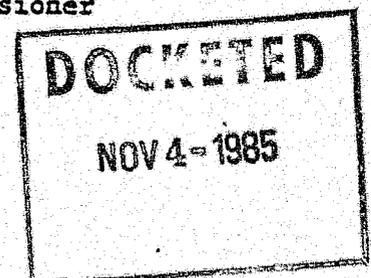
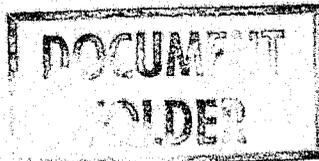


1. <u>REPORT DATE:</u> October 1, 1985	:	2. <u>BUREAU AGENDA NO.</u> OCT-85-SC-RS-392*
3. <u>BUREAU:</u> Safety and Compliance	:	
4. <u>SECTION(S):</u> Rail Safety	:	5. <u>PUBLIC MEETING DATE:</u> October 24, 1985
6. <u>APPROVED BY:</u> Director: Nicely 3-3846 Supervisor: Lehman 7-9732	:	
7. <u>MONITOR:</u>	:	
8. <u>PERSON IN CHARGE:</u> Fleisher 7-5936	:	
9. <u>DOCKET NO:</u> C-00020235	:	
10. (a) CAPTION (abbreviate if more than 4 lines)		
(b) Short summary of history & facts, documents & briefs		
(c) Recommendation		
(a) Borough of Folcroft v. Penn' Central Transportation Company, Department of Transportation of the Commonwealth of Pennsylvania, et al.		
(b) Complaint filed January 16, 1974. Initial hearing held April 24, 1974. Order adopted June 25, 1974, directed Department of Transportation to prepare preliminary plans. Further hearing held February 25, 1975. Order adopted May 13, 1975, directed Department to prepare detailed construction plans. Department submitted completed construction plans October 5, 1984. Field conference held January 16, 1985. Further hearing held April 4, 1985.		
(c) The Bureau of Safety and Compliance recommends that the Commission adopt an order which: (1) Directs the Department to prepare and submit detailed construction plans. (2) Directs the Department to construct the proposed crossing alteration project. (3) Appropriates the required railroad right-of-way. (4) Directs the work to be completed on or before December 31, 1987. (5) Allocates costs associated with construction of proposed crossing alteration. (6) Assigns responsibility for maintenance of all facilities.		
11. <u>MOTION BY:</u> Commissioner Fischl	Commissioner Chm. Taliaferro - Yes	
<u>SECONDED:</u> Commissioner Shane	Commissioner Commissioner	

CONTENT OF MOTION: Staff recommendation adopted.





COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120
November 1, 1985

IN REPLY PLEASE
REFER TO OUR FILE

C-00020235

To All Parties of Record

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.

To Whom It May Concern:

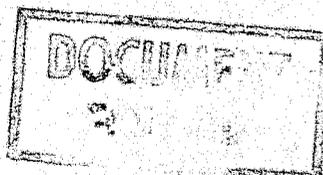
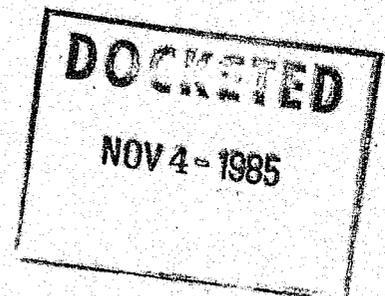
This is to advise you that an Order has been adopted
by the Commission in public meeting held October 24, 1985.

A Copy of an Order has been enclosed for your records.

Very truly yours,

Jerry Rich, Secretary

lg
Encls.
Cert. Mail
Law Bureau
Bureau of S & C
Similar letter to: See attached list.



PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held October 24, 1985

Commissioners Present:

Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane

Borough of Folcroft

C-00020235

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.

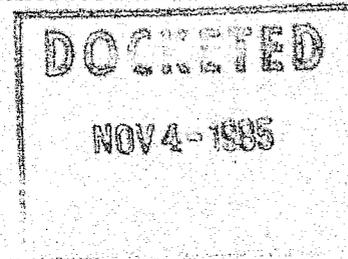
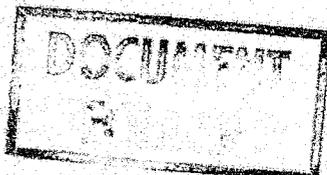
Appearances:

John J. Gallagher, Esquire for Pennsylvania Public Utility Commission.
Harold K. Cohen, Esquire for National Railroad Passenger Corporation.
Edward M. Huss, Esquire for Southeastern Pennsylvania Transportation
Authority.
Herbert G. Zahn, Esquire for Pennsylvania Department of Transportation.
David Auerbach, Esquire for Borough of Folcroft.
Denis M. Dunn, Esquire for Borough of Glenolden.
William M. Posner, Esquire for The Bell Telephone Company of Pennsylvania.
Mark Kropilak, Esquire for Philadelphia Suburban Water Company.
T. H. Maher Cornell, Esquire for Philadelphia Electric Company.

ORDER

BY THE COMMISSION:

By order adopted May 13, 1975 (entered May 22, 1975), this Commission directed that Pennsylvania Department of Transportation 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 the grade of the tracks of Penn Central Transportation Company (now National Railroad Passenger Corporation). The Department submitted plans on October 5, 1984 providing for the reconstruction of the existing crossing.



A field conference, arranged and conducted by a Commission staff engineer, was held on January 16, 1985, with the following parties represented thereat:

Pennsylvania Department of Transportation
Southeastern Pennsylvania Transportation Authority
Borough of Folcroft
Borough of Glenolden
The Bell Telephone Company of Pennsylvania
Philadelphia Electric Company
Philadelphia Suburban Water Company

The Department stated that it desired to begin the construction at an early date (Summer of 1985). It requested that the non-carrier public utility companies perform the alterations or relocations required at their initial cost and expense, with the matter of final allocation of costs to be considered at hearing following completion of all work.

Philadelphia Suburban Water Company would not agree to delay the hearing to a later date for allocation of its costs. As a result, a hearing was scheduled and held on April 4, 1985. All parties of record were represented at the hearing with the exception of Consolidated Rail Corporation.

The Department's witness presented testimony identifying and explaining its Exhibits A, B, C, D, E, F, G, H, I, J and K.

Exhibit A is a set of right-of-way drawings for L.R. 420, Section 02A R/W, in Delaware County. The first sheet is a title sheet. The second sheet is an index map sheet. The third sheet is the location map sheet and shows the typical section for the highway approach construction. The fourth sheet is a detail sheet. The fifth through eighth sheets are plan and profile drawings.

Exhibit B is a set of detailed construction plans for L.R. 420, Section 02A, in Delaware County. The first sheet is the title sheet. The second sheet is the index map sheet. The third sheet contains a location map and typical sections for the highway approach construction. The fourth sheet shows typical construction details. The fifth and sixth sheets contain a summary of bid items. The seventh through eleventh sheets contain tabulations of all bid items for construction. The twelfth through fifteenth sheets are the detailed plan and profile drawings.

Exhibit C is two sheets from a nineteen (19) sheet set of plans for the proposed structure, S-15400. The first sheet, Sheet 1, shows the general plan, elevation and typical section of the proposed bridge. The second sheet, Sheet 16, shows the plan elevation and typical section of a proposed temporary pedestrian bridge.

Exhibit D, E, F, and G, each are two sheets from largers sets of plans for construction of retaining walls to be built along the approach roadway embankments. Retaining Wall 1, S-15401, and Retaining Wall 2, S-15402, are to be constructed to the left and right, respectively, of the south approach roadway. Retaining Wall 3, S-15403 and Retaining Wall 4, S-15404, are to be constructed to the right and left, respectively, of the north approach roadway. The first sheet in each case is the typical plan, while the second sheet shows wall details.

Exhibit H is three sheets from a four sheet set of plans for stairways to be constructed along the east side of the roadway near the ends of the bridge. These stairways are to accommodate passengers using the Southeastern Pennsylvania Transportation Authority (hereinafter SEPTA) trains stopping at the Folcroft Station.

Exhibit I is two sheets showing lighting details for the stairways.

Exhibit J is two sheets showing the proposed traffic signal installation at the intersection of Primos Avenue and Elmwood Avenue.

Exhibit K is one sheet of a twenty (20) sheet set of plans covering the construction of the modifications to the railroad electrification facilities.

Exhibit L and M are a nine (9) sheet document and a four (4) sheet document, respectively, containing the description of National Railroad Passenger Corporation's (hereinafter Amtrak) operating right-of-way to be appropriated.

Exhibit N is a one sheet document containing an itemized estimate of the costs for constructing the crossing improvement project.

The Department's witness stated that reconstruction as proposed will require the construction of a new bridge to carry Primos Avenue over the tracks of Amtrak. It will be necessary to construct retaining walls along the embankments of the approaches. New stairways will be constructed to replace the existing stairways permitting railroad passengers to descend from the sidewalk near the end of the bridge to the station platforms.

The proposed crossing structure is a three span mixed-type adjacent and spread composite prestressed concrete box beam bridge with the center span over the railroad tracks equal to 69'-0" and end spans of 25'-6" at each end. The proposed roadway width is 28' between safety curbs and parapets. Sidewalks, 5'-6" wide, are proposed to be constructed outside the safety curbs and parapets and inside of concrete parapets. A protective barrier is proposed to be erected on top of the concrete parapets on the center span over the tracks. A protective fence is proposed to be erected on the top of the concrete parapets on both end spans.

The approaches will be paved for a width of twenty-eight (28) feet between concrete curbs. A five (5) foot wide sidewalk will be constructed two feet behind the face of the curbs on each side of the approach roadways.

The south approach roadway will be constructed on a 6.87 percent ascending grade toward the bridge. The grade across the bridge will transition through a 250-foot crest vertical curve to a 5.41 percent descending grade away from the bridge. The horizontal alignment is on tangent. The proposed minimum vertical clearance between the top of railroad tracks and the underside of the bridge directly over the rail is 20.39 feet. The existing value is 18.83 feet.

The elevation of the roadway on Primos Avenue at Woodland Avenue will result in the blocking of the intersection between the two streets at this point. Access to the residents along Woodland Avenue on either side of Primos Avenue will be via Oak Lane to the west and Folcroft Avenue to the east. A cul-de-sac will be constructed where Woodland Avenue is terminated on the east side of Primos Avenue.

The witness stated further that the railroad platforms will be extended 55 feet in an easterly direction to replace a length of platform that will be removed at the westerly end near the bridge.

The proposed schedule anticipates start of construction during 1985 and completion of construction within 24 months.

The witness stated that the Department will acquire all property necessary for the construction of this project, except the railroad company's operating right-of-way, which it requests the Commission to appropriate.

The Department will establish and pay for all necessary detour routes. A temporary pedestrian bridge will be constructed adjacent to the east side of the crossing to accommodate pedestrians, especially train passengers, during the period of construction.

A total estimated cost for constructing this project, including \$225,000. estimated for modification of the railroad's electrification facilities, is \$1,919,550. This does not include any costs for the alteration or relocation of non-carrier public utility company facilities. The Department agrees to assume the cost of constructing this project.

The witness stated that the Department would reimburse Philadelphia Electric Company for its costs incurred to relocate its 230,000 volt transmission line made necessary as a result of the modifications to the railroad's electrification facilities. In addition, the Department agrees to reimburse any non-carrier public utility company for the alteration or relocation of their facilities which are presently located in private right-of-way. It stated that all costs related to facilities

which are presently located in public right-of-way should be borne by the respective company.

The Department agrees to pay all property damages resulting from the construction of the crossing improvement project, except for Amtrak's property. It requests the Commission to direct Amtrak to release damages for its property.

The Department agrees to perform work related to Amtrak's electrification facilities as noted on Exhibit K to be performed by the Department's contractor. Amtrak and Philadelphia Electric Company should be required to furnish all material and perform all work as noted on Exhibit K. Amtrak should be required to make any temporary or permanent alterations to its communication and signal facilities and to furnish electrical clearance men, watchmen, flagmen, construction engineering and inspection services as may be required to insure the safety of its facilities and its operations.

The witness stated that the Department agrees to assume responsibility for maintenance of the bridge; however, it requests that Amtrak be required to provide protection services whenever required to inspect or maintain the bridge. It agrees to maintain the roadway approaches, including the retaining walls but excluding the curbs and sidewalks thereon. The witness stated that Amtrak should be required to maintain its facilities, including the stairways and the lighting system thereto and the bridge electrical grounding system.

The witness also stated that the Boroughs of Folcroft and Glenolden should be required to maintain the curbs and sidewalks on the approaches that are located within the respective boroughs. In addition, Folcroft Borough should be required to maintain the new traffic signal installation at the intersection of Primos Avenue and Elmwood Avenue. Also the boroughs should be required to pay to energize and maintain street lighting systems within the respective boroughs.

The Department intends to request 100 percent Federal funds for the construction of this project and use 75 percent Federal funds for the acquisition of right of way.

By letter received April 26, 1985, The Bell Telephone Company of Pennsylvania stated that it would agree to alter or relocate its facilities, as necessary, at its cost.

Philadelphia Electric Company's witness stated that it will be necessary for it to relocate eight poles and remove one pole supporting 4,000 volt electric distribution circuits along the west side of Primos Avenue. It will also transfer two street lights to relocated telephone company poles along the east side of Primos Avenue south of the railroad tracks. The existing facilities are located in public right-of-way. The estimated cost to perform this work is \$12,837.00, less credit for expired service life of \$693.64, with a net cost equal to \$12,143.36.

The witness also testified that it may be necessary to use precautionary measures or temporary removal of conductors to protect its two 130,000 volt transmission aerial lines on private right-of-way parallel to the railroad tracks due to the use of certain construction equipment on the project. The company requests reimbursement for all expenses associated with these activities.

In addition the electric company will be required to replace 120 feet of 4-inch plastic gas main with 4-inch plastic pipe along the north side of Elmwood Avenue due to the proposed storm sewer construction. Similarly, 120 feet of 6-inch cast iron gas main will be replaced with 6-inch plastic pipe along the south side of Woodland Avenue due to proposed storm sewer construction. Since this main is fed one way east, a temporary 4-inch bypass connection is necessary during this replacement on Woodland Avenue. A 4-inch cast iron main extending north from the Woodland Avenue intersection along Primos Avenue to approximately Station 91+00 will be retired from service, since it does not serve any customers. The existing gas facilities are located in public right-of-way. The estimated cost to perform this work is \$27,891.00, with no credit allowance for betterment, salvage or expired service life.

The witness stated that the electric company agrees to perform all work required to alter or relocate its gas and electric facilities. The work will be performed concurrent with the bridge and highway construction work. It requests reimbursement for the actual costs of performing the aforementioned work. It agrees to assume the responsibility for maintenance of its altered or relocated facilities.

Philadelphia Suburban Water Company's witness stated that the company does not have any existing facilities on the bridge; however, it is requesting approval to install a new 16-inch water main on the new structure carrying Primos Avenue over the railroad tracks and in the approach roadways between Elmwood Avenue and Woodland Avenue. Since no existing facilities are located in this area, the company agrees to bear the total cost of this installation, which is estimated to cost \$109,875.46. The installation of 16-inch extra heavy steel pipe and 20-inch steel pipe casing on the bridge will be performed by the Department's contractor at the expense of the water company.

The witness also testified that as a result of the proposed construction, it will be required to replace 275 feet of 6-inch water main in Elmwood Avenue and from the intersection of Elmwood Avenue and Primos Avenue south to Station 80+50, a distance of 97 feet. The estimated cost to replace the existing mains with 6-inch ductile iron pipe is \$24,314.56. It will also be required to relocate a fire hydrant, No. 24-9, near the southeast corner of the Elmwood Avenue and Primos Avenue intersection, at an estimated cost of \$2,500.00.

In addition the water company will be required to place 288 feet of 6-inch water main in Woodland Avenue and from the intersection of

Woodland Avenue and Primos Avenue north to the limit of work, a distance of 218 feet. The estimated cost to replace the existing main with 6-inch ductile iron pipe is \$18,733.12. Six of the seven service lines in this area will have to be adjusted at an additional estimated cost of \$5,356.66.

The witness also testified that it agrees to bear the extra cost of installing larger new pipe than the existing pipe. In fact, it proposes to install as a minimum 8-inch ductile iron pipe rather than 6-inch pipe which was assumed in arriving at its estimated cost. In Primos Avenue between the intersection with Elmwood Avenue and Station 80+50 and between the intersection with Woodland Avenue and the north limit of work, a 16-inch main will be installed instead of the 6-inch main used to arrive at the estimated cost. The estimated additional cost of installing 8-inch main, or 16-inch main, instead of 6-inch main is \$9,494.15.

The water company will also install 50 feet of new 16-inch main in Primos Avenue south of Station 80+50, an area where the existing 6-inch main is not in conflict with the proposed construction. The estimated cost to install this length of 16-inch main is \$2,646.00 and will be borne by the company. The total estimated cost of work which the company will perform and for which it is not seeking reimbursement is \$122,015.61.

The witness stated that the water company agrees to perform all work required to alter or relocate its facilities. The work will be performed concurrently with the bridge and highway construction work. It requests reimbursement in the amount of \$50,904.34 for the estimated cost of performing work to replace its facilities as required by the proposed construction with equal size water main. It agrees to bear the costs of installing larger size water main in lieu of equal size mains and to install a new 16-inch main where there is no main currently. It agrees to assume the responsibility for maintenance of its altered, relocated or new facilities.

Southeastern Pennsylvania Transportation Authority's witness stated that it has no objection to the proposed construction but has the following request concerning certain details. The station platform on the north side of the railroad tracks has a drainage pipe located under it. This pipe is not shown on the typical section. The pipe should be extended to the end of the proposed extension of the platform to the east.

In addition, SEPTA requests that lighting be provided for the protection of persons using the temporary pedestrian bridge, since the sides of this structure will be enclosed with 7-foot high plywood barriers.

The witness stated that SEPTA does not agree to bear any costs.

Amtrak's witness stated that it is concerned about the drainage system that is proposed to collect storm water at the intersection of Primos and Woodland Avenues. This system is connected to an existing drain pipe which discharges onto railroad property at the passenger platform along the north side of the railroad tracks.

The witness stated that Amtrak will perform the work necessary to relocate and adjust its electrification facilities and to bond and ground the temporary pedestrian bridge, protective shields and the new bridge to its rail return system. The Department's contractor should be required to construct all structures to temporarily and/or permanently support the electrification system. Amtrak does not agree to bear any costs.

The railroad company will maintain watchmen, flagmen and inspectors during various phases of the construction project as it deems these services are necessary. It requests to be reimbursed for the costs of such services.

The witness stated further than Amtrak agrees to maintain its facilities after the crossing improvement has been completed. It does not agree to maintain any facilities other than its own nor pay any of the costs to maintain any facilities other than its own.

In response to a question concerning property along the east side of Primos Avenue belonging to Amtrak and a dirt drive over this property from Woodland Avenue toward the north passenger platform, the witness stated that the plans show that this drive will be improved and Amtrak will maintain this drive in the future.

The railroad company agrees to maintain the new stairways and the lighting system associated therewith and pay to energize the lighting system.

Amtrak does not agree to waive damages for its property which the Department has requested the Commission to appropriate to permit the crossing improvement to be constructed.

The witness for Borough of Folcroft stated that the borough agrees to bear the cost of grade adjustment to its sewer manhole at the intersection of Primos and Elmwood Avenues. However, it does not agree to bear any costs associated with the removal of two manholes and the construction of one manhole at the intersection of Primos Avenue and Woodland Avenue. The borough agrees to maintain its sanitary sewer facilities after alterations or relocations have been completed in conjunction with the crossing improvement project.

The witness also stated that the borough is concerned about the maintenance of the storm sewer that will carry the storm water from the new inlets to be placed at the Primos Avenue and Woodland Avenue

intersection. There has been problems in the past with blockage in this system. The Borough recommends that either the Department or Amtrak be assigned the responsibility for maintenance of this complete system.

The witness for Borough of Glenolden stated that it does not agree to bear any costs relative to the alteration to the borough's sanitary sewer facilities. The borough agrees to maintain its sanitary sewer and storm sewer facilities in Elmwood Avenue after completion of alterations made in conjunction with the crossing improvement project.

After consideration of the record, we make the following findings:

FINDINGS OF FACT

1. The existing crossing, above grade, has been posted for a maximum load limit of seven (7) tons since 1973 and perhaps earlier, due to the deterioration of the components of the structure resulting in loss of adequate load-carrying capacity to permit heavier loads to safely use it.

2. The Department has prepared detailed construction plans for a replacement structure for the existing crossing structure.

3. The proposed crossing structure is a three span mixed-type adjacent and spread composite prestressed concrete box beam bridge with spans equal to 25'-6", 69'-0" and 25'-6", with a clear roadway width of 28-feet between safety curbs and parapets and 5'-6" wide sidewalks outside the safety curbs on both sides of the structure inside of concrete parapets.

4. A protective barrier will be erected on top of the concrete parapets on the center span over the railroad tracks. A protective fence will be erected on top of the concrete parapets along both end spans.

5. The construction will begin late in 1985 or the early part of 1986.

6. The estimated costs to construct the proposed crossing alteration project is \$1,919,550, including an estimated \$225,000 for modification of the railroad's electrification facilities.

7. The Department will assume the cost of constructing the proposed crossing alteration project excluding costs of altering or relocating non-carrier public utility company facilities.

8. The project will be funded using a combination of Federal and State funds.

9. The Department will maintain the new bridge structure with Amtrak providing railroad protection services whenever required to inspect or maintain the bridge.

10. The Department will maintain the highway approaches, including the retaining walls, but excluding the curbs and sidewalks thereon.

11. Philadelphia Electric Company will replace existing 4-inch and 6-inch gas mains with identical size new mains. A temporary 4-inch by-pass connection will be used along the south side of Woodland Avenue during replacement of the existing 6-inch main. The existing 4-inch gas main extending north from Woodland Avenue along Primos Avenue will be retired from service.

12. The existing gas mains are in public right-of-way.

13. The estimated cost to install new gas mains, with no credit allowance for betterment, salvage or expired service life, is \$27,891.

14. Philadelphia Electric Company will relocate its 4,000-volt electric distribution circuits along the west side of Primos Avenue.

15. The existing electric facilities are in public right-of-way.

16. The estimated cost to relocate the electric facilities is \$12,837. The net cost after credit for expired service life is \$12,143.36.

17. Philadelphia Electric Company's 130,000-volt aerial electric lines along private right-of-way, parallel to the railroad tracks and crossing above the proposed construction, must be relocated to accommodate the modification to the railroad's electrification facilities and must be protected during the use of large cranes in the vicinity thereof.

18. Philadelphia Electric Company will maintain all its altered or relocated facilities following completion of construction of the proposed crossing alteration project.

19. Philadelphia Suburban Water Company will install a new 16-inch water main in Primos Avenue where no main now exists across the bridge between existing mains in the highway south of Elmwood Avenue and north of Woodland Avenue.

20. The estimated cost to install the new 16-inch water main is \$109,875.46 and will be borne by the company.

21. Philadelphia Suburban Water Company will replace existing 6-inch water mains in Elmwood Avenue and Woodland Avenue with new 8-inch water mains. It will also replace the existing 6-inch water

mains in Primos Avenue south of Elmwood Avenue and North of Woodland Avenue with new 16-inch water mains. The southern most 50 feet of this 16-inch main is being placed by the water company at its own cost, estimated as \$2,646.

22. The net estimated cost to install the replacement water mains is \$43,047.68. The credit for betterment of facilities is \$9,494.15.

23. The existing fire hydrant near the southeast corner of the intersection of Elmwood Avenue and Primos Avenue will be relocated at an estimated cost of \$2,500.

24. Six service lines in the area of the intersection of Woodland Avenue and Primos Avenue will be adjusted at an estimated cost of \$5,356.66.

25. The existing water mains are in public right-of-way.

26. Philadelphia Suburban Water Company will maintain all its new, altered or relocated facilities following completion of construction of the proposed alteration project.

27. Amtrak will relocate and adjust its electrification facilities, bond and ground to its rail return system the temporary pedestrian bridge, protective shields and the new bridge.

28. It will be necessary to maintain railroad clearance men, watchmen, flagmen, construction engineers and inspectors during the period construction is being performed over and immediately adjacent to the railroad tracks and electrification facilities.

29. Amtrak will maintain its altered or relocated railroad facilities in the area of the crossing following completion of construction of the proposed crossing alteration project.

30. Amtrak will maintain new stairways and lighting system associated therewith, as well as the access road from Woodland Avenue to the north passenger platform.

31. Borough of Folcroft will reimburse the Department for the cost to adjust its sewer manhole at the intersection of Primos Avenue and Elmwood Avenue.

32. Borough of Folcroft will maintain its altered or relocated sanitary sewer system after completion of construction of the proposed crossing alteration project.

33. The Department will alter or relocate sanitary sewer facilities for both boroughs involved.

34. Borough of Glenolden will maintain its altered or relocated sanitary sewer system after completion of construction of the proposed crossing alteration project.

35. Borough of Folcroft will maintain altered or relocated borough streets after completion of the construction of the proposed crossing alteration project.

36. Borough of Glenolden will maintain altered or relocated borough streets after completion of the construction of the proposed crossing alteration project.

Upon full consideration of the aforesaid findings, we determine that the construction of the proposed crossing alteration project is necessary and proper for the service, accommodation, convenience and safety of the public that will use the new facility, and we shall so order.

We also determine that the railroad company should pay all damages for its operating right-of-way taken, injured or destroyed by reason of the construction herein involved.

This Commission establishes its jurisdiction over the entire project, including the work proposed along Elmwood Avenue and Woodland Avenue.

Since no party agrees to pay for the cost to alter or relocate Philadelphia Electric Company's gas or electric facilities and the only benefit that will accrue to its customers are those resulting from renewal and upgrading of facilities during the course of alteration or relocation, we determine and conclude that the company should be reimbursed by the Department for fifty (50) percent of the costs incurred as a result of the crossing alteration project to alter or relocate gas and electric distribution facilities.

In addition, we determine that Philadelphia Electric Company should be reimbursed for any costs it might incur relative to relocating or providing protective measures in relation to its 130,000 volt aerial line which parallels the railroad tracks in the vicinity of the crossing alteration project and conclude that the Department should pay said company for costs incurred.

Since no party agrees to pay for the cost to alter or relocate Philadelphia Suburban Water Company's existing water lines affected by the crossing alteration project and the only benefits that will accrue to its customers are those resulting from renewal and increase in size of mains, we determine and conclude that the company should be reimbursed by the Department for fifty (50) percent of the costs incurred as a result of the crossing alteration project.

We determine further that since Federal Funds are to be used to finance this project, National Railroad Passenger Corporation should be reimbursed for its cost to alter or relocate its facilities required as the result of the crossing alteration project and we conclude that the Department should pay said company for all such costs incurred; THEREFORE,

IT IS ORDERED:

1. That the crossing (AAR 842 729E) carrying State Highway Route 420 (Primos Avenue) above the grade of the tracks of National Railroad Passenger Corporation, partly in the Borough of Folcroft and partly in the Borough of Glenolden, all in Delaware County, be altered generally in accordance with Pennsylvania Department of Transportation's Exhibits A and B admitted into the record at the hearing held on April 4, 1985, said exhibits being (1) Drawings Authorizing Acquisition of Right-of-Way for L.R. 420, Section 02A R/W in Delaware County, composed of eight (8) sheets and signed by the Governor on January 2, 1985, and (2) Drawings for Construction of L.R. 420, Section 02A in Delaware County, composed of fifteen (15) sheets, which plans are made part hereof and are hereby approved, except insofar as they may relate to the division of work, deletion of work or the allocation of costs and expenses incidental to the performance of the alteration of the crossing.

2. That Pennsylvania Department of Transportation, at its sole cost and expense and before performing any work on the alteration of the crossing, prepare and submit to all parties of record for examination and to this Commission for approval, complete detailed construction plans for the proposed work covered by Exhibits C, D, E, F, G, H, I, J, and K, admitted at the hearing held April 4, 1985.

3. That in accordance with the provisions of Section 2702 of the Public Utility Code, 66 Pa. C.S. §2702, the following described property be and is hereby taken and appropriated for the purpose of the improvement in accordance with the right-of-way plan approved in Paragraph No. 1 of this order, and that Paragraph No. 3 of this order shall be recorded by the Recorder of Deeds in Delaware County, and shall be indexed under the name of the record owner of said property, grantor, and the Commonwealth of Pennsylvania, grantee, at the sole cost and expense of the Department of Transportation of the Commonwealth of Pennsylvania:

National Railroad Passenger Corporation - Record Owner
400 North Capitol Street, N.W.
Washington, D.C. 20001

ALL THOSE CERTAIN tracts of land, situated in the Boroughs of Folcroft and Glenolden, Delaware County, bounded and described as follows, to wit:

TRACT NO. 1

Beginning at a point on the easterly side of Legislative Route 420, said point being at the intersection of the easterly legal right-of-way line of Legislative Route 420 and the northerly legal right-of-way line of Elmwood Avenue distant twenty-five (25) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 81+81 thereof; thence in a northwesterly direction along the said legal right-of-way line of Legislative Route 420 to a point on the southerly right-of-way line of National Railroad Passenger Corporation distant twenty-three (23) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+07.5 thereof; thence in a northeasterly direction along the said right-of-way line of National Railroad Passenger Corporation to a point on the easterly required right-of-way line for Legislative Route 420 distant forty-eight (48) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+07 thereof; thence in a southerly direction along the said required right-of-way line for Legislative Route 420 to a point distant forty-one (41) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 84+75 thereof; thence in a southeasterly direction along the said required right-of-way line for Legislative Route 420 to a point distant forty-one (41) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 84+00 thereof; thence in a southeasterly direction along the said required right-of-way line for Legislative Route 420 to a point on the northerly legal right-of-way line of Elmwood Avenue distant thirty-one (31) feet northeasterly and measured at right angles from the right-of-way and

construction centerline of Legislative Route 420 at or about Station 81+82 thereof; thence in a southwesterly direction along the said legal right-of-way line of Elmwood Avenue to a point and place of beginning and containing four-thousand nine-hundred and eighty-eight (4,988) square feet of land more or less.

TRACT NO. 2

Beginning at a point on the easterly side of Legislative Route 420, said point being at the intersection of the easterly legal right-of-way line of Legislative Route 420 and the northerly legal right-of-way line of Rice Avenue (unimproved) distant thirty-five (35) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 86+47 thereof; thence in a northwesterly direction along the said legal right-of-way line of Legislative Route 420 to a point distant thirty-four (34) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 86+77 thereof; thence in a southwesterly direction along the said legal right-of-way line of Legislative Route 420 to a point distant twenty-four (24) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 86+77 thereof; thence in a northwesterly direction along the said legal right-of-way line of Legislative Route 420 to a point on the southerly legal right-of-way line of Woodland Avenue distant twenty-four and five-tenths (24.5) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 88+43 thereof; thence in a northeasterly direction along the said legal right-of-way line of Woodland Avenue to a point on the easterly required right-of-way line for Legislative Route 420 distant thirty-five and five-tenths (35.5) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 88+43 thereof; thence in a southeasterly direction along the said required right-of-way line for Legislative Route 420 to a point distant forty-three (43) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 87+50 thereof; thence in a southeasterly direction along the required right-of-way line for Legislative Route 420 to a point on the northerly legal right-of-way line of Rice Avenue (unimproved) distant forty-three (43) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 86+47 thereof; thence in a southwesterly direction along the said legal right-of-way line of Rice Avenue (unimproved) to a point and place of beginning and containing two thousand five hundred and six (2,506) square feet of land more or less.

The above two (2) tracts of land shown on the Department of Transportation's Drawings Authorizing Acquisition of Right-of-Way for Legislative Route 420, Section 02A R/W, in Delaware County, as required

right-of-way and designated and delineated as parts of Parcel No. 17 on Sheet Nos. 5 and 7 of the said drawings, as recorded in the office for the recording of deeds, etc., in Delaware County, Pennsylvania, in Highway Volume Book 14, Page 232, are portions of real estate which became legally vested in National Railroad Passenger Corporation by deed of Consolidated Rail Corporation, dated October 11, 1978, and recorded October 20, 1978, in Deed Book P-2670, Pages 951 to 987 inclusive, in the Delaware County Courthouse.

TRACT NO. 3

Beginning at a point on the westerly side of Legislative Route 420, said point being at the intersection of the westerly legal right-of-way line of Legislative Route 420 and the southerly right-of-way line of National Railroad Passenger Corporation distant twenty-seven (27) feet southwesterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+08 thereof; thence in a southwesterly direction along the said legal right-of-way line of National Railroad Passenger Corporation to a point on the westerly required right-of-way line for Legislative Route 420 distant fifty-seven (57) feet southwesterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+08.5 thereof; thence in a northeasterly direction along the said required right-of-way line for Legislative Route 420 to a point distant thirty-seven and twenty-five hundredths (37.25) feet southwesterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+20 thereof; thence in a northwesterly direction along the said required right-of-way line for Legislative Route 420 to a point distant thirty-seven and twenty-five hundredths (37.25) feet southwesterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+93 thereof; thence in a northwesterly direction along the said required right-of-way line for Legislative Route 420 to a point on the northerly right-of-way line of National Railroad Passenger Corporation distant fifty-seven (57) feet southwesterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 86+08.5 thereof; thence in a northeasterly direction along the said right-of-way line of National Railroad Passenger Corporation to a point on the westerly legal right-of-way line of Legislative Route 420 distant twenty-seven (27) feet southwesterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 86+08 thereof; thence in a southeasterly direction along the said legal right-of-way line of Legislative Route 420 to a point and place of beginning and containing one thousand three hundred and four (1,304) square feet of land more or less.

TRACT NO. 4

Beginning at a point on the easterly side of Legislative Route 420, said point being at the intersection of the easterly legal right-of-way line of Legislative Route 420 and the southerly right-of-way line of National Railroad Passenger Corporation distant twenty-three (23) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+07.5 thereof; thence in a northwesterly direction along the said legal right-of-way line of Legislative Route 420 to a point on the northerly right-of-way line of National Railroad Passenger Corporation distant twenty-three (23) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 86+07 thereof; thence in a northeasterly direction along the said right-of-way line of National Railroad Passenger Corporation to a point on the easterly required right-of-way line for Legislative Route 420 distant forty-three (43) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 86+07 thereof; thence in a southerly direction along the said required right-of-way line for Legislative Route 420 to a point distant thirty-seven and twenty-five hundredths (37.25) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+88 thereof; thence in a southeasterly direction along the said required right-of-way line for Legislative Route 420 to a point distant thirty-seven and twenty-five hundredths (37.25) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+20 thereof; thence in a southeasterly direction along the said required right-of-way line for Legislative Route 420 to a point on the southerly right-of-way line of National Railroad Passenger Corporation distant forty-eight (48) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+07 thereof; thence in a southwesterly direction along the said right-of-way line of National Railroad Passenger Corporation to a point and place of beginning and containing one thousand five hundred fourteen and seventy-five hundredths (1,514.75) square feet of land more or less.

The above two (2) tracts of land shown on the Department of Transportation's Drawings Authorizing Acquisition of Right-of-Way for Legislative Route 420, Section 02A R/W, in Delaware County, as areas required for aerial easement and designated and delineated as parts of Parcel No. 17 on Sheet No. 7 of the said drawings, as recorded in the office for the recording of deeds, etc., in Delaware County, Pennsylvania, in Highway Volume Book 14, Page 232, are portions of real estate which became legally vested in National Railroad Passenger Corporation by deed of Consolidated Rail Corporation, dated October 11, 1978, and recorded October 20, 1978, in Deed Book P-2670, Pages 951 to 987 inclusive, in the Delaware County Courthouse.

TRACT NO. 5

Beginning at a point on the southerly side of Woodland Avenue, said point being at the intersection of the southerly legal right-of-way line of Woodland Avenue and the easterly required right-of-way line for Legislative Route 420 distant twenty-five (25) feet southeasterly and measured at right angles from the right-of-way and construction centerline of Woodland Avenue at or about Station 10+26.5 thereof; thence in a northeasterly direction along the said legal right-of-way line of Woodland Avenue to a point on the easterly right-of-way line of National Railroad Passenger Corporation distant twenty-five (25) feet southeasterly and measured at right angles from the right-of-way and construction centerline of Woodland Avenue at or about Station 10+46 thereof; thence in a southeasterly direction along the said right-of-way line of National Railroad Passenger Corporation to a point on the southerly required right-of-way line for Woodland Avenue distant forty-four (44) feet southeasterly and measured at right angles from the right-of-way and construction centerline of Woodland Avenue at or about Station 10+46 thereof; thence in a general northwesterly direction along the said required right-of-way line for Woodland Avenue on an arc of radius fifty (50) feet to a point and place of beginning and containing one hundred eighty-seven and twenty-five hundredths (187.25) square feet of land more or less.

The above tract of land shown on the Department of Transportation's Drawings Authorizing Acquisition of Right-of-Way for Legislative Route 420, Section O2A R/W, in Delaware County, as required right-of-way for Woodland Avenue and designated and delineated as part of Parcel No. 17 on Sheet No. 7 of the said drawings, as recorded in the office for the recording of deeds, etc., in Delaware County, Pennsylvania, in Highway Volume Book 14, Page 232, are portions of real estate which became legally vested in National Railroad Passenger Corporation by deed of Consolidated Rail Corporation, dated October 11, 1978, and recorded October 20, 1978, in Deed Book P-2670, Pages 951 to 987 inclusive, in the Delaware County Courthouse.

4. That in accordance with the provisions of Section 2702 of the Public Utility Code, 66 Pa. C.S. §2702, the following described property be and is hereby taken and appropriated temporarily for use during the construction period only, in accordance with the right-of-way plan approved in Paragraph No. 1 of this order, and that Paragraph No. 4 of this order shall be recorded by the Recorder of Deeds of Delaware County, and shall be indexed under the name of the record owner of said property, grantor, and the Commonwealth of Pennsylvania, grantee, at the sole cost and expense of the Department of Transportation of the Commonwealth of Pennsylvania; said temporary appropriation shall terminate upon the completion of the improvement and its opening to public use:

National Railroad Passenger Corporation - Record Owner
400 North Capitol Street, N.W.
Washington, D.C. 20001

ALL THOSE CERTAIN tracts of land, situate in the Borough of Folcroft, Delaware County, bounded and described as follows, to wit:

TRACT NO. 1

Beginning at a point on the easterly side of Legislative Route 420, said point being at the intersection of the easterly required right-of-way line for Legislative Route 420 and the southeasterly boundary of temporary area for construction distant forty-one (41) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 84+75 thereof; thence in a northerly direction along the said required right-of-way line for Legislative Route 420 to a point on the southerly right-of-way line of National Railroad Passenger Corporation distant forty-eight (48) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+07 thereof; thence in a northwesterly direction along the said required right-of-way line for Legislative Route 420 to a point distant thirty-seven and twenty-five hundredths (37.25) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+20 thereof; thence in a northwesterly direction along the said required right-of-way line for Legislative Route 420 to a point distant thirty-seven and twenty-five hundredths (37.25) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+88 thereof; thence in a northerly direction along the said required right-of-way line for Legislative Route 420 to a point on the northerly right-of-way line of National Railroad Passenger Corporation distant forty-three (43) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 86+07 thereof; thence in a northeasterly direction along the

said right-of-way line of National Railroad Passenger Corporation to a point on the easterly boundary of temporary area for construction distant three-hundred and sixty-seven (367) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+98 thereof; thence in a southeasterly direction along the said boundary to a point distant three-hundred and sixty-seven (367) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+71.5 thereof; thence in a southwesterly direction to a point distant seventy-two (72) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+80 thereof; thence in a southeasterly direction to a point distant seventy-two (72) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+35 thereof; thence in a northeasterly direction to a point on the easterly boundary of temporary area for construction distant three-hundred and sixty-seven (367) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+25.5 thereof; thence in a southeasterly direction along the said boundary to a point on the southerly right-of-way line of National Railroad Passenger Corporation distant three-hundred and sixty-seven (367) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+01 thereof; thence in a southwesterly direction along the said right-of-way line of National Railroad Passenger Corporation to a point distant seventy-two (72) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 85+06.5 thereof; thence in a southeasterly direction to a point on the southeasterly boundary of temporary area for construction distant seventy-two (72) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 84+86 thereof; thence in a southwesterly direction along the said boundary to a point and place of beginning and containing eighteen thousand eight hundred and seventy-five (18,875) square feet of land more or less.

TRACT NO. 2

Beginning at a point on the easterly side of Legislative Route 420, said point being at the intersection of the easterly required right-of-way line for Legislative Route 420 and the northerly legal right-of-way line of Rice Avenue (unimproved) distant forty-three (43) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 86+47 thereof; thence in a northwesterly direction along the said required right-of-way line for Legislative Route 420 to a point distant

forty-three (43) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 87+50 thereof; thence in a northwesterly direction along the said required right-of-way line for Legislative Route 420 to a point on the southerly required right-of-way line for Woodland Avenue distant thirty-five and five-tenths (35.5) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Route 420 at or about Station 88+43 thereof; thence in a general southeasterly direction along the said required right-of-way line for Woodland Avenue on an arc of radius fifty (50) feet to a point on the easterly boundary of temporary easement for construction distant forty-four (44) feet southeasterly and measured at right angles from the right-of-way and construction centerline of Woodland Avenue at or about Station 10+46 thereof; thence in a southeasterly direction along the said boundary to a point on the northerly legal right-of-way line of Rice Avenue (unimproved) distant fifty-eight (58) feet northeasterly and measured at right angles from the right-of-way and construction centerline of Legislative Rote 420 at or about Station 86+46.5 thereof; thence in a southwesterly direction along the said legal right-of-way line of Rice Avenue (unimproved) to a point and place of beginning and containing two thousand nine hundred fifty-six and twenty-five hundredths (2,956.25) square feet of land more or less.

The above two (2) tracts of land shown on the Department of Transportation's Drawings Authorizing Acquisition of Right-of-Way for Legislative Route 420, Section 02A R/W, in Delaware County, as temporary easement for construction and designated and delineated as parts of Parcel No. 17 on Sheet No. 7 of the said drawings, as recorded in the office for the recording of deeds, etc., in Delaware County, Pennsylvania, in Highway Volume Book 14, Page 232, are portions of real estate which became legally vested in National Railroad Passenger Corporation by deed of Consolidated Rail Corporation dated October 11, 1978, and recorded October 20, 1978, in Deed Book P-2670, Pages 951 to 987 inclusive, in the Delaware County Courthouse.

5. That National Railroad Passenger Corporation, at its initial cost and expense, furnish all material and perform all work related to its facilities, which may be required as incidental to the construction of this crossing alteration project, including but not limited to those items of material and work noted as being its responsibility on the Modifications to R.R. Electrification Facilities Plan, Exhibit K, admitted at the hearing held on April 4, 1985.

6. That National Railroad Passenger Corporation, at the sole cost and expense of Pennsylvania Department of Transportation, furnish and maintain clearance men, flagmen, watchmen, construction engineering and inspection services necessary to protect its operation during the time the crossing alteration project is being constructed above and adjacent to its tracks.

7. That any relocation of, changes in or removal of any adjacent structures, equipment or other facilities of any non-carrier public utility company located within the limits of any highway within the limits of this Commission's jurisdiction, which may be required as incidental to the execution of the crossing alteration project, be made by said public utility company, at its initial cost and expense, and in such manner as will not interfere with the construction of the crossing alteration project.

8. That any relocation of, changes in or removal of any adjacent structures, equipment or other facilities of any non-carrier public utility company located beyond the limits of any highway within the limits of this Commission's jurisdiction, which may be required as incidental to the execution of the crossing alteration project, be made by said public utility company in such manner as will not interfere with the construction of the crossing alteration project.

9. That Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary to effect the vacation, relocation, removal or demolition of any non-utility structures, including occupied dwellings, located on property required for the construction of the project in accordance with this order.

10. That Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary to establish and maintain any detours that may be required to properly accommodate highway traffic during the time the crossing alteration project is being constructed.

11. That Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary to construct the remainder of the crossing alteration project in accordance with the approved plans and this order.

12. That the crossing alteration project be completed in a manner satisfactory to this Commission on or before December 31, 1987, and that on or before said date, Pennsylvania Department of Transportation report the date of actual completion of the work and certify to this Commission that the work has been completed satisfactorily in accordance with the approved plans and this order.

13. That Pennsylvania Department of Transportation cooperate with National Railroad Passenger Corporation, Consolidated Rail Corporation and Southeastern Pennsylvania Transportation Authority so that, in the construction of the crossing alteration project, the facilities of the railroad companies will not be endangered or unnecessarily impeded.

14. That National Railroad Passenger Corporation, Consolidated Rail Corporation and Southeastern Pennsylvania Transportation Authority cooperate with Pennsylvania Department of Transportation and conduct their operations in the vicinity of the crossing alteration project in a safe manner and under control during the time the project is being constructed.

15. That non-carrier public utility companies cooperate with Pennsylvania Department of Transportation so that the relocation of their facilities do not interfere with the completion of the crossing alteration project.

16. That National Railroad Passenger Corporation pay any money to which it may be entitled as compensation for any of its operating right-of-way property taken, injured or destroyed by reason of the construction of the crossing alteration project in accordance with this order.

17. That Pennsylvania Department of Transportation pay all compensation for damages due to owners, except National Railroad Passenger Corporation, for property taken, injured or destroyed by reason of the construction of the crossing alteration project in accordance with this order.

18. That Pennsylvania Department of Transportation pay National Railroad Passenger Corporation a sum or sums of money equal to the actual cost of providing clearance men, watchmen, flagmen, construction engineering and inspection services rendered by said company to protect its operations and facilities contingent solely upon the work and operations of the Department and/or its contractor during the time the new bridge is being constructed over and adjacent to its tracks.

19. That Pennsylvania Department of Transportation pay National Railroad Passenger Corporation, when and as certified by Pennsylvania Public Utility Commission, a sum or sums of money equal to the actual cost of material furnished, work performed and services rendered by the company in compliance with numbered paragraph 5 of this order, the

salvage value of material recovered or temporarily used to be deducted from the actual cost of that portion of the work performed and material furnished by the company at the expense of the Department.

20. That Pennsylvania Department of Transportation pay Philadelphia Electric Company, when and as certified by Pennsylvania Public Utility Commission, a sum or sums of money equal to the actual cost of material furnished, work performed or inspection services rendered by the company to relocate its 130,000 volt aerial transmission lines parallel to the railroad tracks and to provide measures to protect from bodily injury and/or property damage and to maintain service to its customers relative to said transmission lines.

21. That Pennsylvania Department of Transportation pay Philadelphia Electric Company, when and as certified by Pennsylvania Public Utility Commission, a sum or sums of money equal to 50 percent of the actual cost of material furnished and work performed by the company in altering or relocating its existing gas and electric distribution facilities necessitated by the crossing alteration project.

22. That Pennsylvania Department of Transportation pay Philadelphia Suburban Water Company, when and as certified by Pennsylvania Public Utility Commission, a sum or sums of money equal to fifty (50) percent of the actual costs of material furnished and work performed by the company in altering or relocating its existing water mains necessitated by the crossing alteration project.

23. That upon completion of the construction of the crossing alteration project and its opening to public use, National Railroad Passenger Corporation, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its tracks, catenary, transmission, communication and signal systems, and other railroad facilities located on its right-of-way, such as stairways and lighting system to station platforms and the access road from Woodland Avenue to the north passenger platform.

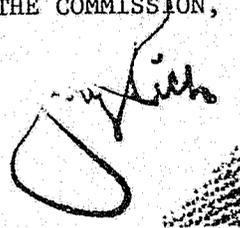
24. That upon completion of the construction of the crossing alteration project, and its opening to public use, each non-carrier public utility company, at its sole cost and expense, furnish all material and perform all work required thereafter to maintain its respective facilities within the limits of this Commission's jurisdiction.

25. That upon completion of the construction of the crossing alteration project and its opening to public use, Borough of Folcroft, at its sole cost and expense, furnish all material and perform all work required thereafter to maintain its altered or relocated sanitary sewer facilities, the curbs and sidewalks on the east side of the approaches to the bridge structure and all new construction within the right-of-way of borough streets.

26. That upon completion of the construction of the crossing alteration project and its opening to public use, Borough of Glenolden, at its sole cost and expense, furnish all material and perform all work required thereafter to maintain its altered or relocated sanitary sewer facilities, the curbs and sidewalks on the west side of the approaches to the bridge structure and all new construction within the right-of-way of borough streets.

27. That upon completion of the construction of the crossing improvement project and its opening to public use, Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work required thereafter to maintain the remainder of the project, including the highway drainage facilities and attendant storm sewer installed at the intersection of Primos Avenue and Woodland Avenue, the highway between the curbs on the approaches to the new structure, the retaining walls along the approach highways north and south of the bridge and the complete substructure and superstructure of the bridge constructed over the tracks of National Railroad Passenger Corporation in accordance with this order.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", is written over a circular stamp. To the right of the signature is a rectangular area with a dense, stippled or textured pattern.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: October 24, 1985

ORDER ENTERED: **NOV 1 1985**