

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

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C. 20235 - Borough of Folcroft v. Penn Central  
Transportation Company, etc.

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Tuesday, February 25, 1975  
Media, Pennsylvania

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

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C. 20235 - Borough of Folcroft v. Penn Central Transportation Company, Department of Transportation of the Commonwealth of Pennsylvania, County of Delaware and Southeastern Pennsylvania Transportation Authority - Alleging that hazardous and inadequate conditions exist at the crossings of Folcroft Avenue and Primos Avenue above the grade of the tracks of Penn Central Transportation Company, in the Borough of Folcroft, Delaware County, and requesting that respondent railroad company undertake immediate repairs to the structures, to determine and post load limits, and take steps necessary to replace the inadequate bridges with modern structures.

Further hearing.

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FURTHER HEARING, held at the Toal Building, North Orange and Second Streets, Media, Pennsylvania on Tuesday, February 25, 1975 at 10:00 A. M.

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BEFORE: RUDOLPH S. PALLASTRONE, ESQUIRE  
F. ROSS CRUMLISH, ESQUIRE

## Examiners Presiding

## APPEARANCES:

DAVID E. AUERBACH, ESQUIRE  
Eckell, Sparks, Vadino, Auerbach  
& Monte  
Legal Arts Building  
344 W. Front Street  
Media, Pennsylvania

For the Borough of Folcroft

HERBERT G. ZAHN, ESQUIRE  
Department of Transportation  
Harrisburg, Pa. 17120

For PennDOT

LEWIN W. WICKES, ESQUIRE  
1138 Transportation Center  
Philadelphia, Pa. 19104

For Penn Central Transportation Co.

EDWARD H. HUSS, ESQUIRE  
2028 P.S.F.S. Building  
Philadelphia, Pa.

For Southeastern Pennsylvania  
Transportation Authority

E. C. KIRK HALL, ESQUIRE  
2301 Market Street  
Philadelphia, Pa.

For Philadelphia Electric

FRANCIS P. DESMOND, ESQUIRE  
115 E. 5th Street  
Chester, Pa.

For the County of Delaware

JOSEPH B. CENTIFANTI, ESQUIRE  
2107 The Fidelity Building  
Philadelphia, Pa. 19109

For Philadelphia Suburban Water Co.

WILLIAM M. DOSNER, ESQUIRE  
One Parkway  
Philadelphia, Pa. 19102

For Bell Telephone Company

CHARLES C. KEELER, ESQUIRE  
107 W. Third Street  
Media, Pa. 19063

For the Borough of Glenolden

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MR. PALLASTRONE: We will begin the hearing. Mr. Zahn, who represents the Pennsylvania Department of Transportation will call the first witness.

MR. ZAHN: I will call Mr. Sellers.

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HOWARD A. SELLERS, a witness produced by and on behalf of PennDOT, having been first duly sworn, was examined, and testified as follows:

THE EXAMINER: Would you give your full name and address for the record?

THE WITNESS: Howard A. Sellers,  
Room 1120 Transportation and Safety Building, Harrisburg,  
Pennsylvania.

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DIRECT EXAMINATION

BY MR. ZAHN:

Q Mr. Sellers, by whom are you employed?

A The Pennsylvania Department of Transportation.

Q In what capacity?

A Civil Engineer.

Q You are familiar with the complaint of today's hearing.

A Yes, sir, I am.

Q You testified at the hearing of April 24, 1974?

A Yes, sir, I did.

Q You are authorized to testify in behalf of the Department of Transportation?

A I am.

Q Mr. Sellers, the Commission has prepared questions and procedure. In reference to question number one and two, Pennsylvania Department of Transportation is asked to submit into evidence copies of the preliminary plans and cost estimate for the reconstruction of the existing crossing and the highway approaches thereto, where State Highway Route 420 (Primos Avenue) crosses above the grade of Penn Central Transportation Company, prepared in compliance with the

provisions of the Commission's order dated June 25, 1974.

Also, the Department of Transportation is to describe in detail the proposed improvement for Primos Avenue as presented on the preliminary plans, said description to include its effect upon adjacent property owners and the anticipated pattern of traffic flow during construction of the improvement and upon completion thereof.

Mr. Examiner, I have three (3) sets of plans that I ask be marked Exhibit 1, 5, and 6. The stenographer has three copies of those, most of the parties here have copies. I ask that they be so marked.

MR. PALLASTRONE: Any objections, gentlemen? If not, I direct the stenographer to mark the Exhibits as Mr. Zahn requested and make them part of the record.

(Exhibit No. 1 consists of eleven (11) sheets of preliminary plans - resubmission of PennDOT Exhibit No. 1 submitted at the April 24, 1974 hearing; No. 5 - nine sheet document consisting of preliminary plans for six retaining walls; No. 6 - typewritten page dated

September 3, 1974, showing itemized preliminary estimate of construction costs, was marked for identification as PennDOT's Exhibits No. 1, 5, and 6.)

BY MR. ZAHN: \*

Q Now Mr. Sellers, will you please answer those questions, one and two?

A Pennsylvania Department of Transportation Exhibit 1 consists of eleven (11) sheets of preliminary plans for Legislative Route 420 between Station 70 plus 50 and Station 93 plus 00 and is basically a resubmission of PennDOT Exhibit No. 1 submitted at the April 24, 1974, hearing.

DEPARTMENT OF TRANSPORTATION'S TESTIMONY

A 1. PennDOT Exhibit No. 1 consists of eleven (11) sheets of preliminary plans for Legislative Route 420 between Station 70+50 and Station 93+00 and is basically a resubmission of PennDOT Exhibit No. 1 submitted at the April 24, 1974 hearing.

The first sheet shows highway typical sections. The remaining sheets show the preliminary highway plan and profiles for the northerly and southerly highway approaches to the bridge, subject of

this Complaint. The horizontal alignment of the northerly and southerly approaches are basically on tangent alignment. The vertical alignment of the southerly approach will be on a 300-foot long crest vertical curve, providing a gradual transition between ascending grades of 4.9 and 0.88 per cent. The northerly approach will be on a 250-foot long crest vertical curve, providing a gradual transition between an ascending grade of 3.51 per cent and a descending grade of 0.88 per cent.

The highway typical section in the vicinity of the crossing will consist of dual 26-foot wide roadways with a variable distance of 2-foot 6-inches to Zero on the outside edge of paving for curbs and 2-A Guard Fence on highway embankment or standard combination sloping curb and parapet on bridges with 5-foot wide cement concrete sidewalks on each side of the paved roadways.

The dual 26-foot wide roadways will be separated by a 4-foot wide Traffic Separator Type A.

PennDOT Exhibit No. 5 consists of nine (9) sheets of preliminary plans for the six (6) retaining walls located within the Commission's

jurisdictional limits. The General Plan and Elevation Sheet (s) is provided for each of the six (6) retaining walls and as previously stated are preliminary plans only. The retaining walls are located between the following station limits:

- (a) L. R. 420 Station 79+29.06 to Station 81+42.06
- (b) L. R. 420 Station 80+00.90 to Station 81+34.90
- (c) L. R. 420 Station 82+25.00 to Station 85+23.00
- (d) L. R. 420 Station 86+49.71 to N. B. Station 90+50.00
- (e) L. R. 420 Station 86+51.18 to S. B. Station 91+20.00
- (f) Ridgeway Ave. Station 0+51.40 to Station 3+54.10

Q On your "A" you stated that it started at Station 79+29.06, that should have been 27.06.

A Yes sir, that is correct.

PennDOT Exhibit No. 6 is one (1) typewritten sheet of paper dated September 3, 1974, showing an itemized preliminary estimate of the

construction costs of the improvement within the Commission's jurisdiction. The work is itemized under fourteen (14) principal items pertaining to construction and is estimated to cost \$2,517,246.00. Right of way damages are estimated to be \$756,000.00.

It is estimated that there will be twelve (12) houses relocated or taken with approximately thirty-six (36) partial property takes in accordance with the Department's preliminary plan. Access to some properties will also be affected, the number affected is dependent on the method or methods used to provide said properties with substitute access during final design of said project.

Woodland Avenue will be severed by improved Primos Avenue and no longer act as a through street. Maintenance of traffic during construction has not as yet been worked out because of the complexity of the problem and the lack of funds to proceed with the design.

Q Now in reference to question No. 3, the question of procedure, PennDOT is asked to submit testimony as to whether it will agree to prepare complete construction plans for the four-lane reconstruction of

Primos Avenue generally in accordance with the preliminary plans submitted, and, if so, the time the Commission should set for the completion of said plans.

A The Pennsylvania Legislature is approving the 1973-74 Capital Budget approved funding Legislative Route 420, Section 2 (Primos Avenue) for design, therefore, the Department will agree to prepare construction plans for the proposed four-lane highway generally in conformance with PennDOT Exhibit No. 1. The anticipated time required by the Department to complete said plans is a minimum of two (2) years with a possibility that it may take up to three (3) years.

The Environmental Impact Statement will take a one to two years, depending on the local governing bodies and the people. Final design should take a period of one (1) year to complete.

Q Now I am skipping number 4, I have another witness who will answer that.

In reference to question number 5, the question of procedure. PennDOT is asked to state whether it has complied with numbered Paragraph 3 of the Commission Order of June 25, 1974, and the

Commission Telegram Order of November 22, 1974, and if not, state its reasons why it has not done so.

A The Department has erected the advance weight limit warning signs as ordered in Paragraph 3 of the Commission's Order of June 25, 1974.

The Commission's Order of November 22, 1974 refers to the Folcroft Bridge and reads in part, "in addition thereto, the Pennsylvania Public Utility Commission hereby directs Pennsylvania Department of Transportation, the Pennsylvania Department of Transportation having agreed to post and maintain suitable alternate routes for traffic."

The Department did not agree to post and maintain suitable alternate routes for the Folcroft Avenue Bridge, since it is a borough street. The Department did, however, agree to study the grave problem of selecting an alternate route or detour for vehicles in excess of seven (7) tons for Primos Avenue. Another Department witness will testify as to the findings of said study.

Q Now, in reference to question No. 6, the Pennsylvania Department of Transportation is asked to describe the extent and nature of any recent maintenance

it has performed on the two crossings involved in this proceeding.

A The Department has performed routine maintenance on the highway approaches to the Legislative Route 420 crossing.

Q In regard to question No. 16, the Pennsylvania Department of Transportation is asked to submit any additional relevant testimony.

A The Pennsylvania Department of Transportation's design of Legislative Route 420, Section 2, has not progressed beyond Pennsylvania Department of Transportation's Exhibits 1, 3, and 4, submitted at the April 24, 1974 hearing.

As previously stated, the Pennsylvania Department of Transportation will agree to proceed with the design of the subject project upon bond money being obtained by the Commonwealth for said design.

Q Is there any further testimony you wish to offer at this time?

A No, sir.

MR. ZAHN: The witness is available for cross-examination.

MR. PALLASTRONE: I am going to take

the Counsel in the order in which they appear on the appearance sheet.. So don't feel slighted if you are last.

Mr. Wickes, Mr. Desmond, Mr. Centifanti,  
Mr. Dosner: .No questions.

MR. PALLASTRONE: Mr. Huss?

MR. HUSS: Yes.

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CROSS-EXAMINATION

BY MR. HUSS:

Q Mr. Sellers, what would be the effect at the intersection of Primos Avenue and Elmwood Avenue?

MR. PALLASTRONE: The effect of what?

THE WITNESS: That would be answered by our next witness. He will get into the design features of the project.

MR. PALLASTRONE: Mr. Keeler?

MR. KEELER: No questions.

MR. PALLASTRONE: Mr. Auerbach?

MR. AUERBACH: Yes, sir.

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CROSS-EXAMINATION

BY MR. AUERBACH:

Q Do you have any estimate of the approximate time it would take to complete the total project? You give an estimate of two (2) or three (3) years in regard to design. I want to know in regard to the total project.

A To complete construction, is this your question?

Q Yes, the final design and completed structure, your best estimate?

A It would take a minimum of three (3) additional years to acquire a right-of-way and construct the project.

Q So the minimum of six (6) years before construction would be completed?

A Probably, that is an estimate. There are many variables.

Q Would you consider that a minimum period of time, the six (6) years?

A That would be close to minimum.

Q In the Commission's Order, there was something concerning some guard rails to be placed along side the access to the bridge. It is my understanding the guard rails have been laid on the one side, not the east side. Do you have any information concerning that?

A It is my knowledge it was only supposed to be placed where it has been placed.

Q That it was not to be placed on both sides?

A Not to my knowledge, no sir. It was a problem on the other west side, if my memory serves me right.

Q Yes, it was placed on the west side. It is my understanding that it was supposed to be placed on both sides, and there is still a dangerous condition on the other side.

MR. PALLASTRONE: Is that a question or statement of fact?

MR. AUERBACH: A combination of both.

THE WITNESS: No sir, to the best of my knowledge, it was more or less a wash-out condition on the west side and the embankment was replaced and guard rail was put in.

MR. AUERBACH: If you will bear with me for one minute?

MR. PALLASTRONE: Sure.

BY MR. AUERBACH:

Q Sir, are you personally familiar with the situation there?

A I have been at the site, yes sir.

Q Are you stating that it is not necessary for safety purposes to have the guardrail on the right side, the east side?

A To reorient, the east side would be toward the railroad station?

Q That's correct.

A Okay, I recall the question. It would be advantageous, but I don't think it's critical, as compared with other places.

MR. AUERBACH: I have photographs I would like to have marked.

MR. ZAHN: Why don't you wait until you put your testimony on?

MR. PALLASTRONE: That would be my suggestion also, Mr. Auerbach.

BY MR. AUERBACH:

Q Do you think it would be more advantageous?

A It would add some protection, I wouldn't say it was critical, no sir.

Q You mentioned that some property, some access to some property, would be blocked or taken with the highway coming through. Are you familiar with the situation with the Fire Company, the access to the

Sellers - cross  
Heebner - direct

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Fire Company?

A No sir, our next witness could probably answer that question.

MR. AUERBACH: That is all the questions I have.

MR. PALLASTRONE: Thank you, Mr. Auerbach.

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ROGER W. HEEBNER, a witness produced by and on behalf of PennDOT, having been first duly sworn, was examined, and testified as follows:

MR. PALLASTRONE: Would you state for the record your full name and address?

THE WITNESS: Roger W. Heebner, 1865 West Marshall Street, Norristown.

MR. PALLASTRONE: And your official office address?

THE WITNESS: 200 Radnor-Chester Road, St. Davids, Pennsylvania.

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#### DIRECT EXAMINATION

BY MR. ZAHN:

Q That is the District 6-0 Regional Highway of

PennDOT?

A Correct.

Q You are employed by PennDOT?

A Yes, I am.

Q In what capacity?

A Civil Engineer.

Q Are you familiar with the complaint in today's proceeding?

A Yes, I am.

Q Are you authorized to testify in behalf of the Department?

A Yes, I am.

Q Mr. Heebner, I direct your attention to question No. 4 of the questions and procedure, dated January, 1975, where PennDOT is to submit testimony on the impact the reconstruction of Primos Avenue as a two-lane facility would have on the efficient flow of traffic projected for the highway, and on the adjacent communities compared to the proposed four-lane improvement and further state whether if it will agree, if so ordered by the Commission, to prepare preliminary and final plans for a two-lane facility, and if so, the time the Commission should set for the completion

of said plans.

MR. PALLASTRONE: Excuse me, in the middle of this, I would like to note on the record that we have another examiner now present, Mr. F. Ross Crumlish.

A From the time the project was initiated both the Transportation Commission Delaware Valley Regional Planning Commission, and Delaware County Planning Commission agreed that it should be a four-lane facility. The traffic analysis, using a capacity-analysis technique, indicates also that the facility should be four-lane. A two-lane facility could not handle, at the present time, the traffic that is on there, and certainly would not for nineteen ninety five figures. It is operating close to capacity at the present time.

As a result of both of these things, the Department would not be willing, under any circumstances, to design a two-lane facility on Primos Avenue.

BY MR. ZAHN:

Q Now, is there anything that you wish to add to your testimony?

A I don't believe so.

MR. ZAHN: The witness is available  
for cross-examination.

MR. PALLASTRONE: Mr. Wickes, Mr.  
Desmond, Mr. Centifanti, Mr. Dosner: No questions.

MR. PALLASTRONE: Mr. Huss?

MR. HUSS: Yes.

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CROSS-EXAMINATION

BY MR. HUSS:

Q Mr. Heebner, could you tell us what the impact  
would be if this is built, at the intersection of  
Elmwood Avenue?

A Elmwood passes under Primos.

Q Would there be any interruption of traffic as  
far as Elmwood is concerned?

A During construction?

Q Yes.

A I don't know how the final details, as far as  
construction, will be handled.

MR. HUSS: No further questions.

MR. PALLASTRONE: Mr. Keeler?

MR. KEELER: No questions.

MR. PALLASTRONE: Mr. Auerbach?

MR. AUERBACH: Yes.

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CROSS-EXAMINATION

BY MR. AUERBACH:

Q Has PennDOT looked into the question of what is going to happen to heavy truck traffic in the next six (6) years, until the bridge is built, since there is now a seven (7) ton weight limit on the Primos Avenue Bridge?

A The Department is aware of the heavy truck traffic there, yes.

Q Do they have a possible solution to the problem?

A We have another witness who has looked into the possibility of detours in the area, yes.

MR. AUERBACH: We will have another witness?

MR. ZAHN: Yes, we will have another witness.

BY MR. AUERBACH:

Q Are you the gentleman who has the information concerning the Fire Company and the Firehouse and the access to it?

Heebner - cross  
Tiney - direct

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A The Department is aware of the problem with access to the Firehouse. I am sure steps will be taken so the Firehouse will not be cut off.

Q So the Firehouse will not be cut off?

A Because of the retaining wall, I imagine that is what you are referring to.

Q Yes, the access to the Firehouse.

A The Department is aware of the fact that access will be a problem, that something should be worked out.

Q Your intention is to work something out so that the present Firehouse still utilizes the same access that they have now?

A I am not sure.

MR. AUERBACH: That is all the questions I have.

MR. PALLASTRONE: Mr. Keeler?(no response)

MR. ZAHN: For the next witness, I call Mr. Tiney.

DENNIS E. TINEY, a witness produced by and on behalf of the PennDOT, having been first duly sworn, was examined, and testified as follows:

MR. PALLASTRONE: Will you give your full name and address for the record?

THE WITNESS: Dennis E. Tiney, 200  
Radnor-Chester Road, St. Davids, Pa.

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DIRECT EXAMINATION

BY MR. ZAHN:

Q By whom are you employed?

A PennDOT, District 6.

Q In what capacity?

A Civil Engineer.

Q What is your particular area as Civil Engineer?

A As Assistant District Traffic Engineer.

Q Assistant District Traffic Engineer. Are you familiar with the area of today's complaint?

A I am.

Q Are you authorized to testify in behalf of the Department?

A Yes.

Q Now, Mr. Tiney, please state and describe the results of the study the Department has made to select an alternate route for Primos Avenue?

A In compliance with the telegram order dated 11-22-74, we have reviewed the possible alternatives for a route for Primos Avenue. The result of that

review reveals there is only one alternative, practical alternative route, and that is the route Sharon Avenue between Hook Road and Chester Pike.

The Department has not posted this detour as yet because of the problem with advance signing at the intersection of Hook Road and Sharon Avenue. It is very difficult to obtain proper sites there to get advance warning signs.

The other alternative in the area is to utilize Kalcon Road and Hook Road, which is further to the east of Sharon Avenue. This was not deemed to be as acceptable as Sharon Avenue, due to the overpass over Penn Central Transportation. The narrow width of that structure being the primary consideration, it's a fifteen (15) foot-cartway.

At this time, the only practical detour route is to utilize Sharon Avenue as an alternate route for Primos Avenue.

Q Is there anything further you wish to add?

A Not at this time, no.

MR. ZAHN: The witness is available for cross-examination.

MR. PALLASTRONE: Mr. Wickes, Mr.

Desmond, Mr. Centifanti, Mr. Dosner: No questions.

MR. PALLASTRONE: Mr. Huss?

MR. HUSS: Yes.

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CROSS-EXAMINATION

BY MR. HUSS:

Q Mr. Tiney, can you tell us if Elmwood Avenue is going to be detoured at any time during this proposed construction?

A I don't think I could comment on this point because we have not advanced the drawings or construction plans at this time to the point where we can determine a maintenance of traffic plan for the project.

MR. HUSS: No further questions.

MR. PALLASTRONE: Mr. Keller: No questions.

MR. PALLASTRONE: Mr. Auerbach?

MR. AUERBACH: Yes.

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CROSS-EXAMINATION

BY MR. AUERBACH:

Q When do you propose putting the detour signs up?

A This would be dependent on when we can possibly

locate the advance warning sign. We do have a right-of-way problem on Hook Road in advance of Sharon Avenue. We have not resolved the locations for those advance warning signs as yet.

Q Can you give us some sort of an estimate as to when you will be doing this?

MR. PALLASTRONE: If you can, Mr. Tiney.

THE WITNESS: If it is possible to post the proper advance warning signs for the effective alternate route, it would be within a month from this date. But, the right-of-way is not sufficient to post proper signing. We are not sure at this point that we can get effective signing for an alternate route.

Q What happens if you do not get effective signing for an alternate route?

A You really don't have an alternate route because traffic is not aware or cannot respond to utilize the alternate route.

In other words, what I am saying is that if you cannot get effective sign placement and sign legend to properly inform the driver that he

must make a decision as to which route he will take, he will completely miss the turn-off. And you don't, therefore, have an alternate route.

Q Why may you have difficulty putting signs up?

A Okay, in essence, this is largely brought about by the configuration of L. R. 420, Hook Road. The bridge itself is located on Primos Avenue. Hook Road itself is a continuation of Belmar Avenue. You therefore have difficulty in posting at Sharon Avenue, you just cannot put up a sign in the middle of the roadway. You must leave that roadway open because it really is open. You must go back to east Sharon Avenue and get a proper message across to the driver that he has to make a decision. If he is over seven (7) tons, he cannot go up, he must take Sharon Avenue.

Q I understand, but why is it so difficult ?

A East of Sharon Avenue is a curb and sidewalk area. To get a proper legend of a sufficient size that can easily be read by the motoring public requires the size of a sign panel that would probably overhang the sidewalk area.

Also, our right-of-way is not that great in that area. So that we would probably be

overhanging our right-of-way line, which we are not allowed to do in sign work.

Q Is there not another way of solving that problem by condemning a piece of property where you want to put the sign up?

A I guess you could put the --

Q Well, if you are unable to do this, you are then going to be having these heavy trucks coming over this bridge, which will only hold seven (7) tons by definition?

A Not necessarily. There had been advance warning signs posted for the bridge weight limit. If those warning signs are enforced, then there should be no trucks going over that seven (7) ton bridge.

Q As a practical matter, isn't it very difficult for the Borough of Folcroft, unless they post a policeman right at that bridge, to stop that traffic from going across there?

MR. ZAHN: I object to the question.

MR. PALLASTRONE: Yes, I do not know how this witness can answer that. I will sustain the objection and ask for another question.

BY MR. AUERBACH:

Q When will you know whether or not you can get the signs posted?

A As soon as we can firm up a message and sign size. Then we can determine whether we can actually fit the sign in the space that is available, and that is in process now.

Q Now, if you are unsuccessful, do you have any alternative plans to keep these trucks off Primos Avenue Bridge?

A The method of keeping -- the detour is not to keep trucks off Primos Avenue. The detour is an alternate route for them to use. The trucks are kept off Primos Avenue by the weight restriction signs which are posted at the bridge and at the immediate intersection. So that, the detour does not keep them off the bridge. The enforcement of the bridge posting signs, if the bridge posting signs are not enforced...

Q Obviously, it is a help to have those signs?

A It is a help to the so-called transient traffic. It gets him -- it alleviates his possibly coming up to the Primos and Hook Road intersection, and sees a weight restriction sign and not knowing which way to go. It is possible that that would occur.

The problem is getting the advance signing up. There is a problem on Primos and here is an alternate route for him to use. That is the problem, getting that message before he gets to Sharon Avenue, so he can make a decision at Sharon.

Q Do you have any alternate plans other than these detour signs if the detour signs will not work?

A No, there is no other logical detour route other than Sharon Avenue at this point.

Q If you are able to proceed to put these signs up, when would they be up?

A I said, approximately a month from this date, depending on the size of the sign.

MR. AUERBACH: Thank you.

MR. PALLASTRONE: Mr. Keeler?(no response.)

Any additional witnesses, Mr. Zahn?

MR. ZAHN: That is the Department's case for today.

THE EXAMINER: Does the Department intend to produce evidence at any further hearing, or is this all on this particular complaint?

MR. ZAHN: There will be further

hearings, this is not a final hearing. This is our preliminary plans.

I move for the admission of PennDOT's Exhibit 5 and 6 into evidence. PennDOT's Exhibit 1 was previously entered.

MR. PALLASTRONE: Any objections, gentlemen?

The Exhibit 5 and 6 will be made part of the record. (Exhibit 5 - nine sheet document consisting of preliminary plans for six retaining walls; Exhibit 6 - one typewritten page dated September 3, 1974, showing itemized preliminary estimate of construction costs.)

MR. PALLASTRONE: Are there any other Counsel in the room who wish to present some testimony today?

MR. WICKES: Penn Central.

MR. AUERBACH: The Borough of Folcroft.

MR. PALLASTRONE: We will take Mr. Wickes next.

WALTER A. KAUTZ, a witness produced by and on behalf of Penn Central, having been first duly sworn, was examined, and testified as follows:

MR. PALLASTRONE: Would you give your full name and address for the record?

THE WITNESS: Walter A. Kautz, Senior Civil Engineer, Penn Central Transportation Company, 600 Six Penn Center Center Plaza, Philadelphia, Pennsylvania.

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DIRECT EXAMINATION

BY MR. WICKES:

Q Mr. Kautz, did you testify at the previous hearing in this matter on April 24, 1974?

A No.

Q Are you authorized to testify today on behalf of the trustees of Penn Central?

A Yes.

Q For today's hearing, the Commission has propounded a list of questions and procedure dated January, 1975, question number 11 is addressed to Penn Central. What is your position concerning the plans submitted by PennDOT?

A We have no objection to the reconstruction in accordance with the preliminary plans submitted at the last hearing. The plans we received by letter dated

October 28, 1974, were of such scale and reproduction quality that it is difficult to determine detail. We will require a minimum of eighteen feet six inches horizontal clearance from center line of outside track to face of pier or abutment and a minimum of twenty-three feet six inches vertical clearance from top of rail to bottom of structure. Our requirements for pedestrian access to the bridge on both sides of the track are not clearly shown on the prints.

Q Question 12 directs the submission of an indepth inspection report. Have you such a report to submit?

A Yes, copies are available.

MR. WICKES: Mr. Examiner, I request that a document dated November 21, 1974, and bearing the heading, "Eastern Region - Chesapeake Division - Main Line - O. H. Bridge No. 7.58-Folcroft Avenue - Folcroft, Pennsylvania, " be numbered as an Exhibit?

MR. PALLASTRONE: That will be marked "Penn Central-1."

(Four-page inspection report of bridge 7.58, was marked as Exhibit No. 1 for Penn Central.)

MR. PALLASTRONE: You may proceed.

BY MR. WICKES:

Q Question 13 asked for testimony concerning work required to up-grade the Folcroft Avenue Bridge to 20 ton capacity. What is your testimony?

A The result of the inspection report which we have submitted indicates that only the floorbeams, fail to rate at a 20 ton capacity at present.

Unfortunately, the bridge is constructed in such a way that the renewal of the floorbeams requires the removal of the stringers, which, in turn, requires the removal of the deck and wearing surface. The only superstructure members left in place would be the 1883 wrought iron girders. Good engineering practice would dictate that these be removed.

We estimate the complete renewal of the superstructure would cost about \$185,000.00. We are quite sure that the bridge would be widened if such a project were undertaken, so the cost would probably exceed \$250,000.00.

Q The Commission's order of June 25, 1974, required at Paragraphs 4 and 6, that Penn Central make any required repairs to the Primos Avenue and the

Folcroft Avenue bridges. Question 14 directs that you state whether or not you have complied with those requirements?

A We have, but not with the degree of success that we and the other parties would like. The only repairs we have made have been to the bituminous wearing surface. The structures have been so consistently abused by overweight vehicles that the decks will not hold.

We are not willing to make any further repairs to these structures. If and when they reach the point that they are not safe for the posted limits, they should be barricaded to vehicular traffic.

Q Do you have any other testimony?

A No, I do not.

MR. PALLASTRONE: Mr. Zahn?

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CROSS-EXAMINATION

BY MR. ZAHN:

Q Just one question. You stated that the plans that you received recently were not legible. You understand that that is a reduced plan of the original plan that was sent to Penn Central?

A I do now. As such, they are satisfactory.

MR. ZAHN: Thank you.

MR. PALLASTRONE: Mr. Desmond, Mr. Centifanti, Mr. Dosner, Mr. Huss, Mr. Keller: No questions.

MR. PALLASTRONE: Mr. Auerbach?

MR. AUERBACH: Yes.

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CROSS-EXAMINATION

BY MR. AUERBACH:

Q Mr. Kautz, in regard to the Primos Avenue Bridge, sir, you say you have done some repairs. Do you know the extent of the repairs?

A Patching of the surface.

Q Do you know whether or not it has been necessary for the Borough of Folcroft to step in and do some repairs because of the bad conditions that have not been taken care of by the Penn Central?

A I have not observed that personally, no.

Q Now, you say you are unwilling to make any further repairs with regard to the Primos Avenue Bridge?

A That's correct.

Q Now, you have heard the testimony here today,

have you not, that it is going to take a minimum of six years in order to have a new bridge built?

What is your position, the position of Penn Central in regard to repair work on that bridge over the next six years?

A I believe I stated that if it comes to such a time, then the 7 ton limit should be barricaded.

Q That is the only solution you have, is to barricade it?

A Yes, unless others want to spend the money.

Q Well, isn't it Penn Central's responsibility to take care of the bridge itself?

A I couldn't agree with that statement. And I believe it has been put in testimony that Penn Central has only been doing this repair by tradition.

Q It is not your position that it is your responsibility to take care of it, is that right?

A No.

Q Well, if it were your responsibility do you think that --

A That is a supposition.

MR. PALLASTRONE: Sir, let him ask the question. If it is objectionable, your Counsel will

object.

BY MR. AUERBACH:

Q In your opinion, do you feel that some repairs should be made to the superstructure of Primos Avenue Bridge for the safety of the public?

A Just to the wearing surface. I looked at the bridge yesterday and while it was raining and difficult to inspect it, the only thing that I could see was the wearing surface that could stand some patching.

Q Did you examine the wood beams on the bridge, sir?

A I said it was raining yesterday and that it was difficult to do. But what I saw, I saw no reason why to ask for a posting, other than the seven tons that is now there.

However, while I was there, I could not help but notice the heavy trucks that are using that bridge and abusing the bridge, as I said in testimony.

Q Were you familiar with the fact that within the last week there was a problem with the insulators that caused the bridge to be creased?

A I believe that happened over the holiday -- the seventeenth, was that? There was icicles formed under

the bridge and came in contact with the canary wire which caused some of the surface to pop.

Q Do you feel anything should be done or is Penn Central willing to do anything to inspect that to determine if this will happen again and try to prevent it?

A I said no.

Q You are not willing to do that?

A No.

Q Do you not feel that is a safety hazard?

A It will cause the deck to pop and the bridge to bounce. I don't think it is a safety hazard to any one walking on the bridge, walking or riding over.

Q In other words, if someone were riding over this bridge at the time this popped and this hit the bottom of their car, it would have no effect?

A It does not pop with that force. It just makes a hole and then the next person bounces.

Q Suppose a pedestrian were walking across the bridge at a point where it popped. Do you feel some --

MR. WICKES: Objection.

MR. PALLASTRONE: How could he answer that? This witness is not in a position to give

speculative answers. I will sustain the objection.

MR. AUERBACH: It seems to me that since this is an engineer for Penn Central who is able to describe for us what happened, certainly he should be able to give his opinion if a pedestrian were walking across the bridge at the time.

MR. PALLASTRONE: His opinion would be worthless. It would amount to no more than any non-professional's opinion in this room.

I sustain the objection and ask you to go the next question.

MR. AUERBACH: May I just please have an exception?

MR. PALLASTRONE: I'm sorry. Did I hear somebody say something?

MR. AUERBACH: May I have an exception on the record?

MR. PALLASTRONE: You have an automatic exception.

MR. AUERBACH: This is a particularly important point because of the concern with safety.

MR. PALLASTRONE: You could do that in your own direct case by brief or oral argument.

MR. AUERBACH: Fine, I just want it to be on the record. Thank you.

BY MR. AUERBACH:

Q Is the Penn Central willing to do anything with regard to Folcroft Avenue Bridge?

A No.

Q Penn Central's position is that it is not responsible to do any repairs to the Folcroft Avenue Bridge?

MR. WICKES: Objection, this is mere repetition.

MR. PALLASTRONE: I agree.

MR. AUERBACH: I was discussing the Primos Avenue Bridge before. Now I am discussing the Folcroft Avenue Bridge.

MR. WICKES: Would you answer the same, sir?

THE WITNESS: Yes.

MR. PALLASTRONE: Do you withdraw the objection?

MR. WICKES: Yes.

MR. PALLASTRONE: The objection is withdrawn and the witness has answered the question.

THE WITNESS: The answer is no.

BY MR. AUERBACH:

Q You are not willing to do anything? You made your position clear, I understood your answer.

MR. AUERBACH: That is all the questions I have of this witness.

MR. PALLASTRONE: Mr. Keeler do you have any questions? (no response.)

MR. PALLASTRONE: Mr. Desmond, do you have any testimony?

MR. DESMOND: Yes Mr. Examiner, I have one witness, Mr. Minnech.

HARRISON F. MINNECH, a witness produced  
Delaware  
by and on behalf of the County of having been first  
duly sworn, was examined, and testified as follows:

MR. PALLASTRONE: Would you give your full name and address for the record?

THE WITNESS: Harrison F. Minnech.

MR. PALLASTRONE: State your address please.

THE WITNESS: 1453 South Burton Lane,  
Sharon Hill.

BY MR. DESMOND:

Q By whom are you employed?

A County of Delaware.

Q What is your present position?

A Bridge Inspector.

Q Have you been authorized to testify on the County's behalf in this proceeding?

A I have.

Q Have you reviewed questions 6, 7, and 10 propounded by the Commission?

A Yes, sir.

Q I wonder, could you give us the County's answer to question 6 please?

A Since the County of Delaware has no responsibility for the maintenance of the bridge or crossing in question, it has performed no maintenance to the two crossings involved.

Q Now, with respect to question no. 7.

A The County of Delaware has no objection to construction of the Primos Avenue improvements in accordance with plans submitted by the Department of Transportation.

Q Finally, question no. 10.

A Finally, since the County of Delaware has

heretofore assumed no responsibility for repairing said Folcroft Avenue Bridge, and believed it has no responsibility for such repairs, it is unwilling to cooperate with Penn Central Transportation Company in making any required repairs on said bridge.

Q Thank you, does that complete your statement?

A Yes, sir.

MR. PALLASTRONE: Any questions, Mr.

Zahn?

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CROSS-EXAMINATION

BY MR. ZAHN:

Q This bridge is within the County of Delaware, is it not?

A Yes, sir.

Q It is used by residents of Delaware County?

A Yes, sir.

Q And Delaware County received funds from the liquid fuel taxes from the State of Pennsylvania?

A I would say yes sir.

MR. ZAHN: Thank you, no further questions.

CROSS-EXAMINATION

BY MR. WICKES:

Q And you are unwilling, you say, to cooperate with the Penn Central? Do you mean that Delaware County and Penn Central agree between them not to do anything about it?

A I didn't say that.

MR. WICKES: All right, that is all I have.

BY MR. WICKES:

Q Well, could you clarify that? Are you referring to terms of financial help or moral support?

A All the moral support we can give, financial, none.

MR. PALLASTRONE: Mr. Centifanti, Mr. Huss, Mr. Keller, Mr. Auerbach: No questions.

MR. PALLASTRONE: Mr. Keeler? (no response.)

MR. PALLASTRONE: Mr. Centifanti, do you have any witnesses?

MR. CENTIFANTI: Yes, sir. I'm advised that there is a witness or a representative here from the Delaware Planning Commission, is that correct?

Minnech - cross  
McKay - direct

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MR. PALLASTRONE: Yes.

MR. CENTIFANTI: I frankly did not know he was going to be here. I do not know if he wants to come under his umbrella or to put his statement on behalf of Mr. Desmond.

MR. PALLASTRONE: I indicated to the witness that he has a short statement to make, and it appears that the testimony of all the other Counsel is not very long. So I think that rather than take it out of order, he appears to come in under his own umbrella, and we will take him in due course.

Sir, would you raise your right hand?

JOHN G. MCKAY, JR., a witness produced by and on behalf of Philadelphia Suburban Water, having been first duly sworn, was examined, and testified as follows:

MR. PALLASTRONE: Would you state your full name and address for the record?

THE WITNESS: John G. McKay, Jr.,  
762 Lancaster Avenue, Bryn Mawr, Pennsylvania.

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DIRECT EXAMINATION

BY MR. CENTIFANTI:

Q Mr. McKay, I show you a document entitled

"Philadelphia Suburban Water Company Testimony for presentation in the hearing of February 25, 1975."

Did you prepare this statement?

A I did.

Q If I asked you the questions that are contained in the statement, would your answers be the same as they are today?

A They would.

Q Are you authorized to appear here today to testify in behalf of the Water Company?

A I am.

Q I will do them both, both statements, if you do not mind.

MR. PALLASTRONE: Sure.

BY MR. CENTIFANTI:

Q Mr. McKay, I show you a document entitled "Philadelphia Suburban Water Company, Exhibit W-1."

Did you prepare this Exhibit from the Company's system plan?

A I did.

Q If I can, I would ask that this statement and the accompanied Exhibit W-1 be marked for identification?

MR. PALLASTRONE: I direct that the

Exhibit and the prepared statement be marked for identification.

(Sketch showing location of facilities in Primos Avenue, north and south of Penn Central Railroad was marked as Exhibit W-1 for identification of Philadelphia Suburban Water Company; Prepared testimony of John G. McKay, Jr., was marked for identification as Philadelphia Suburban Water Company Exhibit W-2.)

MR. CENTIFANTI: Mr. Examiner, we have distributed copies of the statement and Exhibit to, I think, all of the Counsel here today. I am going to just ask Mr. McKay two questions, and then he will be available for cross-examination.

BY MR. CENTIFANTI:

Q Mr. McKay, in your statement, you indicate that the Company's proposed sixteen inch main installation in Primos Avenue would eliminate the necessity for some of the relocation work that you described in your statement. Can you tell us what the sixteen inch main would eliminate, what relocation activities the sixteen inch main will eliminate?

A If the company installs a new sixteen inch main throughout the entire length of the proposed construction, it would eliminate the necessity of replacing the existing six inch cast iron main which extends northward from a point just above Warwick Avenue to Elmwood Avenue.

It would also eliminate the necessity of restoring the main, in that it would be a six inch main in Primos Avenue from Woodland Avenue northward to the end of the proposed construction.

Q In general terms, Mr. McKay, what types of relocation work would still be necessary?

A It would still be necessary to relocate and adjust the services to the houses and existing commercial buildings and school buildings there. It would also be necessary to relocate at least three (3) fire hydrants.

And it would be necessary to make connections to the side streets between the proposed sixteen inch main and the existing mains into the side streets.

Q Are you prepared at this time to give a statement of the final estimates and plans for relocation

of the company's facilities?

A No, we are not.

Q Mr. McKay, have you had access to or have you seen the plans for the proposed retaining walls which have been identified as PennDOT's Exhibit 5?

A No, I first received prints of the plans for the retaining walls at this morning's hearing. My testimony here this morning has not considered the effect of the retaining walls on the company's facilities.

We will now have to review Exhibit 5 and determine what additional provisions must be made to accommodate the retaining walls.

MR. CENTIFANTI: Thank you. Mr. McKay is available for cross-examination.

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CROSS-EXAMINATION

BY MR. ZAHN:

Q Mr. McKay, your Exhibit 1, in which you outline in red your facilities, are they within the jurisdictional area that the Commission has set in this complaint?

A Yes they are all within the jurisdiction.

MR. ZAHN: Thank you, no further

questions.

MR. PALLASTRONE: Mr. Wickes, Mr. Desmond, Mr. Centifanti, Mr. Dosner, Mr. Huss, Mr. Keeler, Mr. Auerbach: No questions.

MR. PALLASTRONE: Thank you Mr. McKay. Mr. Dosner, do you intend to have a witness?

MR. DOSNER: Yes. I call Mr. Eppright to the stand.

JOHN EPPRIGHT, a witness produced by and on behalf of the Philadelphia Suburban Water, having been first duly sworn, was examined and testified as follows:

MR. PALLASTRONE: Would you give your full name and address for the record?

THE WITNESS: John Eppright, Bell Telephone Company, Chadds Ford, Route 1, Pennsylvania.

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DIRECT EXAMINATION

BY MR. DOSNER:

Q By whom are you employed?

A Bell Telephone Company.

Q What is your job capacity?

A Engineer in the Outside Plant Department.

Q Are you authorized by Bell Telephone to testify at this hearing this morning?

A Yes.

Q Mr. Eppright, the questions and procedure submitted by the Commission asks the Bell Telephone Company to describe the facilities, if any, that will be effected by the construction of the Primos Avenue crossing improvement in accordance with the preliminary plan prepared by the Department of Transportation. Have you examined those preliminary plans?

A Yes.

Q Are any Bell Telephone Company facilities effected by the plans as they now exist?

A Yes.

Q Are these aerial or underground facilities?

A One hundred percent aerial.

Q Would you please describe the facilities that are involved?

A Starting from Station 71+00 to Station 78+00 requires relocation of six poles and seven hundred feet of one hundred pair aerial cable of the present west curb.

Station 81+85, we have an aerial crossing in the Elmwood. We propose to place conduit there under the proposed bridge to eliminate an aerial crossing. At that point, there is an eighteen (18) percent fill and we would be, at that location, forced to go underground.

At Station 78+00 to 84+35, require location of five holes and six hundred (600) feet of aerial cable.

Station 88+75 proposed conduit of present Woodland Avenue to eliminate an aerial crossing due to a sixteen foot fill.

Station 92+75 to 99+00, we have to relocate 625 feet of aerial cable from present P. E. poles and if P. E. relocate their poles, we will have to go back on their poles.

Q Who is "P. E.?"

A Philadelphia Electric Company.

Q Now, based on the preliminary plans, Mr. Eppright, have you been able to compute the cost of the relocation?

A Only very very roughly. This is on the preliminary plans, we have estimated \$36,200.00.

Eppright - direct  
- cross

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Q Would any of this relocation be done within  
the --

MR. ZAHN: Objection Mr. Examiner,  
question no. 15, which I assume Bell Telephone Company  
is answering, does not require any estimates of cost  
or allocations of costs. These are preliminary  
plans. We are going to have further hearings in which  
we are going to get into allocation of costs.

MR. DOSNER: I will withdraw the question

MR. PALLASTRONE: The objection is  
well taken.

MR. DOSNER: He is available for  
cross-examination.

MR. PALLASTRONE: Mr. Wickes, Mr.  
Zahn?

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#### CROSS EXAMINATION

BY MR. ZAHN:

Q Mr. Eppright, the poles that you have to  
relocate in your aerial facilities, are they presently  
on public right-of-way?

A They were right near the present curb, yes.

MR. PALLASTRONE: Mr. Wickes, Mr.

Desmond, Mr. Centifanti, Mr. Huss, Mr. Keeler, Mr. Auerbach, Mr. Hall : No questions.

MR. DOSNER: Mr. Examiner, I would like to state for the record that Bell Telephone has no objection to the proposed improvement.

MR. PALLASTRONE: Mr. Huss, do you have any witnesses?

MR. HUSS: Yes.

MR. ZAHN: I would like to ask just one more question of Mr. Eppright.

FURTHER EXAMINATION BY MR. ZAHN:

Q The areas that you have testified to, are some of those outside the jurisdictional area of the Commission in these proceedings?

A No sir, they are all within, all within the plans that we have received.

MR. ZAHN: Thank you.

MR. PALLASTRONE: Mr. Huss, would you call your witness?

MR. HUSS: I call Mr. Derr to the stand.

ALBERT J. DERR, a witness produced by and on behalf of SEPTA, having been first duly sworn,

was examined, and testified as follows:

MR. PALLASTRONE: Would you give your full name and address for the record?

THE WITNESS: Albert J. Derr, Room 1220, P.S.F.S. Building, 12 South 12th Street, Philadelphia, Pennsylvania.

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DIRECT EXAMINATION

BY MR. HUSS:

Q Are you authorized to be here this morning in behalf of SEPTA?

A I am.

Q And did you testify at a previous hearing?

A I did.

Q Referring to the questions and procedure proposed by the Commission, specifically in question number 16, does SEPTA wish to present any additional information?

A SEPTA desires to be advised of the plans of the Pennsylvania Department of Transportation related to reconstruction of the bridge. While provisions were specifically requested for maintenance of highway traffic, we believe that information related to

provision of maintenance of railway traffic be documented and made part of these proceedings.

While the direct responsibility for maintenance of railway traffic is that of the Penn Central who provides the passenger services pursuant to contract and support funding provided through the Authority, we desire to identify our own specific concerns in this matter. These concerns relate to the necessity that the maintenance of railway traffic be accomplished so as not to cause any adverse effects on either the desirability, attractiveness or utilization of the service by the patrons or the operating cost of providing this service.

Adverse effects on the former would jeopardize the level of patronage utilizing the service and effects on the latter would affect the cost structure and thus the support funding for the service. To the extent that intercity passenger services provided by the National Railway Passenger Corp. (AMTRAK) are essential to the economy of the metropolitan region and disturbances in service are a matter of concern.

A further concern exists related to

the grade separation at Primos Avenue and Elmwood Avenue, the latter being used by SEPTA buses. A change in grade of Elmwood Avenue or a change of access for bus patrons should be made part of the final record to permit reassessment of public transportation operations at that intersection.

MR. HUSS: The witness is available for cross-examination.

MR. ZAHN: No questions.

MR. WICKES, MR. DESMOND, MR. CENTIFANTI,  
MR. DOSNER: No questions.

MR. PALLASTRONE: Let the record reflect that Mr. Keeler has evidently left.

MR. HALL: No questions.

MR. PALLASTRONE: Mr. Auerbach, do you have any witnesses?

MR. AUERBACH: Yes. I call Mr. Wiley to the stand.

RUSSELL T. WILEY, a witness produced by and on behalf of the Borough of Folcroft, having been first duly sworn, was examined, and testified as follows:

MR. PALLASTRONE: Would you state your

full name and address for the record?

THE WITNESS: Russell T. Wiley, 1959  
Carter Road, Folcroft, Pennsylvania.

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DIRECT EXAMINATION

BY MR. AUERBACH:

Q Mr. Wiley, you are the Mayor of the Borough of  
Folcroft?

A Yes.

Q In that capacity, are you authorized to come  
here and testify in behalf of the Borough?

A I think so.

Q Now, in the questions submitted by the Public  
Utility Commission question no. 7, whether the  
Borough of Folcroft has any objection to the  
construction of the proposed Primos Avenue improvements  
in accordance with the plans submitted by the  
Pennsylvania Department of Transportation. Does the  
Borough of Folcroft have any objection to the building  
of the new bridge?

A Civilly, no. The administration, to my  
knowledge, has no objection.

MR. ZAHN: Would you speak up so we

can hear?

THE WITNESS: I say, to the best of my knowledge, the administration has no objection to the improvement of Primos Avenue and the Primos Avenue Bridge.

BY MR. AUERBACH:

Q Now, does the Borough of Folcroft have any concern with regard to the maintenance of the present bridge until the new bridge is built, which the testimony here today shows five or six <sup>/years/</sup> hence?

A We have very much concern with the commission of this bridge over the next six year proposed period. I think that someone should be responsible for the continual maintenance of the bridge, and in as much as it is a State Highway, I feel it is the State's responsibility to keep this bridge in repair.

Q Now, has there been a recent problem with regard to the bridge in a minor explosion with regard to the bridge?

A Yes, we have taken photographs of the damage done when they supposed icicles exploded on contact with the train and blew the train surface up in the area. And these pictures reflect the damage done to the

bridge surface.

MR. AUERBACH: Mr. Examiner, I have just one copy, but I would like permission to have other copies made.

MR. PALLASTRONE: I will direct that the one copy be made part of the record and I will give you, Mr. Auerbach, one week to late file two additional copies. Now, I think you should make arrangements with other Counsel to supply them photographs if they want them.

MR. AUERBACH: I certainly will. I would like to have these marked, if I may.

MR. PALLASTRONE: Please mark them Folcroft 1, 2, 3, 4, and 5.

MR. AUERBACH: Thank you very much.

(Photographs of damage done to Primos Avenue Bridge, was marked for identification as Borough of Folcroft's Exhibit 1, 2, 3, 4, and 5.)

BY MR. AUERBACH:

Q Now Mayor, I am going to show you these pictures, which have been marked Folcroft Exhibit 1 through 5 and ask you to take them one at a time.

This one --

MR. ZAHN: Before you do that, would you mind having the witness explain who took them and when?

MR. AUERBACH: I will be happy to.

BY MR. AUERBACH:

Q When were these photographs taken?

A Those were taken, this one here (indicating) at 11:15 A. M. on the 13th of February.

Q Of what year?

A 1975.

Q They were all taken --

A They were all taken the same day and the same time within a few minutes.

MR. PALLASTRONE: Who took them?

THE WITNESS: To the best of my knowledge, the Chief of Police took these photographs -- no, the Sergeant of Police, James Hamm.

BY MR. AUERBACH:

Q Now, did you also observe the bridge and what is shown in these photographs?

A I did personally.

Q And can you identify what is shown in these

photographs taken by Sergeant Hamm?

A Yes, I can identify them. This is of the damage created by the explosion. (indicating)

Q Each of the photographs is a different section of the bridge, is that correct?

A That's correct.

Q Was that the condition when you observed it?

A It was.

Q And when did you observe the bridge?

A The day after the explosion.

Q Was that on the same day that these photographs were taken?

A No, it was the following day, the 14th.

Q Now, do these pictures depict what you saw at the bridge the following day?

A Yes, they do.

MR. AUERBACH: I would move for their admission into evidence.

MR. PALLASTRONE: Any objection?  
Why don't you take these and hold these so that you have the exhibits properly numbered in accordance with the particular sequence and late file all three copies?

MR. ZAHN: May Counsel have copies

of that?

MR. PALLASTRONE: I have directed already that a copy be supplied to each Counsel of record.

BY MR. AUERBACH:

Q Now, besides this particular problem which arose in the last week or so, what is the general situation concerning the condition of the roadway on the Primos Avenue Bridge and does it bear any concern as far as the Borough of Folcroft is concerned?

A Yes, we, the Borough of Folcroft, has since repaired this bridge of their own volition in order to make it available to the public.

Q Why was it necessary for the Borough to do any repair?

A So that the traffic can cross the bridge and use the bridge and we can reopen it for transportation.

Q What specifically had to be repaired with regard to the surface of the bridge?

A Well, repair consisted of mainly road surface, the blacktop.

Q What was wrong with that?

A Large holes exposing the substructure in the

bridge. The flooring of the bridge under the blacktop. There was holes there, I would say, a foot deep, caused by the explosion of this electric discharge.

Q How about at other times, other than after this explosion, were there any holes or pot-holes on the bridge? Would you describe whether or not there had been other times when the bridge required repair because of the condition?

A There have been numerous times that we have repaired this bridge to keep it safe ourselves, when we have called the railroad and they have not come up to do the necessary repairs, we have done them.

Q What has been wrong with the bridge on those occasions?

A Large pot-holes which, because of the narrow width of the bridge, would cause a car to pull off the normal lane of traffic into an on-coming car. I have the report here of a hospital case caused by the same pot-holes where one car ran into another.

Q When did that accident happen?

A That was last year. I will take my copy of my accident report.

Q Can you give me an estimate of how frequently

these pot-holes appear in this bridge?

A Just an estimate would be -- I would say once a month during normal times.

Q Now, is there any problem with regard to the metal sheeting on the side of the bridge and if so, what?

A The metal sheeting has been torn loose, I don't know how, why, whether the bolts have rusted out, the edges of the metal sheeting is sticking out and are a danger to any pedestrian walking that sidewalk and also to cars passing on the highway.

Q What is the purpose of metal sheeting on the side of the bridge?

A I assume it's to keep people from throwing things on the track below.

Q Has that been reported to the Penn Central?

A I believe it has been reported.

Q Now, have their engineers seen it?

A Their engineers have certainly seen it.

Q Has it been repaired by Penn Central?

A Not to my knowledge.

Q There has been some testimony with regard to the lack of guard rail on the east side of Primos

Avenue. Are you familiar with that situation?

A This is something I brought up in the last Public Utility Commission meeting. We have never, to my knowledge, in the past 19 years, had a guard rail on the right side of the bridge, either before or after the bridge, approaching the bridge or leaving the bridge. There is a drop, I would say, of possibly 20 feet from the highway to a parking lot owned by the Railroad.

If this highway was slippery and it has a slight grade to it, if the highway was slippery and not properly salted in time, a car could skid across the pavement down into this parking lot on either side of the bridge, and this would be on railroad property. I assume they would be responsible for any...

Q In your capacity as Mayor, are you in charge of the Police Department of the Borough?

A Yes.

Q In that capacity, do you feel this is a dangerous condition for motor vehicle traffic?

A I certainly do.

MR. AUERBACH: I would like to have

these photographs marked with the same stipulations.

MR. PALLASTRONE: Mark them Folcroft 6, 7, 8, and 9.

(Photographs of Primos Avenue Bridge, was marked for identification as Borough of Folcroft Exhibits 6, 7, 8, and 9.)

BY MR. AUERBACH:

Q I show you four (4) photographs marked Folcroft 6, 7, 8, and 9. Who took these photographs?

A I believe Chief of Police, Mr. Robert Horn.

Q They were taken when?

A No, this is Pastor. I see on the bottom, I thought it was the Chief. Mr. Pastor, one of our police officers took these photographs.

Q Do you know when they were taken?

A I don't know. I think the Chief of Police can testify as to the date they were taken.

Q Now, looking at the photographs themselves, are you familiar with what they depict?

A Definitely.

Q And do they depict the condition of the roadway at the present time?

A That's right.

Q Now, what do those photographs show?

A These photographs show that even though we have a guard rail on the left hand side of the bridge, approaching the bridge we have a newly rebuilt guard rail on the left hand side of the bridge which goes down a rather steep incline. But we have nothing whatsoever on the right hand side.

I mean, a man could skid in the rail on the left hand side, but if he skids on the right side, he goes down into a parking lot on top of cars.

MR. AUERBACH: With the same stipulations, I move that these be admitted into evidence and we will supply copies to Counsel.

BY MR. AUERBACH:

Q Now Mayor Wiley, question no. 8 indicates that the Borough of Folcroft should state whether or not they comply with paragraph 7 and 9 of the Commission's Order of June 25, 1974. Now, has the Borough posted any signs with regard to restrictions?

A Yes, we have.

Q What signs?

A Within our limits, we have posted signs saying "no truck traffic," at the end of Folcroft Avenue on

Folcroft Bridge, and there are signs at the other ends of the Chester Pike saying, "no truck traffic."

There are bridge limitations signs on both ends of the Folcroft Bridge.

Q Is that of seven tons?

A Yes.

Q How about --

A Primos Avenue, the Highway Department has posted signs at the end of Primos Avenue and the end of Oak Avenue at Chester Pike stating that there is a seven ton limit. It doesn't say "bridge" it just says "seven ton limit."

Q Now, are there any signs with regard to the maximum speed limit, being fifteen miles per hour?

A Yes.

Q They have been posted in accordance with your orders, is that correct?

A That's right.

Q Now, I think that also takes care of question 9.

Question No. 10, the Borough of Folcroft is to state the extent it will cooperate with Penn Central making any required repairs to Folcroft

Avenue Bridge, which, you remember the testimony of Penn Central agrees to do nothing. Would the Borough be willing to cooperate if Penn Central is willing to, concerning the Folcroft Avenue Bridge?

A Yes, very definitely.

Q Concerning the Folcroft Avenue Bridge?

A Yes, very definitely.

Q Does the Borough have any requests in regard to checking the wiring under the Folcroft Avenue and Primos Avenue Bridge?

A I questioned this from the Chief of Police as far as the Folcroft Avenue Bridge. He informed me that there were electricians checking out the wiring under that bridge, which have arcs.

The Folcroft Bridge had thrown arcs which a truck went over it and, I suppose, the railroad electricians were out checking the safety of the bridge to make sure there was no further hazard involved either on cars or pedestrians crossing that bridge, before we reopened it.

Q Is the Borough requesting that something be done by the Penn Central to check the wiring on both of those bridges and to submit a report to the Public

Utility Commission indicating that the wiring is safe?

A I believe there is. Our highway's Chairman of Council on the Highway Committee has informed me that they have been checked out for safety from the electrical hazard by Highway Engineers and for safety use. I don't know whether there is a written report involved or not.

MR. AUERBACH: No further questions.

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CROSS-EXAMINATION

BY MR. ZAHN:

Q Mr. Mayor, you are aware, are you not sir, that the jurisdiction of the Commission over rail highway crossings is exclusively within their province?

A Yes.

Q And are you familiar with the telegram order of the Commission of March 25, 1974, in which the Commission ordered a fill on the west side that had failed?

A I'm not familiar with the telegram because I never saw a copy of it, but I know that.

Q I am showing you a copy now, Mr. Mayor.

MR. PALLASTRONE: Why don't you ask him

if it was done, if that is the purpose of your question?

MR. ZAHN: No, that is not the purpose of my question. Let him read it.

BY MR. ZAHN:

Q Now, Mr. Mayor, in essence, this directs PennDOT to build up the shoulder area and install a modern guard fence that is on the west side of the roadway, is it not?

A Right.

Q And PennDOT has done that, has it not?

A Yes.

Q It does not say anything about east side, does it?

A No, it does not.

Q Now, since the Commission has exclusive jurisdiction in this area, you stated that you thought PennDOT ought to be responsible for this bridge, is that what you stated in your direct testimony?

A I believe it was, yes.

Q You do not think that any other party should be responsible?

A I am not a lawyer, I do not.

Q I am not asking you a legal question, I am just

asking your opinion.

MR. PALLASTRONE: In your opinion, do you think someone else should also contribute?

THE WITNESS: I think the railroad should be equally responsible with PennDOT in keeping the bridge in repair.

BY MR. ZAHN:

Q The Borough of Folcroft, where this bridge is located, should have no responsibility at all?

A Legally, no.

MR. ZAHN: Thank you.

MR. PALLASTRONE: Thank you, Mr. Zahn.

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CROSS-EXAMINATION

BY MR. WICKES:

Q As I understood your testimony, you indicated weight limit signs and speed limit signs had been posted, is that correct?

A Yes, sir.

Q And the Police Department at Folcroft is directly within sight of the bridge, is it not?

A That's right.

Q Are those weight and speed limit signs being

enforced?

A To the best of my knowledge.

Q Did the individual who reported to you that there was arcing as a result of a truck crossing give you any indication as to the weight or speed of the truck?

A No.

Q So as far as you know, it might have been a way overweight truck moving at high speeds that caused that?

MR. AUERBACH: Objection.

MR. PALLASTRONE: Or it could have been a truck that was not over the weight limit.

I sustain the objection.

BY MR. WICKES:

Q Does your offer to cooperate, as you put it, with the Penn Central in repairing this bridge include the repairs, for instance, that you have done to date?

A Yes, I think our repairs would be confined mostly to keeping the surface in operating condition, the roadway.

Q And actually, this is where the principal problem lies as far as the bridge structure is concerned,

is that not correct?

MR. AUERBACH: Objection, the Mayor is not an engineer.

MR. PALLASTRONE: I overrule that, you can answer that. Can you answer that?

THE WITNESS: No.

MR. WICKES: That is all I have, sir.

MR. PALLASTRONE: Mr. Desmond, Mr. Centifanti, Mr. Dosner, Mr. Huss, Mr. Hall: No questions.

MR. PALLASTRONE: Mr. Auerbach, do you have another witness?

MR. AUERBACH: Yes, I do.

MR. PALLASTRONE: How many additional witnesses?

MR. AUERBACH: I have two (2) other brief ones, very brief.

MR. PALLASTRONE: Let us take a five minute break.

(The meeting was recessed from 11:40 A. M. until 11:45 A. M.)

GEORGE KILMARTIN, a witness produced by and on behalf of the Borough of Folcroft, having been first duly sworn, was examined, and testified as follows:

MR. PALLASTRONE: Would you give your full name and address for the record?

THE WITNESS: George Kilmartin, 1101 East Ashland Avenue, Folcroft, Pennsylvania.

MR. AUERBACH: I would like to have these marked as Folcroft Exhibit 10, 11, and 12.

MR. PALLASTRONE: Would you mark them Folcroft's Exhibits 10, 11, and 12.

(Photographs of Primos Avenue Bridge were marked for identification as Folcroft's Exhibits 10, 11, and 12.)

MR. AUERBACH: I would like to have the same agreement, Mr. Examiner, with regard to those photographs.

MR. PALLASTRONE: Yes.

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DIRECT EXAMINATION

BY MR. AUERBACH:

Q You are a Councilman in the Borough of Folcroft, is that correct?

A Yes.

Q In that capacity, are you authorized to come here to testify on behalf of the Borough?

A Yes.

Q Now, first of all with regard to the incident that took place this month, one of the better words, "explosion," on the Primos Avenue Bridge, I am going to show you three photographs which have been marked Folcroft's Exhibit 10, 11, and 12, and ask you whether or not you know who took those photographs?

A Yes, sir.

Q Who took them?

A A photographer from the Delaware County Daily Times.

Q Do you know the date they were taken?

A The date of the explosion, which was the 13th.

Q Of February?

A Yes.

Q Now, were you at the scene at the time of this explosion?

A Yes, sir.

Q Do those photographs depict the scene at the time of the explosion or shortly thereafter?

A These would be within a half hour of the explosion.

Q Can you identify what is shown in these photographs?

A Yes, sir.

Q Now, first Folcroft's Exhibit 10, what does that depict?

A It depicts a large hole close to the center of the bridge with a lot of debris from the original explosion.

Q Where were you at the time of this explosion?

A I was approaching the bridge coming towards the Police Station.

Q Now, after the explosion did you get out of your car and walk up onto the bridge?

A Yes, sir.

Q Did you observe any of the debris that was sprayed out of the road bed by this explosion?

A To the extent, as I was approaching the bridge I could see the spray behind the truck coming out from the side of the truck.

Q Where did it go to?

A Some of it was contained by the metal, but when it crossed the walkway, where pedestrians and other people would walk...

Q Were any pedestrians walking at that time?

A Thank God, no.

Q Now, when you came up to the bridge, did you have occasion to examine any of the material that was thrown out of the road bed?

A Yes, sir.

Q Would you describe some of the material that you examined as far as size and weight?

A Well, some were of the nature of three to four inches in thickness and various sizes. And down in the smaller materials, I would say weight-wise, the large pieces might have been anywhere from a half pound to a pound.

Q Did you actually pick them up?

A Yes, sir.

Q And was this some of the material that was sprayed out over to the walkway where pedestrians use?

A Yes, sir.

Q Now, I am going to show you Folcroft's Exhibit 12. What does it depict?

A My own way? What my eyes see?

Q Yes.

A My eyes sees a continuous line of broken

insulators.

Q What are they, if you know?

A Insulators are to insulate the high powered line from the rest of the bridge.

Q That was taken from underneath the bridge?

A Yes, sir.

Q And what else do you observe there?

A Down here in the center, (indicating) I see a beam made out of wood, which is now cracked and split down its side.

In the background, the footing or the anchor of this bridge is also cracked and I see various split pieces of wood back here in the background. And I have a feeling, having been there, that we no longer have a good foundation or a good anchor for this bridge.

Q Mr. Kilmartin, I call your attention to the side of the bridge on the top. What if anything do you notice with regard to that?

A I notice a hole here which, I would -- that I would be afraid of, myself, that some small child might reach down.

Q Now, that barrier there protects pedestrians

walking across the bridge?

A I think it's a primary purpose is a windbreaker and to keep the pedestrians away from the high tension wires.

Q Now, I am going to show you Folcroft's Exhibit 11 and I would like you to briefly describe what that shows.

A I see here, sir, a bridge on this particular photo. I see a bridge that -- this is my opinion.

Q Yes, what bridge is it?

A Folcroft, Primos Avenue Bridge.

Q That is taken from down below the tracks, is that correct sir?

A Yes.

Q Do you know which way the traffic is facing?

A Traffic is facing towards --in other words, his direction would be, if they were following the tracks, would be West Chester.

Q Towards West Chester, away from Philadelphia?

A Right. I want to say, you asked me to explain what I see in this picture.

It's a bridge constructed in 1897. I see a bridge fatigued, a bridge that was constructed

before the Panama Canal, before the Statue of Liberty, when Ford hadn't made his first car. And we have a seven (7) ton limit on it.

MR. PALLASTRONE: I see you have some friends out there. (there is applause from the audience.)

BY MR. AUERBACH:

Q Now, just one further question. Mr. Kilmartin, you are head of the Highway Department for the Borough, is that correct?

A I was, I am not now.

Q Now, as a Councilman, did you do anything with regard to any maintenance of this Primos Avenue Bridge in order to help keep it open for traffic?

A Yes, that was our primary purpose. We could receive no help, at that time, from the Highway Department, the State Highway Department. We received no help from Penn Central. Penn Central couldn't, they said at that time, number one, that they were bankrupt, number two, that they had no credit at the Blacktop Plant and that the only thing they would offer us was manual labor.

Q As a result of that, was it necessary for the Borough, who has no ownership interest in this bridge

or roadway, to do any work to keep it open?

A The thought then was the safety of the people and the inconvenience of the people, and we acted in that capacity.

Q Do you have a concern in regard to what will happen when this Primos Avenue Bridge is eventually built by PennDOT, concerning the Folcroft Avenue Bridge?

A Yes, sir.

Q And what is that concern?

A That concern is one, we have a condition that will prevail in which the people of Folcroft will say, "show me the way to go home." They will be taken out of their normal conditions. They will have to go long distances to get back in the general area of Elmwood Avenue and its population.

Q Is that going to create any further burden on the Folcroft Avenue Bridge?

A Yes, sir, since the bridges were built within five years of each other, it's going to put a burden on that bridge.

Now, when this gentleman over here --  
I wasn't sure they could be so exact as to if the bridge

was here today. Now, that same problem is going to happen on Folcroft Avenue Bridge, a bridge that has to be a monument to the people of that period of time, that it has survived this long.

Now, this bridge would, as I understand it, the Borough of Folcroft and Sharon Hill will someday, I presume, would have to bear the responsibility and the financial burden of constructing a new bridge. I know they will get no help off the Penn Central. I think that this bridge should have gone at least 50 years ago, but they were going to increase its traffic flow by this new project.

Q Why do you feel the traffic flow on Folcroft Avenue Bridge would be increased by the new project?

A Human nature. What happens here under the plans that we now have and the plans I have seen, it will be human nature to get home as fast as you can. Therefore, the increased flow of the traffic will be used primarily on Folcroft Avenue because of the underpass existing on Elmwood Avenue. So I feel that by the plans that are now presented that the burden is going to be heavier on the bridge and it is going to be a burden on the people of Folcroft.

MR. PALLASTRONE: Mr. Zahn: No questions.

MR. PALLASTRONE: Mr. Wickes?

MR. WICKES: No questions. I would like to say that the Penn Central does concur that these bridges were monuments in their time and it is amazing that they have lasted so long.

MR. PALLASTRONE: Mr. Desmond, Mr. Centifanti, Mr. Dosner, Mr. Huss, Mr. Keeler, Mr. Hall: No questions.

MR. PALLASTRONE: Any other witnesses?

THE WITNESS: I would like to just make a comment.

MR. AUERBACH: A brief comment.

THE WITNESS: Just a brief comment if that is possible. I would like to say here, we are speaking of a time period of six years, which, I feel now will run into ten years. I would like to make the comment that we have a great deal of people out of work in Pennsylvania. We have six bridges like this in the Chester Pike area and what I would like to see is some sort of a crash program to get all six of these bridges out of here and put the people to work. And

Kilmartin - direct  
Thompson - direct

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I would rather see them working on bridges than raking leaves. That is my comment.

ROBERT THOMPSON, a witness produced by and on behalf of the Borough of Folcroft, having been first duly sworn, was examined, and testified as follows:

MR. PALLASTRONE: Would you state your fullname and address for the record?

THE WITNESS: Robert Thompson, 1957 Warwick Avenue, Folcroft, Pennsylvania.

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#### DIRECT EXAMINATION

BY MR. AUERBACH:

Q What is your capacity with the Folcroft Fire Company?

A Second Assistant Chief.

Q Now, would you describe for the Examiner what problems, if any, there are with regard to the Fire fighting situation because of the condition of the Primos Avenue Bridge?

A Well, the seven (7) tons, and our one truck we just had weighed weighs thirteen (13) tons.

We have quite a problem. It's also narrow, you can't see.

Q What do you mean? Let's take one at a time. You cannot see? What do you mean?

A When you are approaching it, you are going up and you are approaching the bridge. You have to slow down almost to a complete stop and if there is any other traffic, either you have to back up or they have to back up. Most of the time it is us.

Q Do you feel that has been a problem as far as the safety of the public is concerned, if there is a fire on the other side of this bridge?

A Yes, very much.

Q Does the condition of the road bed present any problems for you as far as the pot-holes in the road bed?

A Yes.

Q What type of problems does that create for you?

A Like I said before, you got to slow down to a slow speed to hit the pot-holes in there, and I think it's very bad in the truck. One day, it might collapse and I hope I'm not in the truck.

Q It was suggested by the gentleman from the Penn Central that if the problem gets too severe, it would just be closed down.

A That would be worse.

Q What would the effect be as far as the fire fighting situation in Folcroft if that were closed down?

A You would have to use the Ashland Avenue Bridge, which is seven (7) ton, or the Folcroft Avenue Bridge, which is seven (7) tons. If that happens in the afternoon when there is a lot of traffic, we will have one hell of a time getting over that bridge.

Q Getting over which bridge?

A Folcroft Avenue.

Q Do you feel that the closing of the Primos Avenue Bridge would become a safety factor and a hazard, a safety hazard to the residents of Folcroft?

A Yes, very much.

MR. PALLASTRONE: Cross examination, Mr. Zahn, Mr. Wickes, Mr. Desmond, Mr. Centifanti, Mr. Huss, Mr. Hall: No questions.

MR. AUERBACH: I have for the record, Stanley Billie, who is the Captain of the Fire Company, and John Connelly, a Lieutenant of the Fire Company, who are here and could give cumulative testimony. I want the record to show that.

I would also like the record to show that there were two persons from the Borough Council, the president, Mr. William Wiser, and a Councilwoman, Mrs. Kaye Adams, who are here. They were to testify, and their testimony would be cumulative to the effect that the Borough has a great deal of concern with regard to the condition of these bridges.

We have a great deal of concern with regard to the problem of maintenance over the next six years, which we feel belong to Penn Central. We are requesting that the Public Utility Commission look into ordering the Penn Central putting some sort of temporary improvement of the Primos Avenue Bridge, other than just filling in the pot-holes, but looking at the wood structure.

Also, I have here the Assistant Engineer for the Borough, Mr. \_\_\_\_\_, whose testimony would be cumulative to the testimony we were able to present. That is our case, Mr. Examiner.

MR. PALLASTRONE: Mr. Hall, do you want to present a witness?

MR. AUERBACH: A representative was here from the School District. I don't know whether he is

Thompson - direct  
Silver - direct

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still here or not. Counsel is not here, he wanted me to express the School District's concern of the closing of this bridge because of the fact that school buses are not supposed to be going over the Folcroft Avenue Bridge, as I understand it, and it creates a tremendous problem for them as well.

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EDWARD J. SILVER, a witness produced by and on behalf of Philadelphia Electric, having been first duly sworn, was examined, and testified as follows:

MR. PALLASTRONE: Would you give your full name and address for the record?

THE WITNESS: Edward J. Silver, 2301 Market Street, Philadelphia.

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#### DIRECT EXAMINATION

BY MR. HALL:

Q Mr. Silver, by whom are you employed?

A Philadelphia Electric Company.

Q In what capacity?

A Senior Engineer, Gas Distribution and Utilization.

Q Are you authorized to testify on behalf of Philadelphia Electric in this proceeding?

A I am.

Q In the course of your duties in that capacity, have you had occasion to familiarize yourself with the proposal by the PennDOT for the reconstruction of the crossing described in application of C. 20235, particularly as it effects Philadelphia Electric Company?

A I have.

Q Will you state for therecord what facilities of Philadelphia Electric Company may be effected by the construction of the Primos Avenue improvements referred to in the application?

MR. ZAHN: Excuse me, Mr. Silver. I would like the record to show that it is the Pennsylvania Department of Highways and this is not an application but a complaint proceeding.

MR. HALL: I understood that, Mr. Zahn.

THE WITNESS: May I go ahead now?

MR. PALLASTRONE: Are you happy now Mr. Zahn?

MR. ZAHN: Yes sir.

BY MR. HALL:

Q Do you remember the question?

A Yes, sir. Philadelphia Electric Company has electric and gas facilities as shown on the preliminary plans throughout the proposed project with minor changes. There are no electric or gas facilities in the existing Primos Bridge.

Q Has it been determined at this time what specific changes will be required in Philadelphia Electric Company facilities to accommodate the proposed reconstruction of the Primos Avenue crossing?

A No, since the plans prepared by the Pennsylvania Department of Transportation are preliminary. It is impossible to fully determine what changes are required. However, if the bridge is reconstructed, Philadelphia Electric Company requests provisions be made for future electric ducts on the structure.

Q Does Philadelphia Electric have any objections to the proposed improvement?

A No, provided its facilities can be arranged to its satisfaction.

Q Does Philadelphia Electric have any constructive criticism of the proposed construction at this time?

A No.

Silver - direct  
McDonough - direct

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MR. HALL: The witness is available  
for cross-examination.

MR. ZAHN: No questions.

MR. WICKES, MR. DESMOND, MR. CENTIFANTI,  
MR. HUSS, MR. AUERBACH: No questions.

MR. PALLASTRONE: That is it. I call  
the gentleman from the Planning Commission.

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STEVEN McDONOUGH, a witness produced  
by and on behalf of the Delaware County Planning  
Commission, having been first duly sworn, was examined,  
and testified as follows:

MR. PALLASTRONE: Who do you represent?

THE WITNESS: The Delaware County  
Planning Commission.

The Delaware County Planning Commission  
appears in support of the proposed four-lane structure  
with pedestrain walks on both sides, pedestrian walks  
provide access, pedestrian access, for the Penn Central  
Compuer Station at Folcroft Avenue.

The Delaware County Planning Commission  
supports the four-lane facility because of the proposed  
four-lane widening of Primos Avenue and Oak Lane,

L. R. 420 connecting the Baltimore Pike with Hook Road.

This facility has been approved by The Delaware Regional Planning Commission, as it is submitted to the D. V. R. P. C. Five Year Highway Capital Program, 1974 to 1979, line number 43. It currently appears in the proposed Twelve Year Highway Capital Program by the same agency, and notes that the State Legislature Act 369, December 30, 1974, approved funds for the design of this facility.

That's it.

MR. PALLASTRONE: Any questions of this witness?

ALL COUNSEL: No questions.

MR. PALLASTRONE: Any other witnesses?

Gentlemen, this hearing is adjourned.

(The hearing concluded at 12:10 P. M.)

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Reported by:

(Mrs.) Joanne Price

I HEREBY CERTIFY that the proceedings and evidence herein are contained fully and accurately in the notes taken by me at the hearing in the above cause before the PUBLIC UTILITY COMMISSION of the Commonwealth of Pennsylvania, and this copy is a true and correct transcript of the same.

*Joanne Duce*  
\_\_\_\_\_  
Court Reporter

SHEET

SECTION

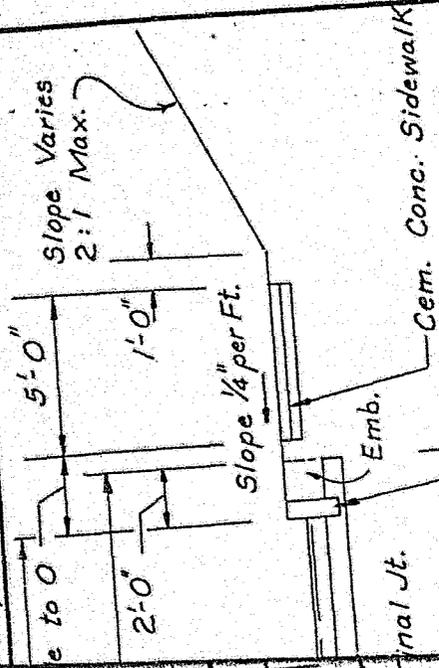
ROUTE

CITY

420

2

For Darby Townships - Alden, Clifton, Dale, Falcroft & Glenolden Boroughs



Cem. Conc. Sidewalk

Emb.

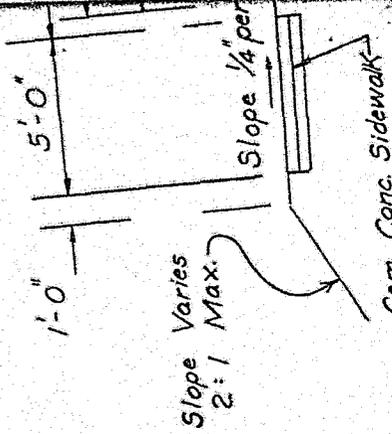
Original Jt.

Cem. Curb

Penn DOT Exhibit No. 1

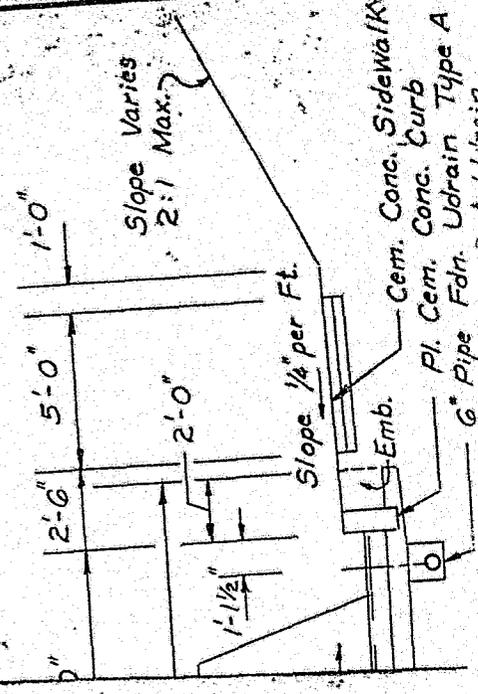
P. U. C. No. C-20235

Date of Heaving 2-25-75



Cem. Conc. Sidewalk

Slope Varies 2:1 Max.



Cem. Conc. Sidewalk

Emb.

Cem. Conc. Curb

Pl. Cem. Conc. Udrain Type A

6" Pipe Fdn. Udrain Type A

Conc. Sidewalk

**OVERSIZE  
DOCUMENT(S)**

el. 77.20

22-11

Penn DOT Exhibit No. 5

P. U. C. No. C-20235

Date of Hearing 2-25-75

APPROVED \_\_\_\_\_

\_\_\_\_\_  
Bridge Engineer

**DOCKETED**  
COMPLAINT DOCKET  
APR 16 1975  
ENTIRE NO. 11

Commonwealth of Pennsylvania



SECRETARY'S OFFICE  
PUBLIC UTILITY  
COMMISSION

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RECORDED  
FOLDER

DEPARTMENT OF HIGHWAYS  
BRIDGE DIVISION

DELAWARE COUNTY

L.R. 420 SEC. 2

CONSTR. @ STA. 79+2706 TO STA. 81+4206

REINFORCED CONCRETE RETAINING WALL

GENERAL PLAN & ELEVATION

SHEET 1 OF     

S-

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF HIGHWAYS

Estimated Cost of Railroad Crossing Improvements

Docket No. C. 20235 Route L.R. 420 County Delaware Date 9-3-74

Location Borough of Folcroft Railroad Penn Central Transportation Company

ESTIMATED COST OF DEPARTMENT OF TRANSPORTATION'S WORK

Item

BETWEEN

STATION 70+50 AND STATION 93+00

GRADING	\$ 303,400.00
PAVING	379,300.00
DRAINAGE	58,000.00
GUARD FENCE	24,900.00
CURBS	33,000.00
MOBILIZATION & FIELD OFFICE	40,000.00
ENVIRONMENTAL & ROADSIDE DEVELOPMENT	22,000.00
MAINTENANCE & PROTECTION OF TRAFFIC	25,000.00
SIGNALIZATION	35,000.00
REMOVAL OF EXISTING BRIDGE	10,000.00
BRIDGES:	
STATION 85+77.48	260,493.00
STATION 81+71.71	158,713.00
RETAINING WALLS (SIX TOTAL)	839,440.00
ENGINEERING & CONTINGENCIES	<u>328,000.00</u>

DOCKETED  
COMPLAINT DOCKET  
APR 16 1975  
ENTRY No.         

TOTAL

\$ 2,517,246.00

ESTIMATE OF RIGHT-OF-WAY DAMAGES

RECORD  
FOLDER

\$ 756,000.00

Penn DOT Exhibit No. 6  
P.U.C. No. C-20235  
Date of Hearing 2-25-75

RECEIVED  
75 MAR 13 PM 2:38  
SECRETARY'S OFFICE  
PUBLIC UTILITY  
COMMISSION

C 20235

P.C. 1

Philadelphia, Pa.  
November 21, 1974

Media, Pa.

2/25/75

Subject: J. Price  
Eastern Region - Chesapeake Division - Main Line -  
Bridge No. 7.58 - Folcroft Avenue - Folcroft, Pa.

RECEIVED  
7:15 MAR 13 PM 2:39  
SECRETARY'S OFFICE  
PUBLIC UTILITY  
COMMISSION

F. D. Day:

In accordance with request of J. T. Sullivan, dated November 5, 1974, I inspected the subject structure on November 19, 1974 using a tower platform rail-highway truck.

This structure is a single span thru girder bridge 62 feet in length with a 15 feet clear roadway.

A metal posting sign indicating a 12 Ton Gross Weight Limit was observed on the west approach but there is no sign on the east approach.

The deck is transverse laminated 2 x 4 inch timber with approximately 3 inches of amesite wearing surface supported by 6 x 14 inch timber stringers and steel floor beams.

The girders of iron were fabricated in 1883 and installed at this point in 1918. The floor beams were fabricated and installed at this time.

The structure is higher than the street on either side of the bridge and there is an abrupt change of grade at the east abutment while the west approach is constructed with a vertical curve.

The amesite wearing surface is cracked and has a few holes. It has been patched several times in the past.

The laminated deck is in fair condition. The pieces have separated in several places allowing it to work under load. A few pieces have started to crush over the stringers in places.

The timber stringers are in fair to good condition and bear well on their seat angles at the floor beams.

The top flanges of the floor beams are generally reduced to a feather edge at the edges and the bottom flanges of these beams are generally reduced to 1/4 inch at the edge.

The webs of the girders are reduced to 1/4 inch for a height of 6 to 8 inches for the full length of the girders at the deck line of the roadway and walkway.

The end plates and angles of the girders have been damaged by vehicles from time to time but are satisfactory.

RECORD  
FOLDER

DOCKETED  
COMPLAINT DOCKET  
MAR 16 1975  
ENTRY No. *4*

The exposed bottom cover plates, No. 2 Plate, of both girders is reduced to 1/4 inch in thickness for approximately 3 feet in length over the center of No. 2 and 3 track and the rust has deformed this plate slightly at the edges through this area. The rivet heads of two rivets in the inside line of cover plate rivets are missing on the under side of the north girder in the reduced area over No. 3 track.

The bottom girder lateral bracing is generally reduced approximately 15% and the south end of one lateral has been removed.

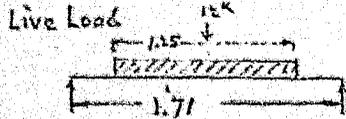
*H. P. Greene*  
H. P. Greene

15.0 ft clear Roadway, 2"x4" Laminated Deck 3" Amesite  
 6"x14" Wood Stringers @ 1'-10 1/2" ctrs

Deck

Span = 1'-10 1/2" - 6" + 4"

Use f = 1400 psi (Fair Cond)



LLM = (6.0 x 1.71 / 2 - 6.0 x 1.35 / 4) 0.80

LLM = 2.604 k

Dead Load

Amesite 3/2 x 1 x 140 = 35.00 #/ft

Deck 1/2 x 1 x 60 = 20.00

55.00 #/ft

DLM = 0.055 x 1.71 / 8 = 0.02 k

Z = 12 x 4^2 / (6 x 12) = 2.667 in^3

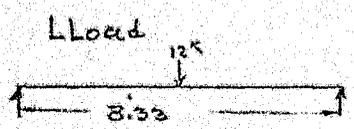
Total Resistance = 2.667 x 1.4 = 3.733 k

DLM = 0.02

3.713

Rate 3.713 / 2.604 x 15 = 21.39 Ton

Stringers 6"x14" 2.87 ctrs 8.33 Span f = 1400 psi



γ = 1.87 / 4.5 = 0.42

LLM = 12.0 x 8.33 x 0.42 = 10.50 k

Dead load

Deck + Amesite = 55.0 x 1.87 = 102.85

Stringer 6/12 x 14/12 x 60 = 35.00

DLM 0.138 x 8.33^2 / 8 = 1.20 k 137.85

Z = 6 x 14^2 / (6 x 12) = 16.33 in^3

Total Resistance = 16.33 x 1.40 = 22.87

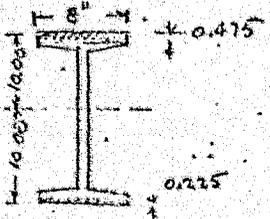
DLM = 1.20

21.67

Rate = 21.67 / 10.50 x 15 = 30.96 Ton

Floor Beams 20 B 59 Placed 1918 f = 18,000 psi

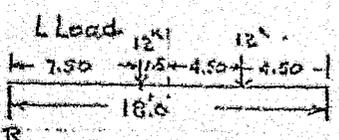
frm Inspection 11/19/74 Top Flg to Feather edge and Bot Flg to 1/4" at edge



	A	B	I <sub>o</sub>
Full Sect	17.36	- 0.0	1172.2
0.475 x 8.00	- 3.90	+ 9.76	0
0.225 x 8.00	- 1.80	- 9.89	0
	11.76	- 1.639	602.314

Z = 4.312 in^3

Flr Bms Cont'd



$$R = 12.0 \times \frac{4.50}{18.0} + 12.0 \times \frac{10.50}{18.0}$$

$$= 10.00^k$$

$$LLM = 10.00 \times 7.50 = 75.00''$$

$$LLM + I = 75.00 \times 1.30$$

$$= 97.50''$$

Dead Load

$$\text{Asphalt + Deck} = 55.00 \times 8.23 = 458.15 \text{ } \frac{1}{ft}$$

$$\text{Stringers} \frac{35}{1.87} \times 8.23 = \frac{155.91}{140.6 \text{ } \frac{1}{ft}}$$

$$DLM = \frac{0.614 \times 18.0^2}{8} = 24.87 \text{ } \frac{1}{ft}$$

$$\text{Total Resistance} = 4.312 \times 18.0 = 77.62$$

$$DLM = \frac{24.87}{3} = 8.29$$

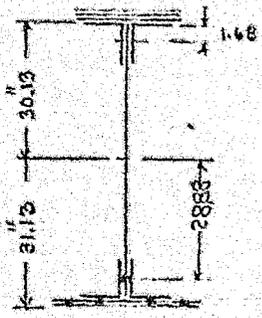
$$48.75$$

$$\text{Rate} \frac{48.75}{97.50} \times 15 = \underline{\underline{7.50 \text{ Ton}}}$$

Girders

Built in 1883 Iron

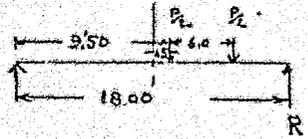
f = 14,000 p.s.i. Span = 61.0



Sect.	A	y	I <sub>x</sub>
3R (14" x 1 5/8")	22.75	30.95	-
2L 6" x 6" x 1/2"	11.50	28.45	39.8
2L (59 3/4" x 3/8")	2.33	-	(667.0) 833.4
2L 6" x 6" x 1/2"	11.50	-28.45	39.8
2R 20" x 1/2"	20.00	-30.63	-
Riv. 1 x 1" x 1 3/8"	-1.38	-28.88	-
2 x 1" x 1 1/2"	-3.00	-30.38	-
Frm Insp Bot R	2 x 1" x 1"	-2.00	-
Reduced to 1/2"	Full Section	61.70	4,599.1
Web Reduction	Reduct. 1/2" x 20"	-5.00	-31.00
not taken acct of above		56.70	4,608.8

$$Z_x = 123.520 \text{ } \frac{1}{ft}$$

$$\text{Reduced } Z_x = 98.7748 \text{ } \frac{1}{ft}$$



$$R = \frac{P}{2} \times \frac{9.50}{18.00} + \frac{P}{2} \times \frac{15.5}{18.00}$$

$$= 0.694 P$$

$$I = \frac{50}{61 \times 145} = 0.276$$

∴ 1 Girder takes 0.694 of Truck Loading

$$LLM \text{ from AASHO} = 429.2 \text{ } \frac{1}{ft}$$

$$LLM / I = 429.2 \times 1.276 \times 0.694$$

$$= 380.08 \text{ } \frac{1}{ft}$$

D Load

$$\text{Asphalt + Deck } 55.00 \times 7.5 = 412.50 \text{ } \frac{1}{ft}$$

$$\text{Stringers } 35.00 \times 4 = 140.00$$

$$\text{Girder } 78.64 \times 3 \times 1.15 = 305.14$$

$$\text{Frm Pres Coles} = 517.65 \text{ } \frac{1}{ft}$$

$$1375.29 \text{ } \frac{1}{ft}$$

$$DLM = \frac{1375 \times 61.0^2}{8}$$

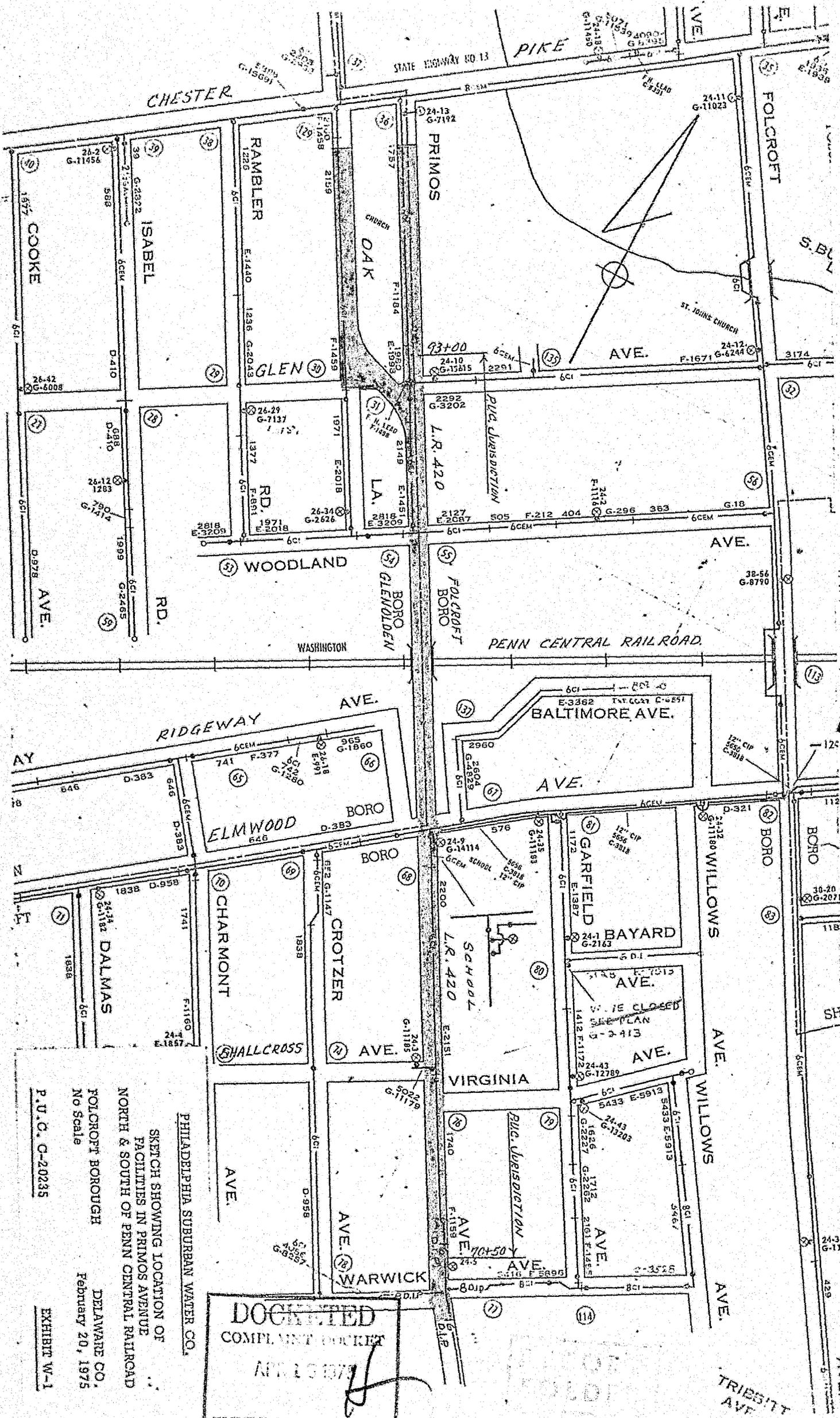
$$= 639.55 \text{ } \frac{1}{ft}$$

$$\text{Total Resist} = 98.775 \times 14.00 = 1382.85$$

$$DLM = \frac{639.55}{3} = 213.18$$

$$743.30$$

$$\text{Rate} \frac{743.30}{380.08} \times 15 = \underline{\underline{29.34 \text{ Ton}}}$$

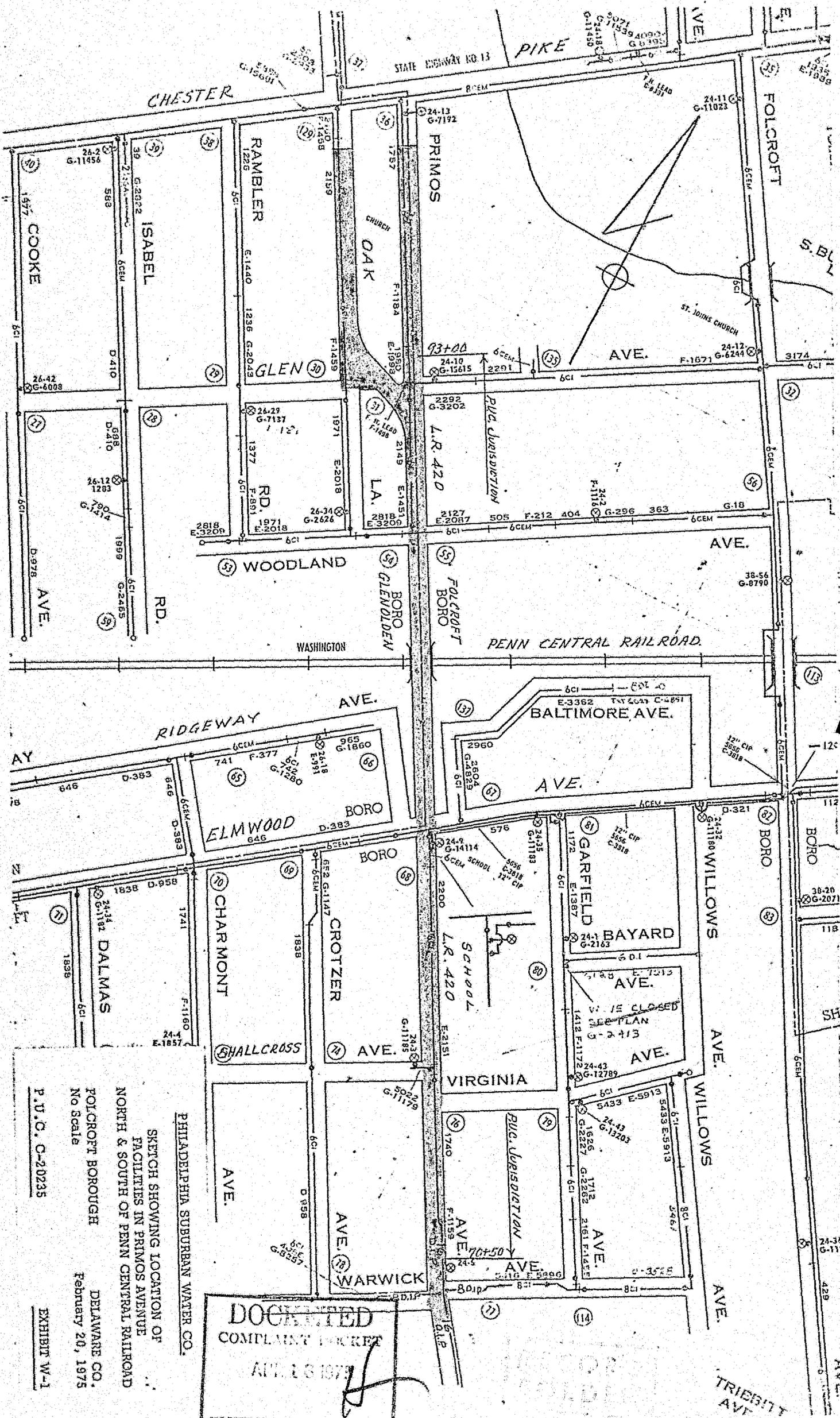


DOCKETED  
COMPLAINT DOCKET

APR 20 1975

ENTRY No.

PHILADELPHIA SUBURBAN WATER CO.  
 SKETCH SHOWING LOCATION OF  
 FACILITIES IN PRIMOS AVENUE  
 NORTH & SOUTH OF PENN CENTRAL RAILROAD  
 POLCROFT BOROUGH  
 DELAWARE CO.,  
 February 20, 1975  
 No Scale  
 P.U.C. C-20235  
 EXHIBIT W-1



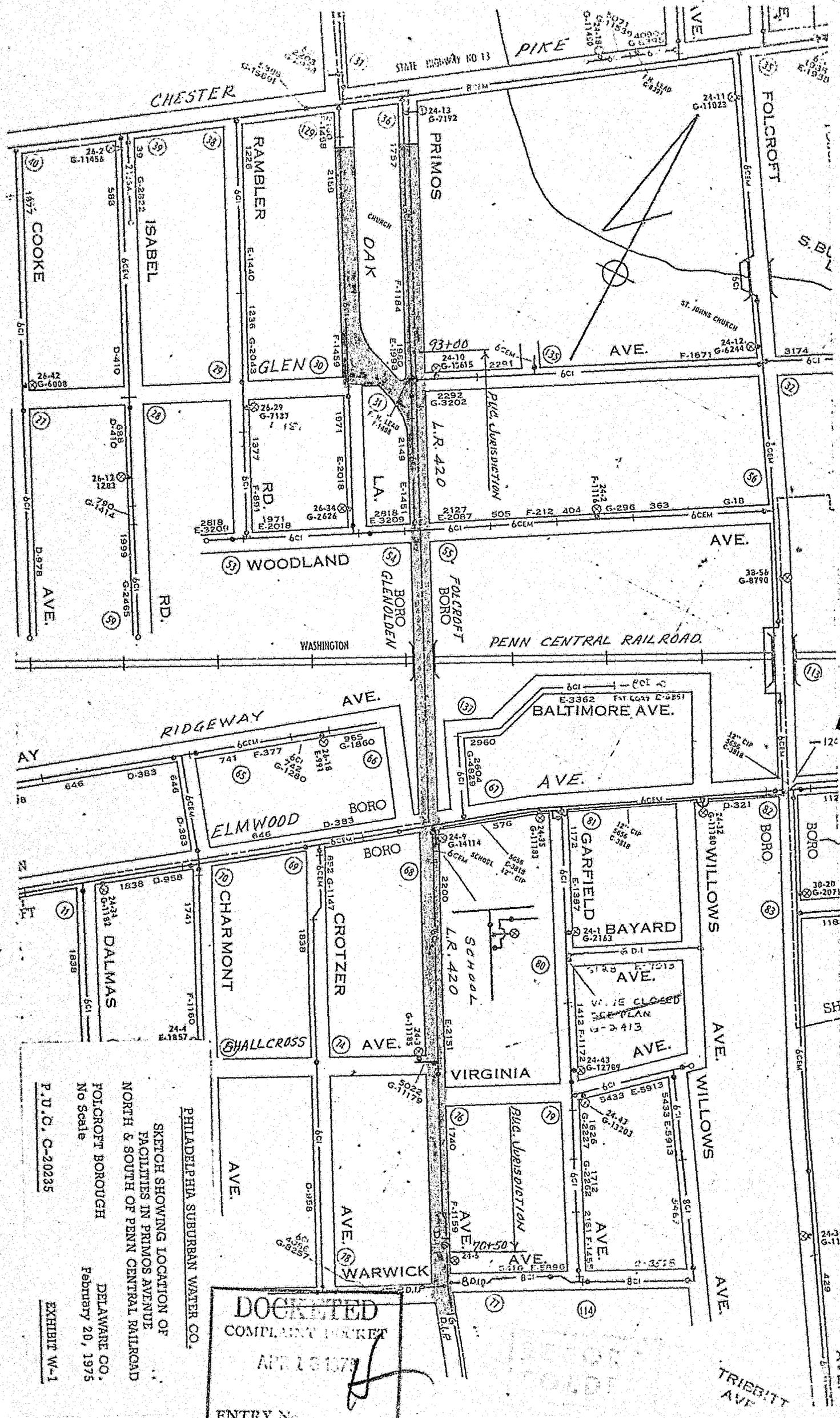
DOCKETED  
COMPLAINT NO. 1007

APR 13 1975

ENTRY NO.

PHILADELPHIA SUBURBAN WATER CO.  
 SKETCH SHOWING LOCATION OF  
 FACILITIES IN PRIMOS AVENUE  
 NORTH & SOUTH OF PENN CENTRAL RAILROAD  
 FOLCROFT BOROUGH  
 No Scale  
 DELAWARE CO.  
 February 20, 1975  
 P.U.C. C-20235  
 EXHIBIT W-1

TRIBBITT  
AVE.



DOCKETED  
COMPLAINT BOOKET

APR 16 1975

ENTRY No.

PHILADELPHIA SUBURBAN WATER CO.  
 SKETCH SHOWING LOCATION OF  
 FACILITIES IN PRIMOS AVENUE  
 NORTH & SOUTH OF PENN CENTRAL RAILROAD  
 DELAWARE CO.,  
 February 20, 1975  
 P.U.C. C-20235  
 EXHIBIT W-1

RECEIVED

175 MAR 13 PM 2:40

SECRETARY'S OFFICE  
PUBLIC UTILITY  
COMMISSION

PHILADELPHIA SUBURBAN WATER COMPANY

Testimony

For Presentation in the Hearing of

February 25, 1975

P.U.C. C-20235

Docket No. C-20235

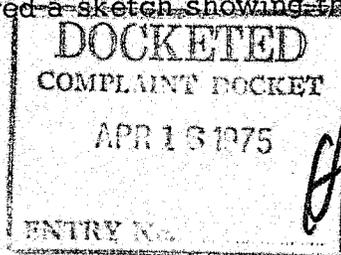
Media, Pa.

J. Price

W-2

2/25/75

1. Q. Please state your name and business address.  
A. John G. McKay, Jr., 762 Lancaster Ave., Bryn Mawr, Pa. 19010.
2. Q. Please state the company you represent and your position with that company.  
A. Philadelphia Suburban Water Company. I am Vice President of Engineering.
3. Q. Are you authorized to appear on behalf of the Company in this proceeding?  
A. I am.
4. Q. Has the Company had representation at any prior hearing or field conference in regard to this complaint?  
A. Our file indicates that the first notice we received concerning this complaint docket was Secretary Ketner's letter of January 9, 1975, advising us of this hearing. Subsequently, under date of January 15, 1975, David E. Auerbach, solicitor for the Borough of Folcroft, provided the Company with a copy of the complaint filed with the Commission.
5. Q. Item 15 of the Questions and Procedure sheet for this hearing directs the Water Company to describe its facilities that will be affected by construction suggested by PennDOT's preliminary plan to improve the crossing.  
Have you prepared a sketch showing the location and nature of those facilities?



5. A. Yes, I have. (Exhibit W-1)

6. Q. Please describe the sketch and the facilities shown thereon.

A. The sketch was made from a portion of the Company's general plan of its facilities in the vicinity of the crossing and is a Xerox, reduced reproduction, measuring 8-1/2 inches by 14 inches. The portions of Primos Avenue and Oak Lane to be reconstructed in accordance with the preliminary plans furnished by PennDOT are shaded red. The approximate locations of the tentative limits of jurisdiction taken by the Commission are indicated by station number and labeled accordingly.

Beginning at the most southerly end of Primos Avenue, shown on the sketch just south of Warwick Avenue, there is a 16-inch ductile iron water main that was installed with the recent improvement of Primos Avenue. This 16-inch main continues northward in the east side of Primos Avenue to a point approximately 160 feet north of Warwick Avenue, where it reduces to a 6-inch cast iron main; There are 8-inch ductile iron mains extending east and west in Warwick Avenue from the 16-inch main in Primos Avenue. The 6-inch cast iron main in Primos Avenue continues northward, terminating at Elmwood Avenue where it connects to a 6-inch cement main in the south side of Elmwood Avenue. It is also connected to a 12-inch cast iron main

6. A. (cont'd.) in the south side of Elmwood Avenue, which extends eastward from Primos Avenue. At Shallcross Avenue there is a 6-inch cast iron main connected to the 6-inch main in Primos Avenue. There is no water main in Primos Avenue from Elmwood Avenue to Woodland Avenue. There is a 6-inch cast iron main in the north side of Woodland Avenue, crossing Primos Avenue. There is a 6-inch cast iron main in the west side of Primos Avenue extending from the main in Woodland Avenue to Chester Pike. In the north side of Glen Avenue there is a 6-inch cast iron main extending eastward from the main in Primos Avenue. Also, there is a fire hydrant lead on the west side of Primos Avenue at Glen Avenue. There are three (3) fire hydrants that will be affected, and they are located at the northeast corner of Glen and Primos Avenues, the southeast corner of Primos and Elmwood Avenues, and the northwest corner of Shallcross and Primos Avenues.

In the west side of Oak Lane there is a 6-inch cast iron water main extending through the proposed reconstruction area from Glen Avenue to Chester Pike. An estimated 40 service lines will require various degrees of adjustment, and it appears that at least 3 services will have to be disconnected by reason of the houses to be demolished.

7. Q. Are you familiar with the preliminary plans prepared by PennDOT?

7. A. Yes, I am. They are composed of eleven (11) sheets unnumbered. One sheet shows the typical sections of the proposed reconstructed Primos Avenue, and there are five (5) sheets of plan view showing the proposed highway from Station 69+00 (approximately), just south of Warwick Avenue, to Station 98+50 (approximately), or about 600 feet north of the center line of Glen Avenue. There are five (5) sheets showing the profile of the existing and proposed highway, along with the existing profiles of connecting side streets. There were no cross sections of the proposed reconstructed highway furnished, nor was there any plan showing the details of the proposed bridge to carry Primos Avenue over the four (4) tracks of the Penn Central Railroad. It is our understanding that these plans are preliminary, and pending the Commission's review of the testimony given at this hearing, more specific and complete plans will be ordered.
8. Q. Based on these preliminary plans, can you describe the relocation or adjustment of Water Company facilities that would be necessary if the improvement was to be made in accordance with these plans?
- A. Yes, I can. Between Station 70+44, the southerly limit of work, and Station 77+00 it appears the existing main can remain in place. It will, however, be necessary to adjust 16 services to conform to the new curb locations

8. A. (cont'd.) and to relocate Fire Hydrant 24-3 at the northwest corner of Shallcross and Primos Avenues. From Station 77+00 to Station 81+65 the existing 6-inch main in Primos Avenue will have to be replaced by a new 8-inch main, the location of which cannot be determined without cross sections; however, because of the number of houses on the west side of Primos Avenue requiring service, it is reasonable to assume the new main should be on that side of the road. It would also be necessary to connect the new 8-inch main in the west side of Primos Avenue with the 6-inch main in Elmwood Avenue. The 12-inch main in Elmwood Avenue would have to be extended across Primos Avenue and connected to the new 8-inch main. Five (5) services would have to be connected to the new main in Primos Avenue, plus an additional service to be installed to accommodate the school on the east side of Primos Avenue.

There is insufficient information regarding the bridge to carry Primos Avenue over Elmwood Avenue to determine whether or not its construction will conflict with the main in Elmwood Avenue. The relocated Ridgeway Avenue will necessitate the demolition of two (2) houses, requiring that services to both be shut off at the main. The service to the house at the southwest corner of Primos and Woodland Avenues will have to be shut off at the main, as the house will be demolished. The 6-inch main in Woodland Avenue under the proposed 16-foot fill carrying Primos Avenue will either be relaid within a

8. A. (cont'd.) casing or cut and plugged beyond the toe of slope of the fill.

The existing 6-inch main in Primos Avenue between Stations 88+97 and 92+50, or from Woodland Avenue to Glen Avenue, will have to be relocated by reason of excessive fill.

Fire Hydrant 24-10 will have to be relocated to conform to the new curb at the northeast corner of Glen and Primos Avenues. Approximately 14 services in Primos Avenue north of Glen Avenue will have to be adjusted to conform to the new curbs. Services for three (3) houses on the east side of Oak Lane south of Glen Avenue will have to be shut off at the main, as it appears they will be demolished. Seven (7) services on the west side of Oak Lane will have to be adjusted pending the 6-inch main remaining in its present location and conformance with the proposed curb installation.

I failed to mention earlier that Fire Hydrant 24-9 at the southeast corner of Primos and Elmwood Avenues will have to be relocated.

In order to maintain service to some of its customers during construction, it may be necessary for the Company to install temporary facilities. This would depend largely upon the scheduling of construction.

9. Q. Have you made any estimates of cost for the work you have just described?
- A. No, I have not, because the plans, as previously mentioned, are considered to be preliminary.
10. Q. In the event, as a result of this hearing, the Commission should order that these preliminary plans or a modification thereof be adopted, would the Water Company perform all of the changes you have described as being necessary to accommodate the proposed construction?
- A. Assuming the Commission will adopt these preliminary plans with some modifications or that it will adopt a similar plan that will provide a solution to the complaint, the Water Company will request the Commission's approval to install a new 16-inch ductile iron water main throughout the entire length of the proposed reconstruction of Primos Avenue beginning at Station 71+60 (approximately) at the present terminus of the existing 16-inch main installed in 1971 in conjunction with the reconstruction of Primos Avenue in that same year.
11. Q. Would the installation of the 16-inch main eliminate the necessity for some of the relocation work you have previously described.
- A. Yes, it would.
12. Q. Why does the Company wish to install the 16-inch main throughout the entire

12. Q. (cont'd.) length of the proposed reconstruction of Primos Avenue?

A. The Company feels that it is an opportunity to complete a segment of its planned transmission main that will ultimately improve and reinforce the water supply in the general area of Folcroft and Glenolden Boroughs. The installation of the main in conjunction with this proposed highway project would eliminate the necessity of public inconvenience at a later date and unnecessary added expense of installation.

13. Q. Is it the Company's intention to install the proposed 16-inch main on the proposed bridge to carry Primos Avenue over the Penn Central Railroad?

A. Yes, the Company requests that the Commission grant permission for its main to be installed on the proposed bridge.

14. Q. What would be the nature of the pipeline on the bridge over the electrified railroad?

A. Assuming the proposed bridge design will accommodate such an installation, the Company would prefer to install a 16-inch steel main within a 20-inch steel casing, employing the use of insulated casing spacers, casing seals, vents, etc. The Company would also be guided by the recommendations of its corrosion consultant with regard to the bridge installation.

15. Q. Does the Company object to the proposed improvement?

15. A. No.

16. Q. Does the Company have any constructive criticism to offer at this time?

A. No.

