RECEIVED

NOV 9 1977

SECRETARY'S OFFICE
PUBLIC UTILITY COMMISSION

November 7, 1977

Mr. C. J. McElwee, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

RE: C. 20235 - Borough of Folcroft v. Penn Central
Transportation Company, Department of Trans-
portation of the Commonwealth of Pennsylvania,
County of Delaware, Southeastern Pennsylvania
Transportation Authority, Consolidated Rail
Corporation, and National Railroad Passenger
Corporation

Dear Mr. McElwee:

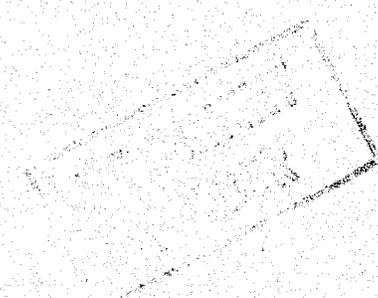
This will acknowledge receipt of your letter
of October 20, 1977, enclosing the copy of the order
issued by the Commission on October 6, 1977.

Please find enclosed the receipt of service
executed by Mr. Edward G. Bauer, Jr.

Very truly yours,


T. H. Maher Cornell

THMC/kmc
Enclosure



RECEIVED

NOV 9 1977

SECRETARY'S OFFICE
PUBLIC UTILITY COMMISSION

This 7th day of November

the undersigned hereby acknowledges receipt of

EXECUTED ORDER

rendered by the Commission in Complaint Docket No.

20235 under date of October 6, 1977

and accepts service thereof in behalf of

PHILADELPHIA ELECTRIC COMPANY

A handwritten signature in dark ink, appearing to be "W. P. [unclear]", written over a horizontal line.

COMPLAINT
FOLDER

November 18, 1977

C. 20235

John J. McKay, Jr., Vice President
Engineering
Philadelphia Suburban Water Company
762 Lancaster Avenue
Bryn Mawr, Pennsylvania 19010

Borough of Tolereft

vs.

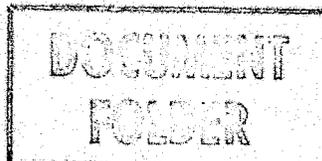
**Penn Central Transportation Company, Department of Transportation of
the Commonwealth of Pennsylvania, County of Delaware, Southeastern
Pennsylvania Transportation Authority, Consolidated Rail Corporation
and National Railroad Passenger Corporation**

Dear Mr. McKay:

Receipt is acknowledged of your letter dated November 8, 1977 requesting that the Commission advise Pennsylvania Department of Transportation that Philadelphia Suburban Water Company is a party of interest and that the Company will cooperate in supplying the necessary information concerning its existing facilities and its proposed 16-inch main in connection with PennDOT's preparation of plans as ordered by the Commission in the above entitled proceeding.

Your letter will receive the Commission's attention.

Very truly yours,



for C. J. McElwee
Secretary

cc: Bureau of Transportation - w/copy of letter
Law Bureau - w/copy of letter
Administrative Law Judge Pallastrone - w/copy of letter
CKG:jl

PHILADELPHIA SUBURBAN WATER COMPANY

SERVING 51 MUNICIPALITIES IN DELAWARE MONTGOMERY AND CHESTER COUNTIES

762 LANCASTER AVENUE · BRYN MAWR, PENNSYLVANIA 19010 · TEL 215/LA5-1400



Vice President - Engineering

November 8, 1977

C. J. McElwee, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, Pa. 17120

RECEIVED

NOV 9 1977

SECRETARY'S OFFICE
PUBLIC UTILITY COMMISSION

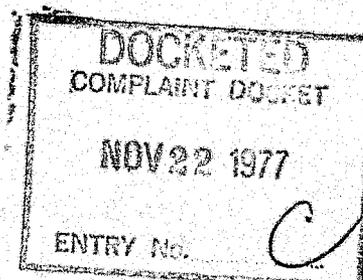
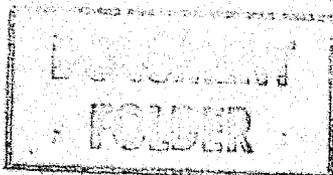
Re: Complaint Docket C-20235
Borough of Folcroft v. Penn Central Transportation Company,
Pennsylvania Department of Transportation, etc.
Folcroft Avenue & Primos Avenue over Tracks of Penn Central
Transportation Company, Folcroft and Glenolden Boroughs,
Delaware County

Dear Mr. McElwee:

On October 24, 1977, we received a copy of the Commission's order entered on October 20, 1977, and resulting from the hearing of May 10, 1977.

I note that on page one of the order, under "Counsel of Record," Philadelphia Suburban Water Company is not mentioned despite the fact that we have provided testimony in the hearing of February 25, 1975, accompanied by counsel, and that testimony is summarized on pages 10 and 11 in the Commission's order entered May 22, 1975.

While paragraph six on page three of the order is correct in that it does not include a witness on behalf of Philadelphia Suburban Water Company for the particular hearing of May 10, 1977, anyone reading the order would conclude that only the parties listed are the parties of interest.



A member of the corporate family of



Philadelphia Suburban Corporation

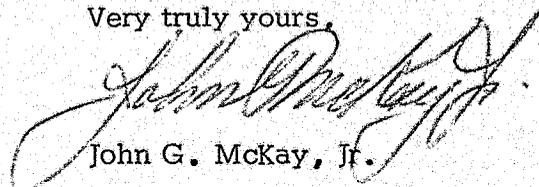
C. J. McElwee, Secretary
Pennsylvania Public Utility Commission
November 8, 1977

-2-

This becomes significant where the order, on page nine, reads "That Department of Transportation of the Commonwealth of Pennsylvania, on or before September 30, 1978, 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 the National Railroad Passenger Corporation....."

In the light of the foregoing and in order to avoid any misunderstanding, it is requested that the Commission, by letter, advise the Department of Transportation that Philadelphia Suburban Water Company is a party of interest and that the Company will cooperate in supplying the necessary information concerning its existing facilities and its proposed 16-inch main in connection with the Department's preparation of plans as ordered by the Commission.

Very truly yours,



John G. McKay, Jr.

JGMck/ncn

copy: Thomas C. Sadler, Jr., Esq.
Philip E. Hawley, District Utility Engineer (PennDOT)
John G. Heibeck



November 23, 1977

Mr. C. J. McElwee
Secretary
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, Pennsylvania 17120

RECEIVED

NOV 28 1977

SECRETARY'S OFFICE
PUBLIC UTILITY COMMISSION

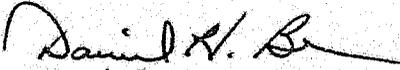
Subject: Borough of Folcroft vs. Penn Central Transportation Company, Department of Transportation of the Commonwealth of Pennsylvania, County of Delaware, Southeastern Pennsylvania Transportation Authority, Consolidated Rail Corporation and National Railroad Passenger Corporation. C-20235

Dear Mr. McElwee:

Enclosed is an original and two copies of a Petition for Modification of Order in the above captioned proceeding.

I hereby certify that a copy of this Petition has been forwarded to each party of record.

Very truly yours,


Daniel H. Brunner
Counsel

DHB:mm

Enclosure



PARTIES OF RECORD - DOCKET 20235

Edward H. Huss, Staff Counsel
Southeastern Pennsylvania Transportation
Authority
2028 PSFS Building
12 South 12th Street
Philadelphia, Pennsylvania 19107

Francis P. Desmond, Esq.
Pileggi & Desmond
Assistant Solicitor for Delaware County
115 East Fifth Street
Chester, Pennsylvania 19013

Richard C. Tinucci, Esq.
Attorney for Borough of Sharon Hill
221 North Olive Street
Media, Pennsylvania 19063

Charles C. Keeler, Solicitor
Borough of Glenolden
107 West Third Street
Media, Pennsylvania 19063

R. B. Kunkel, Esq.
The Bell Telephone Company of Pennsylvania
One Parkway
Philadelphia, Pennsylvania 19102

John H. Clark, Jr., Solicitor
Borough of Folcroft
402 Fidelity-Chester Building
Chester, Pennsylvania 19013

Lewis W. Wickes, Commerce Counsel
Penn Central Transportation Company
6 Penn Center Plaza
Philadelphia, Pennsylvania 19104

W. Scott Armentrout, Esq.
National Railroad Passenger Corporation
532 Suburban Station Building
1617 Kennedy Blvd.
Philadelphia, Pennsylvania 19103

Joel E. Mazor, Esq.
Consolidated Rail Corporation
1138 Six Penn Center Plaza
Philadelphia, Pennsylvania 19104

RECEIVED

NOV 28 1977

SECRETARY'S OFFICE
PUBLIC UTILITY COMMISSION

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BOROUGH OF FOLCROFT vs. PENN CENTRAL)	
TRANSPORTATION COMPANY, DEPARTMENT OF)	
TRANSPORTATION OF THE COMMONWEALTH OF)	
PENNSYLVANIA, COUNTY OF DELAWARE,)	COMPLAINT DOCKET
SOUTHEASTERN PENNSYLVANIA TRANSPORTA-)	20235
TION AUTHORITY, CONSOLIDATED RAIL)	
CORPORATION AND NATIONAL RAILROAD)	
PASSENGER CORPORATION.)	

PETITION FOR MODIFICATION OF ORDER OF THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION

TO THE HONORABLE, THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOW COMES, the National Railroad Passenger Corporation ("Amtrak"), by its attorney, Daniel H. Brunner and respectfully presents the following:

1. An Order was issued by this Honorable Commission on May 13, 1975 directing inter alia that the Pennsylvania Department of Transportation within 15 months from date of service of the Order prepare detailed construction and right of way plans providing for the reconstruction of the existing Primos Avenue crossing and highway approaches thereto.

2. The above mentioned Order further directed that the Trustees of the Penn Central Transportation Company on or before November 1, 1975 install non-conductive shields on the existing Primos Avenue bridge between the bridge and the catenary wires.

DOCKETED
COMPLAINT DOCKET
JAN 3 1978
ENTRY No.

DOCKETED
FOSTER

3. On April 1, 1976 Amtrak purchased the line of railroad that passes beneath the structure which is the subject of this proceeding.

4. By petition dated September 23, 1976 Pennsylvania Department of Transportation sought an extension of time of two years in which to prepare the detailed construction and right-of-way plans required in the Commission Order dated May 13, 1975. Amtrak was joined as a party to this proceeding on November 22, 1976.

5. On October 20, 1977 the Pennsylvania Public Utility Commission entered an Order which required inter alia:

D. That National Railroad Passenger Corporation, at its initial cost and expense, within forty-five (45) days from date of service of this Order, perform a detailed inspection of the Primos Avenue bridge and submit a copy of the inspection report to this Commission and to the parties of record; said report to contain recommendations regarding the weight restrictions that should be placed on the bridge and any repairs necessary to maintain said restrictions.

E. That National Railroad Passenger Corporation, at its initial cost and expense, maintain the entire substructure and superstructure of the existing Primos Avenue and Folcroft Avenue bridges, exclusive of the bituminous wearing surface on the bridge decks, to such an extent that said bridges can safely carry vehicles not exceeding the posted restrictions, and pedestrians, until such time as this Commission makes its final disposition of this proceeding.

6. The October 20, 1977 Order also deleted from the May 13, 1975 Order the provision which required the Trustees of the Penn Central Transportation Company to install non-conductive shields on the existing structure between the bridge and the catenary wires.

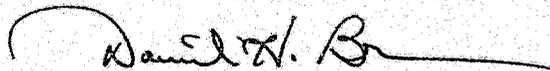
7. Amtrak currently has a \$50 million shortfall in its operating budget, as is evidenced by the service reductions that are taking place nationwide and is, therefore, without funds to perform the ordered work even at its initial cost and expense.

8. If the necessary funds are provided, Amtrak will agree to either perform the work or cause the work to be performed.

9. The Pennsylvania Department of Transportation is funded to perform maintenance and repairs of the type required to be performed on this structure.

WHEREFORE, for the above stated reasons and upon the above stated conditions, the National Railroad Passenger Corporation ("Amtrak") requests that this Honorable Commission modify its Order entered in this matter on October 20, 1977 and require that the Pennsylvania Department of Transportation either perform the required work at its initial cost and expense or provide the necessary funds for Amtrak to do the work or to cause the work to be done, and if the latter, to further modify its Order to provide that the detailed inspection be performed within sixty (60) days after said funds are provided.

Respectfully submitted,

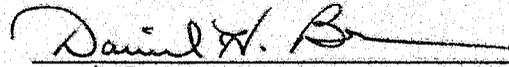


Daniel H. Brunner
Counsel
National Railroad Passenger
Corporation
955 L'Enfant Plaza North, S.W.
Washington, D.C. 20024
(202) 484-2562

Dated: November 23, 1977

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of November 1977 an original and two copies of the Petition for Modification of Order dated October 20, 1977 has been mailed first class, postage prepaid, to Mr. C. J. McElwee, Secretary, Pennsylvania Public Utility Commission, Commonwealth of Pennsylvania, P. O. Box 3265, Harrisburg, Pennsylvania 17120, and one copy of this Petition has been mailed first class, postage prepaid to each party in this proceeding.



Daniel H. Brunner

November 25, 1977

C. 20235

Mr. Kenneth W. Walker, Chief Utility Engineer
Department of Transportation of
the Commonwealth of Pennsylvania
11th Floor, Transportation and Safety Building
Harrisburg, Pennsylvania 17120

In re:
Borough of Folcroft
v.

Penn Central Transportation Company, Department of
Transportation of the Commonwealth of Pennsylvania,
County of Delaware, Southeastern Pennsylvania Trans-
portation Authority, Consolidated Rail Corporation and
National Railroad Passenger Corporation

Dear Mr. Walker:

We are in receipt of a letter dated November 8, 1977
from Mr. John G. McKay, Jr., Vice President-Engineering,
Philadelphia Suburban Water Company, requesting that,
to avoid any misunderstanding, this Commission advise
Pennsylvania Department of Transportation that Philadelphia
Suburban Water Company is a party of interest in the
referenced proceeding and that the company will cooperate
in supplying the necessary information concerning its
existing facilities and its proposed 16-inch main in
connection with the department's preparation of plans
as ordered by this Commission.

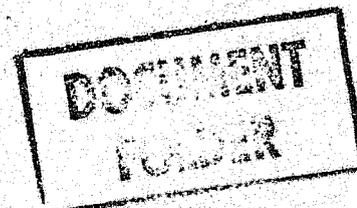
Please be so advised.

Very truly yours,

R. A. Peteritas, Chief Engineer
Bureau of Transportation

cc: Mr. John G. McKay, Jr., Vice President-Engineering
Philadelphia Suburban Water Company
762 Lancaster Avenue
Bryn Mawr, Pennsylvania 19010

WWH:e



November 28, 1977

C. 20235

Daniel H. Brunner, Counsel
National Railroad Passenger Corporation
955 L'Enfant Plaza North, S.W.
Washington, D.C. 20024

Borough of Folcroft

v.

Penn Central Transportation Company, Department of Transportation of
the Commonwealth of Pennsylvania, County of Delaware, Southeastern
Pennsylvania Transportation Authority, Consolidated Rail Corporation
and National Railroad Passenger Corporation

Dear Mr. Brunner:

Receipt is acknowledged of your letter dated November 23, 1977, enclosing an original and two copies of a petition filed on behalf of National Railroad Passenger Corporation for modification of the Commission's order issued October 6, 1977 in the above entitled proceeding, together with certificate of service of copies having been served upon each party of record.

The petition will receive the Commission's attention, and you will be further advised.

Very truly yours,

for C. J. McElwee
Secretary

January 4, 1978

C. 20235

Robert W. Cunliffe, Deputy
Attorney General
Pennsylvania Department of Transportation
Harrisburg, Pennsylvania 17120

Borough of Folcroft

v.

Penn Central Transportation Company, Department of Transportation of the Commonwealth of Pennsylvania, County of Delaware, Southeastern Pennsylvania Transportation Authority, Consolidated Rail Corporation and National Railroad Passenger Corporation

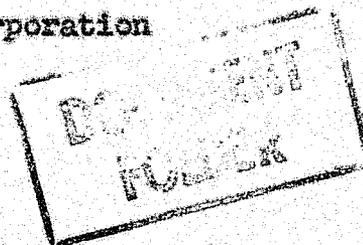
Dear Mr. Cunliffe:

We are enclosing a copy of a petition filed on behalf of National Railroad Passenger Corporation for modification of the Commission's order issued October 6, 1977 in the above entitled proceeding.

Very truly yours,

for C. J. McElwee
Secretary

cc: Daniel H. Brunner, Counsel
National Railroad Passenger Corporation
955 L'Enfant Plaza North, S.W.
Washington, D.C. 20024





Southeastern Pennsylvania Transportation Authority

Board

Chairman
James C. McConnon, Esq.

Vice Chairman
Joseph L. Pyle, Jr.

G. Roger Bowers, Esq.
Frank W. Jenkins, Esq.
Edmund Jones, Esq.
Hillel S. Levinson, Esq.
John W. MacMurray
Ellen Ann Roberts
Lawrence R. Stoltz
Joseph Tracy

General Manager
William R. Eaton

Chief Counsel
Lewis H. Van Dusen, Jr., Esq.

Executive Office

2028 PSFS Building • 12 South 12th Street
Philadelphia, Pa. 19107
(215) 574-7300

January 26, 1978

RECEIVED

JAN 31 1978

**SECRETARY'S OFFICE
PUBLIC UTILITY COMMISSION**

Mr. C. J. McElwee, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, Pennsylvania 17120

Re: C. 20235
Folcroft Avenue Bridge Complaint

Dear Mr. McElwee:

This will acknowledge receipt of your letter dated October 20, 1977, enclosing a copy of an Order issued by the Commission on October 6, 1977, regarding the above captioned matter.

Yours very truly,


Edward H. Huss
Staff Counsel

**DOCUMENT
FOLDER**

EHH/sg
Enc.

FILE

RECEIVED
JAN 31 1978
SECRETARY'S OFFICE
PUBLIC UTILITY COMMISSION

This 25th day of January 1978
the undersigned hereby acknowledges receipt of

EXECUTED ORDER

rendered by the Commission in Complaint Docket No.

20235 under date of October 6, 1977

and accepts service thereof in behalf of _____

SOUTHEASTERN PENNSYLVANIA TRANSPORT AUTHORITY

E. J. [Signature]

**DOCUMENT
FOLDER**

FILE

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

JAN 31 1978

SECRETARY'S OFFICE
PUBLIC UTILITY COMMISSION

Borough of Folcroft

vs.

Penn Central Transportation Company,
Department of Transportation of the
Commonwealth of Pennsylvania, County
of Delaware, Southeastern Pennsylvania
Transportation Authority, Consolidated
Rail Corporation and National Railroad
Passenger Corporation.

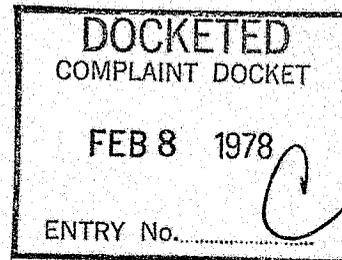
:
: COMPLAINT
:
: DOCKET
:
: NO. 20235
:
:
:

ANSWER TO PETITION FOR MODIFICATION OF ORDER

TO THE HONORABLE, THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

NOW COMES, the Department of Transportation of the Commonwealth of Pennsylvania (PennDOT), by its undersigned attorneys and respectfully answers the Petition for Modification of Order filed by the National Railroad Passenger Corporation (Amtrak) and respectfully represents:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.



7. Denied. Your respondent is without sufficient knowledge to determine the truth or falsity of the allegation and demands strict proof of the same. In the alternative it is respectfully

**DOCUMENT
FOLDER**

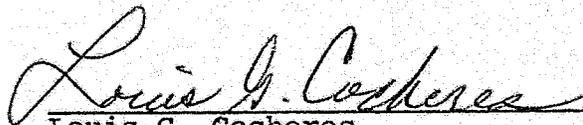
submitted that even if the allegation is true as stated, Amtrak's budget problems are not sufficient justification to excuse Amtrak from liability or performance as directed by the said Order.

8. Denied. Your respondent is without sufficient knowledge to determine the truth or falsity of the allegation and demands strict proof of the same. In the alternative it is respectfully submitted that Amtrak's "Agreement", contingent on funding, is not a necessary prerequisite to compliance with the said Order.

9. Denied. PennDOT denies that it is funded to provide the maintenance or repairs or inspection necessary for the subject structure and demands strict proof of the same.

WHEREFORE, PennDOT respectfully requests that Amtrak's Petition for Modification of Order dated October 20, 1977, be denied.

Respectfully submitted,



Louis G. Cocheres
Assistant Attorney General

Herbert G. Zahn
Assistant Attorney General
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
Harrisburg, Pennsylvania 17120

COMMONWEALTH OF PENNSYLVANIA:
: SS
COUNTY OF DAUPHIN :

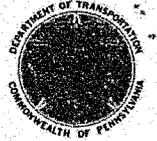
Before me, the undersigned, personally appeared, David C. Sims,
Deputy Secretary for Highway Administration of the Department of Transportation
of the Commonwealth of Pennsylvania, who, being duly sworn according to law,
deposes and says that the foregoing facts are true and correct, to the best
of his knowledge and belief.

David C. Sims
DAVID C. SIMS
DEPUTY SECRETARY FOR HIGHWAY ADMINISTRATION
DEPARTMENT OF TRANSPORTATION

Sworn and subscribed before me
this 30th day of January, 1978

Joseph H. Suranigan
NOTARY PUBLIC
MY COMMISSION EXPIRES May 17, 1980

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
HARRISBURG 17120
Office of Chief Counsel



January 30, 1978

IN REPLY REFER TO

C. J. McElwee, Secretary
Pennsylvania Public Utility Commission
North Office Building
Harrisburg, Pennsylvania 17120

RECEIVED

JAN 31 1978

SECRETARY'S OFFICE
PUBLIC UTILITY COMMISSION

Re: Complaint Docket No. 20235
Delaware County

Dear Mr. McElwee:

Enclosed for filing with the Commission are the original and two (2) copies of Answer to petition for modification of order of the Pennsylvania Department of Transportation, in the above-captioned matter.

I hereby certify that a copy of said Answer has been sent to all parties of record.

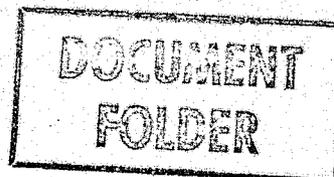
Very truly yours,

A handwritten signature in cursive script that reads "Louis G. Cocheres".

Louis G. Cocheres
Assistant Attorney General

220/LGC:rmn
Enclosures

cc: K. W. Walker, P.E., Chief Utility Engineer
District #6-0
Parties of Record - Page 2



PARTIES OF RECORD

Daniel H. Brunner, Esquire
National Railroad Passenger Corporation
955 L'Enfant Plaza North, S.W.
Washington, D.C. 20024

Edward H. Huss, Staff Counsel
Southeastern Pennsylvania Transportation Authority
2028 PSFS Building
12 South 12th Street
Philadelphia, Pennsylvania 19107

Francis P. Desmond, Esquire
Pileggi & Desmond
Assistant Solicitor for Delaware County
115 East Fifth Street
Chester, Pennsylvania 19013

Richard C. Tinucci, Esquire
Attorney for Borough of Sharon Hill
221 North Olive Street
Media, Pennsylvania 19063

Chalres C. Keeler, Solicitor
Borough of Glenolden
107 West Third Street
Media, Pennsylvania 19063

R. B. Kunkel, Esquire
The Bell Telephone Company of Pennsylvania
One Parkway
Philadelphia, Pennsylvania 19102

John H. Clark, Jr., Solicitor
Borough of Folcroft
402 Fidelity-Chester Building
Chester, Pennsylvania 19013

Lewis W. Wickes, Commerce Counsel
Penn Central Transportation Company
6 Penn Center Plaza
Philadelphia, Pennsylvania 19104

W. Scott Armentrout, Esquire
National Railroad Passenger Corporation
532 Suburban Station Building
1617 Kennedy Boulevard
Philadelphia, Pennsylvania 19103

Joel E. Mazor, Esquire
Consolidated Rail Corporation
1138 Six Penn Center Plaza
Philadelphia, Pennsylvania 19104

Monitor Commissioner O'Bannon

February 6, 1978

C. 20235

Louis G. Cocheres, Assistant Attorney General
Department of Transportation
Office of Chief Counsel
Harrisburg, Pennsylvania 17120

Borough of Volcroft
v.

Penn Central Transportation Company, Department of Transportation of
the Commonwealth of Pennsylvania, County of Delaware, Southeastern
Pennsylvania Transportation Authority, Consolidated Rail Corporation
and National Railroad Passenger Corporation

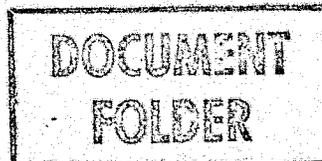
Dear Mr. Cocheres:

Receipt is acknowledged of your letter dated January 30,
1978, enclosing an original and two copies of the answer filed on
behalf of Pennsylvania Department of Transportation to the petition
for modification of order which was filed by National Railroad Passenger
Corporation to the above entitled proceeding.

We note that a copy of the answer has been sent to all parties
of record.

The answer will receive the Commission's attention.

Very truly yours,



for C. J. McElves
Secretary

cc: Law Bureau - w/copy of answer
Bureau of Transportation - w/copy of answer
Administrative Law Judge Pallastrone - w/copy of answer

CKG:cc

Uniform Cover and Calendar
(List attachments on back)

1. <u>DOCKET NO.</u>	: 2. <u>BUREAU AGENDA NO.</u>
C. 20235	:
3. <u>REPORT DATE:</u>	: MAR-78-L-307
March 9, 1978	:
4. <u>BUREAU:</u>	: 5. <u>PUBLIC MEETING DATE:</u>
Law	:
6. <u>SECTION(S):</u>	: April 4, 1978
Rail	:
7. <u>APPROVED BY:</u>	:
<u>DIRECTOR</u> Chief Counsel Larkin	:
<u>SECN SUPV(S)</u> Wilson	:
8. <u>MONITOR:</u>	:
Comm. O'Bannon	:
9. <u>PERSON IN CHARGE:</u>	:
Miller	:

10. CAPTION (abbreviated)
 Borough of Folcroft
 v.
 Dept. of Trans., PCTC, County of Delaware, SEPTA,
 Conrail and National Railroad Passenger Corporation.

 Amtrak's petition for modification. Recommendation - Denial.

11. <u>PUBLIC RECORD</u>	:
<u>INVESTIGATION</u>	:
<u>INTERNAL ADVICE</u>	:12. <u>CASE NO.</u>

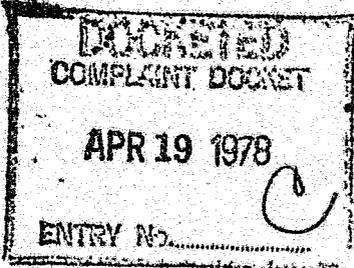
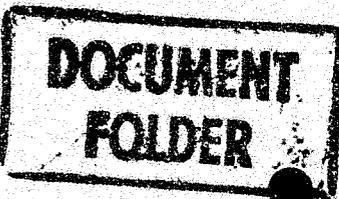
13. MINUTE (include short summary of facts, issue and recommendation)
 The staff recommends that the Commission direct:

1. That Amtrak's petition to modify the Commission's order of October 6, 1977 be denied, and
2. That all parties of record be notified by Secretarial letter of the Commission's action herein, with a copy to be placed in the record folder at C. 20235.

o

14. <u>MOTION BY:</u> Commissioner Johnson	Commissioner Chm. Carter - Yes
	Commissioner O'Bannon - Absent
<u>SECONDED:</u> Commissioner Bloom	Commissioner Goode - Yes

CONTENT OF MOTION: Staff recommendation adopted.



15. DISSENTING OPINION(S) BY:
CONCURRING OPINION(S) BY:

April 10, 1978

C. 20235

Daniel H. Brunner, Counsel
National Railroad Passenger Corporation
955 L'Enfant Plaza North, S.W.
Washington, D.C. 20024

Borough of Folcroft

v.

Penn Central Transportation Company, Department of Transportation of
the Commonwealth of Pennsylvania, County of Delaware, Southeastern
Pennsylvania Transportation Authority, Consolidated Rail Corporation
and National Railroad Passenger Corporation

Dear Mr. Brunner:

This will advise that at the Public Meeting held April 4,
1978, the Commission denied the petition filed on behalf of National
Railroad Passenger Corporation for modification of the Commission's
order issued October 6, 1977, in the above entitled proceeding.

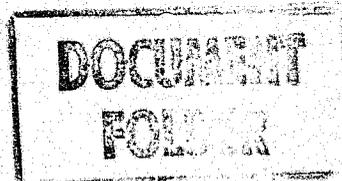
Very truly yours,

C. J. McElwee
Secretary

cc: Law Bureau
Bureau of Transportation
Administrative Law Judge Pallastrone

SIMILAR LETTER LIST ATTACHED

CKG:paa



DOCUMENT
COMPLIANCE UNIT

APR 12 1978

11.

Matthew J. Green, Jr., Esquire
National Railroad Passenger Corporation
532 Suburban Station Building
1617 J. F. Kennedey Boulevard
Philadelphia, PA 19103

Robert W. Cunliffe, Deputy Attorney General
Pennsylvania Department of Transportation
Catitol Associates Building
Harrisburg, PA 17120

June 8, 1978

G. 20235

James N. Sebastian, P.E.
Acting Deputy Chief Highway Engineer
Commonwealth of Pennsylvania
Department of Transportation
Harrisburg, Pennsylvania 17120

Bozough of Folcroft

v.

Penn Central Transportation Company, Department of Transportation of
the Commonwealth of Pennsylvania, County of Delaware, Southeastern
Pennsylvania Transportation Authority, Consolidated Rail Corporation
and National Railroad Passenger Corporation.

Dear Mr. Sebastian:

Receipt is acknowledged of your letter dated June 1, 1978,
enclosing three copies of Bill No. 78MW0518 dated May 17, 1978, in the
amount of \$624.75, received from National Railroad Passenger Corpora-
tion for its force account work in the above entitled proceeding, for
reimbursement.

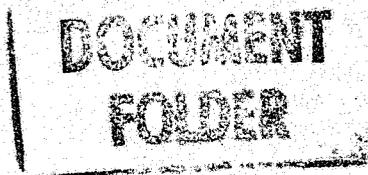
The bill will receive the Commission's attention.

Very truly yours,

for C. J. McElwee
Secretary

cc: Bureau of Transportation - w/copy of letter and all copies of bill
Law Bureau
Administrative Law Judge Pallastrone

CKG:pa



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATIONHarrisburg 17120
June 1, 1978

IN REPLY REFER TO

Delaware County
L.R. 420
Borough of Folcroft
PUC. C. 20235**RECEIVED**
JUN 2 1978
SECRETARY'S OFFICE
Public Utility CommissionMr. C. J. McElwee, Secretary
Public Utility Commission
Harrisburg, Pennsylvania 17120

Dear Mr. McElwee:

We are attaching three (3) copies of Bill No. 78MW0518 dated May 17, 1978 in the amount of \$624.73, received from National Railroad Corporation for its force account work on the above referenced project.

This bill has been reviewed and is satisfactory for reimbursement by the Pennsylvania Department of Transportation. If you agree please certify and return the original to this office.

Very truly yours,

A handwritten signature in cursive script, appearing to read "J. Sebastian".

For: James N. Sebastian, P.E.
Acting Deputy Chief Highway Engineer

Attachment

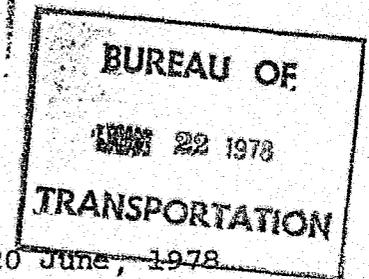
**DOCUMENT
FOLDER**

File

Borough of Folcroft

1555 BALTIMORE AVENUE
FOLCROFT, PA. 19032

20 June, 1978



C. 20235

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pa., 17120

Attention: William W. Huff, P. E.
Public Utility Engineer

Dear Sir,

Approximately one year ago, a meeting was held on the Primos Avenue bridge, Folcroft, Pennsylvania. This meeting was attended by PennDot, P.U.C., State Representative Gerald Spitz and Borough officials.

The meeting was in regards to deterioration of the bridge and the closing of same, by the Folcroft Police Department. At that time, the bridge was posted, seven (7) ton weight limit. Approximately two weeks after this meeting, the bridge was re-posted, Passenger Vehicles Only. For awhile this action by P.U.C., seemed to be the right measure to take. However, now it appears, we have created our own problems.

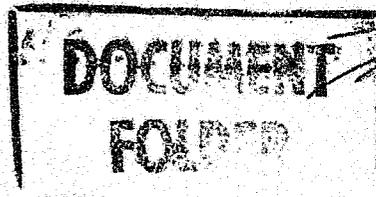
The Folcroft Avenue bridge, is posted seven (7) ton limit, and is being enforced under, Pennsylvania Vehicle Code - Section 4902-A, which at times can be a very high fine. We have had fines in excess of \$2,000.00 and \$3,000.00, for truck traffic over this bridge. Now, the truckers have found that they can cross the Primos Avenue bridge, for a much smaller fine of, \$35.00 fine and costs. Because of the great difference in fines, we are now forcing trucks over the Primos Avenue bridge.

We will appreciate your reconsideration, posting the weight limit, on the Primos Avenue bridge, since it is the only bridge in our area, that does not have a posted weight limit.

May we expect your early attention to our request, in order that this situation can be corrected.

Yours truly,

Theodore Pastore, A/C
Folcroft Police Department



TP:i

July 11, 1978

C. 20235

Mr. Theodore Pastore, A/C
Folcroft Police Department
1555 Baltimore Avenue
Folcroft, Pennsylvania 19032

In re:

Primos Avenue Bridge
Borough of Folcroft
Delaware County

Dear Chief Pastore:

Reference is made to your letter dated June 20, 1978 concerning the posting of the referenced bridge for passenger vehicles only, in lieu of some specified weight limit.

Please be advised that we have been informed by Amtrak officials that they are in the process of inspecting the bridge and analyzing the structural capacity of the bridge members. It is anticipated that the Commission will receive the results of Amtrak's inspection and analysis at an early date, after which we will be in a better position to determine the correct weight limit posting, if any, that should be placed on the Primos Avenue Bridge.

We appreciate your patience and cooperation in this matter.

Very truly yours,

R. A. Peteritas, Director
Bureau of Rail Transportation

WWH:c

**DOCUMENT
FOLDER**

July 26, 1978

I-77090282

C. 20235

G-78940294

W. P. Housen, P.E.
Assistant Chief Engineer
National Railroad Passenger Corporation
Northeast Corridor Operations
1617 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103

I-77090282 - Investigation upon the Commission's own motion into the matters relating to the structural adequacy and load-carrying capacity of the bridge carrying State Highway Route 29114 (Amesland Road) over and above the tracks of Northeast Corridor of National Railroad Passenger Corporation in the Boroughs of Norwood and Prospect Park, Delaware County, as pertains to the proper service, accommodation, convenience and safety of the traveling public utilizing the same.

C. 20235 - Borough of Pottsville

v.

Penn Central Transportation Company, Department of Transportation of the Commonwealth of Pennsylvania, County of Delaware, Southeastern Pennsylvania Transportation Authority, Consolidated Rail Corporation and National Railroad Passenger Corporation

G-78940294 - Borough of Colwyn

v.

Penn Central Transportation Company, Pennsylvania Department of Transportation, Consolidated Rail Corporation, National Railroad Passenger Corporation, Southeastern Pennsylvania Transportation Authority, The Bell Telephone Company of Pennsylvania, Philadelphia Suburban Water Company, Philadelphia Electric Company, Delaware County Public Works Commission, Delaware County and Borough of Darby

Dear Mr. Housen:

Receipt is acknowledged of your letter dated July 17, 1978, advising that on June 28, July 12 and 13, Amtrak performed the close-up inspection of the bridges in the above entitled proceedings utilizing its stationary maintenance wire train.

Your letter will receive the Commission's attention.

Very truly yours,

for C. J. Mallivan
Secretary

DOCUMENT
FOLDER

I-77090282
C. 20235
C-78040294

page 2

cc; Law Bureau - w/copy of letter
Bureau of Transportation - w/copy of letter
Office of Administrative Law Judge - w/copy of letter

CKG:jek

Monitor - Coma. O'Bannon

August 14, 1978

C. 20235

D. F. Sullivan, Deputy Chief
Engineer - NRC
National Railroad Passenger Corporation
Northeast Corridor Operations
1617 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103

Borough of Folcroft

v.

Penn Central Transportation Company, Department of Transportation of the
Commonwealth of Pennsylvania, County of Delaware, Southeastern Pennsylvania
Transportation Authority, Consolidated Rail Corporation and National
Railroad Passenger Corporation

Dear Mr. Sullivan:

Receipt is acknowledged of your letter dated August 7, 1978
advising that the existing posting for passenger cars only must be
maintained and enforced by local authority and that your detailed report
of this structure will be completed shortly and submitted to the Commission
and all parties of record in the above entitled proceeding.

Your letter will receive the Commission's attention.

Very truly yours,

For C. J. McKelvey
Secretary

cc: Law Bureau - w/copy of letter
Bureau of Transportation - w/copy of letter
Office of Administrative Law Judge - w/copy of letter

CKG:jl

DOCUMENT
FOLDER

RECEIVED

AUG 9 1978

SECRETARY'S OFFICE
Public Utility Commission



August 7, 1978
File: E-54-7.75

Mr. C. J. McElwee, Secretary
Penn. P.U.C.
Box 3265
Harrisburg, PA 17120

RE: O.H. 7.75 - Primos Avenue
PUC-C-20235
Folcroft, PA

Dear Mr. McElwee:

We wish to advise the Commission that we have rated the subject bridge subsequent to the close-up inspection which we recently performed.

Our findings indicate that the existing posting for passenger cars only must be maintained and enforced by local authority.

Our detailed report for this structure will be completed shortly and submitted to the Commission and all parties of record.

Very truly yours,

D. F. Sullivan
Deputy Chief Engineer-NEC

cc: W. S. Armentrout
A. B. Smythe
(All parties of record,
per attached list)

DOCUMENT
FOLDER

PARTIES OF RECORD - DOCKET 20235

Edward H. Huss, Staff Counsel
Southeastern Pennsylvania Transportation
Authority
2028 PSFS Building
12 South 12th Street
Philadelphia, Pennsylvania 19107

Francis P. Desmond, Esq.
Pileggi & Desmond
Assistant Solicitor for Delaware County
115 East Fifth Street
Chester, Pennsylvania 19013

Richard C. Tinucci, Esq.
Attorney for Borough of Sharon Hill
221 North Olive Street
Media, Pennsylvania 19063

Charles C. Keeler, Solicitor
Borough of Glenolden
107 West Third Street
Media, Pennsylvania 19063

R. B. Kunkel, Esq.
The Bell Telephone Company of Pennsylvania
One Parkway
Philadelphia, Pennsylvania 19102

John H. Clark, Jr., Solicitor
Borough of Folcroft
402 Fidelity-Chester Building
Chester, Pennsylvania 19013

Lewis W. Wickes, Commerce Counsel
Penn Central Transportation Company
6 Penn Center Plaza
Philadelphia, Pennsylvania 19104

W. Scott Armentrout, Esq.
National Railroad Passenger Corporation
532 Suburban Station Building
1617 Kennedy Blvd.
Philadelphia, Pennsylvania 19103

Joel E. Mazor, Esq.
Consolidated Rail Corporation
1138 Six Penn Center Plaza
Philadelphia, Pennsylvania 19104