



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
400 North Street, Harrisburg, Pennsylvania 17120

IN REPLY PLEASE  
REFER TO OUR FILE

April 26, 2019

Chris Cammarata, President  
Board of Allegheny Towne Center  
45 Foster Square  
Pittsburgh, Pennsylvania 15212

RE: Application of Norfolk Southern Railroad  
Docket Numbers A-2018-3006432; A-2018-3001039;  
A-2011-2233889

Dear Mr. Cammarata:

Thank you for your letter to Chairman Gladys Brown Dutrieuille regarding the Application of Norfolk Southern currently pending before the Pennsylvania Public Utility Commission at the above consolidated docket numbers. This proceeding is currently before an Administrative Law Judge for hearings.

Since this matter is still pending a final decision by the Commission, and Chairman Brown Dutrieuille and the Commissioners will be voting on the final adjudication of this case, they are prohibited from responding to your letter due to the statutory prohibition on ex-parte communications at 66 Pa. C.S. Section 334(c). Please be advised that your letter opposing the Application will be served to the Parties of Record in this proceeding and will be placed in the Public Comment Folder of this matter to cure the ex parte communication.

You may review this proceeding by accessing the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov) and clicking onto "search for documents," type in the first docket number appearing above, and then review all of the public documents in the proceeding.

Sincerely,

Rosemary Chiavetta  
Secretary of the Commission

CC: Parties of Record to Dockets A-2018-3006432;  
A-2018-3001039; A-2011-2233889 with enclosures

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CHAIRMAN'S OFFICE

Gladys Brown Dutrieuille, Chairman  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
3<sup>rd</sup> Floor Room N-304  
Harrisburg, Pa. 17120

Dear Chairman Dutrieuille:

I have attached a letter that I wrote to Mayor Peduto regarding the Norfolk Southern Vertical Project to allow double stacked train cars change from their current route and run through a new route throughout the city of Pittsburgh. Kindly read the attached letter and the signatures collected protesting this plan.

I am interested in your position on this issue. Please give full consideration to the potential consequences of re-routing these trains through urban populated areas. The consequences are multiple and myriad. In our neighborhood NRG energy fuels the heating and cooling in our residences, a large tech mall, Nova Place and Allegheny General Hospital. NRG sits directly next to the track. A derailment would be disruptive and could affect health and lives considering a hospital depends on it, not to mention everyone in the surrounding area. Our two stadiums are within a five minute walk of the tracks. Tens of thousands of Visitors at ballgames could be impacted if an accident causing a toxic chemical spill were involved. I live 300 yards from the tracks, the increase fumes and noise will be detrimental to our environment. Note that Pittsburgh does not have great air quality as is. The infrastructure under the tracks is 100 years old and subject to breaking down with the extra weight of the cars. We are only one small part of only one of the neighborhoods that would be negatively impacted. Your attention to this matter would be much appreciated.

Thank you for your attention.

Chris Cammarata, Board President Allegheny Towne Center (aka Foster Square)  
#45 Foster Sq  
Pittsburgh, Pa. 15212  
412-613-9790  
cjcamma@gmail.com

April 16, 2019

Mayor William Peduto  
414 Grant Street, 5<sup>th</sup> Floor  
Pittsburgh, Pa. 15212

Subject: David vs. Goliath

Dear Mayor Peduto,

I am writing to you as a resident of and on behalf of Foster Square, a residential townhouse coop community, located on Pittsburgh's Northside at the corner of West Commons and Ridge Ave. We are situated approximately 300 yards from the rail lines as one side of our property borders Allegheny Commons park on the east side of Merchant St.

We are very concerned about the implications of the Pittsburgh Vertical Clearance Project. We've had a one-time opportunity to meet with representatives of Norfolk Southern last year which was basically a exhibit of bridge drawings. No presentation, no general question and answer session and only a person representing Norfolk Southern stationed at each rendering. The representatives had very little information to share other than it was more efficient and cheaper for NS to run the train on the City route which runs through Allegheny Commons. They were not particularly knowledgeable or forthcoming about the environmental and safety concerns of altering the passage through populated sections of the City to accommodate a double stack of containers. They replied to questions about the cargo vaguely and said the cars would carry what they carry now except twice as much and three times as often. Asked if the contents included toxic materials, the answer was, "They carry what they carry now."

Many of our residents found that the replies were scripted, drawn from talking points and aimed at an audience of 6<sup>th</sup> graders rather than responsible and concerned residents of the City of Pittsburgh. Rudy Husband, Resident Vice President of NS, was heard responding to a resident that they could protest all they wanted, it was probably a waste of time since NS as a railroad had the right of way. A little polishing up of their Public Relations arm is probably in order.

We have held our own various resident meetings, some in concert with our neighbor at The Allegheny Apartments as we are both so very close to the tracks. The Allegheny is even closer than we are -- about 200 yards. We also have representatives attending other meetings, RP3, the NLSC meetings as well to get a handle on where this is going.

Foster Square has contributed to the legal fund established by the Northside Leadership Conference to hire attorneys to delve into Norfolk Southern's rights and their level of responsibility when it comes to health and safety issues. We're very concerned about the possibility of derailment (note the recent one on the Southside, maintenance issues (recent sinkhole appeared near Merchant St.) and compliance with more recent environmental and noise regulations than when the RR gained its "right of way". Air quality is not at a great level in our city as it is. We are also concerned with the infrastructure underneath the tracks. Lowering the tracks with replacement of the underlying infrastructure to properly accommodate the additional weight would be highly preferable to raising 14 bridges. I see that the new route with bridge raising (paid for by taxpayer money, I understand) would save Norfolk Southern money. I don't see that there is an upside for Pittsburgh and its residents. Thousands of residents throughout the City will be in the wake of the significant health and safety issues connected with bigger, heavier and more frequent train passage. Of note is that energy provider NRG which provides heating and cooling to not only our residences, but Nova Place and Allegheny General Hospital among others, sits directly next to the tracks. PNC Park, Heinz Field, Stage AE and dozens of restaurants are a five minute walk away and could cause the exposure of many thousands of visitors to the City should a derailment causing a toxic chemical spill occur.

At best, the project should be scrapped, the bridges refurbished and funds appropriated to as necessary to maintain the current route for the double stacked cars. At worst, if all those bridges are raised there should be a plethora of mitigations extracted from Norfolk Southern that would guarantee that everything possible is being done to protect city residents, their homes and their health. There will also be significant impact on Allegheny Commons, a lovely peaceful

park that the residents here enjoy and help to keep maintained by picking up trash and contributing volunteer time and money to the Parks Conservancy. The proposed change will impact quality of life on the Northside, and not in a good way.

over

I have several requests. Please read that attached letter signed by most of our residents, understand their concerns and fears. Please advise as to the City's position on this issue and what we, as a city, are doing to stop or mitigate this over-reach attempt by the Railroad. While it is understandable that they would like to increase their efficiency and become more profitable, but they are dismissing potential costs of public health and safety of the residents along the new route. I am skeptical that any cost savings would be passed to consumers. What is the upside to City and our residents if this disruption to our environment and neighborhood happens?

I understand that NS has filed a suit against the City concerning the derailment last year, so your office may not want to comment. My intent is to make you very much aware of the concerns of a segment of your constituents who are concerned and a little bit alarmed regarding what this means to us and our city in the future.

Let's keep going into the 21<sup>st</sup> Century. Keep us getting cleaner, healthier, safer, and looking forward to tomorrow.

Thank you for your time and attention to this matter.

Chris Cammarata  
#45 Foster Sq  
Pittsburgh, Pa. 15212  
412-613-9790  
cjcamma@gmail.com

cc: County Executive Rich Fitzgerald  
City Council Rep Samuel DeMarco  
City Council Rep Denise Russell  
City Council Rep John DeFazio  
Governor Tom Wolf  
State Representative Jake Wheatley  
State Senator Wayne Fontana  
Representative Michael Doyle  
Senator Robert Casey  
Senator Toomey  
PUC

March 4, 2019

**AN OPEN LETTER TO THE CITY, COUNTY, AND STATE REPRESENTATIVES OF THE PEOPLE OF THE CITY OF PITTSBURGH FROM THE RESIDENTS OF THE ALLEGHENY, AND FOSTER SQUARE, NORTHSIDE:**

As neighbors of the railroad since the beginning, the Allegheny and Foster Square residents have learned to get along with the existing impact of the on-going rail traffic rolling through West Park so close to our homes. But the current plan to expand the railroad capacity with double-stacked containers and increasing the number of trains puts our homes and lives at unnecessary risk, and we need your help. This plan is unacceptable and completely incompatible with urban life. We elected you to represent us, so now we ask you to please do whatever you can to stop this plan before it's too late.

Among other things, we demand the following action that only YOU can make happen:

- Freeze federal, state, and local funding of the \$20 million Pittsburgh Vertical Clearance Project.
- Develop and execute an effective maintenance plan to repair, not replace, existing bridges.
- Investigate Norfolk Southern's bridge inspection process and compliance records.
- Investigate Norfolk Southern's design, procurement, installation, and maintenance of defective rail ties and related maintenance-of-ways procedures.
- Create a comprehensive emergency response plan with competent, independent oversight and review, funded by Norfolk Southern.
- Enhance and strengthen oil spill remediation and hazardous materials transport regulations, including banning their transport through our neighborhoods.
- Provide transparency and full disclosure of all this to the public.
- Reject Norfolk and Southern's announcement that there will be no more public meetings and demand a true public town hall meeting attended by responsible and knowledgeable Norfolk and Southern representatives, and YOU, our elected representatives.

We, the undersigned, are counting on you to represent us as we have elected you to do. Please don't let us down!

- THE SHAREHOLDERS OF ALLEGHENY TOWNE CORPORATION, RESIDENTS OF FOSTER SQUARE  
- THE RESIDENTS OF THE ALLEGHENY, 400 WEST COMMONS

Kathy Kocou

Esther A. Salgado

Patricia Wiggins

Gustine Lewis

Geraldine Potts

Romina Vargas

James Dill McBride  
Daniel Curran

William Maxwell

Kit Quinn

John Smith

Amara Proibe

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THE RESIDENTS OF THE ALLEGHENY, 400 WEST COMMONS

Kathy Nareu

Esther C. Salayda

Patricia Wiggins

Justine Lewis

Geraldine Potts

Bonnie Hayes

James R. Dill-McBride  
James F. Curran

William Maxwell

Kit Gub

John Sicali

Amanda Pribe

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FROM THE RESIDENTS OF FOSTER SQUARE, NORTHSIDE:**

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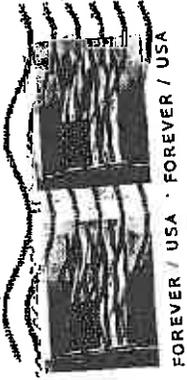
<u>Chris Ammarato #45</u>	<u>Ann Robertson #15</u>
<u>Ann Joy #40</u>	<u>May Lehman #30</u>
<u>[Signature] #4</u>	<u>Bruce Kojan #30</u>
<u>Paul Jones #9</u>	<u>Georgia Brucker #24</u>
<u>Dolores Blaves #9</u>	<u>House Graham #37</u>
<u>[Signature] #10</u>	<u>Stojk #41</u>
<u>[Signature] #10</u>	<u>Ledje #41</u>
<u>Merle J. Carlson #39</u>	<u>Jackie Meyer #44</u>
<u>[Signature]</u>	<u>James H. Fink #42</u>
<u>Joseph E. Cameron #45</u>	<u>Jilliana A. Babert #42</u>
<u>Drum Rozak #16</u>	<u>Michelle Sugar #3</u>
<u>[Signature] #19</u>	<u>[Signature] #6</u>



COMMUNICATIONS  
45 FOSTER ST  
PITTSBURGH, PA 15212

PITTSBURGH PA 150

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CLAYS BROWN DUTRIEVILLE, CAMERON  
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COMMONWEALTH KEYSTONE BUILDING  
3 RD FLOOR ROOM N-304  
HARRISBURG, PA 17120