

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00  
 2. BUREAU: ALJ  
 3. SECTION(S):  
 5. APPROVED BY:  
 DIRECTOR:  
 SUPERVISOR:  
 6. PERSON IN CHARGE:  
 8. DOCKET NO: C-00923909

4. PUBLIC MEETING DATE:  
 00/00/00  
 7. DATE FILED: 03/27/92  
 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: PENNDOT  
 RESPONDENT/APPLICANT: CSX TRANSPORTATION, INC.  
 COMP/APP COUNTY: UTILITY CODE: 500020

ALLEGATION OR SUBJECT

REQUESTS REPAIRS TO A ONE-SPAN BRIDGE CARRYING S.R. 3009 OVER BUFFALO CREEK IN BUFFALO TOWNSHIP, WASHINGTON COUNTY, AND REQUESTS A HEARING.

DOCKETED

MAR 30 1992

*[Handwritten signature]*

FORMAL COMPLAINT

TW

BEFORE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

MAR 27 1992

RECEIVED

For Commission Use Only:  
 COMPLAINT DOCKET NO. 500020 REF. # 50012-3109 UTILITY CODE 500020  
 PENNDOT VS. CSX TRANSPORTATION  
Information Control Division

PLEASE PRINT:

1. YOUR NAME, ADDRESS AND TELEPHONE NUMBER.

Name Commonwealth of Pennsylvania, Department of Transportation  
 Street 509 Transportation and Safety Building  
 City Harrisburg State Pa Zip 17120  
 County Dauphin Home Telephone-Area Code ( ) 787-8298  
 Work Telephone-Area Code ( ) \_\_\_\_\_

2. COMPANY YOU ARE COMPLAINING ABOUT.

Name CSX Transportation

3. WHAT IS YOUR COMPLAINT (DESCRIBE PROBLEM).

We have contacted CSX Transportation November 7, 1990 and  
 November 30, 1990 in writing concerning repairs to a one span  
 bridge carrying S.R. 3009 over Buffalo Creek in Buffalo Township,  
 Washington County. This is a railroad structure.

It is imperative that repairs be made to this structure to  
 accomodate a 3 ton posting which can possibly be upgraded to 5 tons  
 if the proper repairs are performed.

MAR 27 1992  
 J

(More Space On Back)

For Commission Use Only:  
 DATE FILED 3/27/92 MONITOR \_\_\_\_\_ BUREAU ALJ

THIS MUST BE COMPLETED BY NOTARY PUBLIC  
AFFIDAVIT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA

Dauphin County } ss:

Hank Farrell, being duly sworn (affirmed) according to law, deposes and says that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and he expects to be able to prove the same at the hearing hereof.

Hank Farrell  
Signature of Affiant

Sworn and subscribed before me this 27  
day of March 19 92

My Commission Expires \_\_\_\_\_

Suzanne M. Miller  
Signature of Official Administering Oath

AFFIDAVIT (Corporation)

COMMONWEALTH OF PENNSYLVANIA

Dauphin County } ss:

\_\_\_\_\_, being duly sworn (affirmed) according to law, desposes and says that he is \_\_\_\_\_ of \_\_\_\_\_  
(Office of Affiant)

\_\_\_\_\_; that he is authorized to and does make this affidavit  
(Name of Corporation)

for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and he expects the said \_\_\_\_\_

\_\_\_\_\_ to be able to prove the same at the hearing hereof.  
(Name of Corporation)

\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this \_\_\_\_\_  
day of \_\_\_\_\_ 19 \_\_\_\_\_

My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Signature of Official Administering Oath



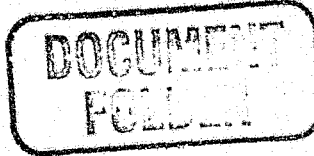
COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG, Pa. 17120

ARM

April 1, 1992

IN REPLY PLEASE  
REFER TO OUR FILE  
C-00923909

R. LYLE KEY JR.  
SENIOR GENERAL ATTORNEY  
CSX TRANSPORTATION INC  
P O BOX 45052  
JACKSONVILLE FL 32232-5052



Dear Sir:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by PENNSYLVANIA DEPT. OF TRANSPORTATION (the complaining party)

To defend yourself against the claims stated in the following pages, you must act within twenty (20) days, by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

AN ADMINISTRATIVE LAW JUDGE MAY REVOKE OR SUSPEND ANY CERTIFICATE OR PERMIT HELD BY YOU, OR IMPOSE A FINE, OR ANY OTHER APPROPRIATE PENALTY OR REMEDY AUTHORIZED BY THE PUBLIC UTILITY CODE. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, Pennsylvania 17108  
(800) 692-7375

Very truly yours,

John G. Alford  
Secretary

Attachment  
fao

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

April 1, 1992

**DOCKETED**  
APR 03 1992

PENNSYLVANIA DEPT. OF TRANSPORTATION:

v.

CSX TRANSPORTATION INC.

:  
:  
:  
:

Complaint Docket

No. C-00920909

FORMAL COMPLAINT  
NOTICE TO RESPONDENT  
TO ANSWER OR SATISFY

TO: CSX TRANSPORTATION INC.

**DOCUMENT  
FOLDER**

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. §702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17120, an answer (original and two copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code §5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code §1.56(a).

2. If you fail to either satisfy this complaint or to file an answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with

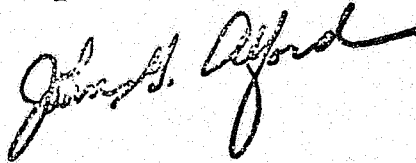
Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code §5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. §101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. §703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. §101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in this complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. §101, et seq.; and, if you are a customer of a utility,

an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.

A handwritten signature in cursive script, appearing to read "John G. Alford".

John G. Alford  
Secretary

(SEAL)

Certified Mail  
Return Receipt Requested

April 13, 1992

AMP

MR W D PICKERING PE  
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION  
509 TRANSPORTATION AND SAFETY BUILDING  
HARRISBURG PA 17120

APR 5 1992

In re: C-00923909 - Pennsylvania Department of Transportation  
v.  
CSX Transportation, Inc.

Dear Mr. Pickering:

This is to advise that a field investigation and conference will be held at the site of the crossing where S.R. 3009 crosses below the grade of CSX Transportation on Wednesday April 29, 1992 at 1:00 p.m. in Buffalo Twp., Washington County to discuss PennDOT's complaint and whether CSX's rail line at this location can be abandoned.

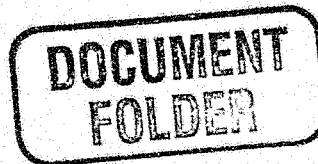
Kindly arrange to have a representative present.

Very truly yours,

D.A. Fischer, P.E.  
Rail Safety Division  
Bureau of Safety and Compliance

DAF:kmb

See Attached List



SIMILAR LETTER LIST

C-00923909

X MR W D PICKERING PE  
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION  
509 TRANSPORTATION AND SAFETY BUILDING  
HARRISBURG PA 17120

X MR CLARK WORSHAM  
CSX TRANSPORTATION INC  
500 WATER STREET  
JACKSONVILLE FL 32202

^ WANDALEEN POYNTER ESQUIRE  
CSX TRANSPORTATION INC  
LAW DEPT B11A  
100 NORTH CHARLES STREET  
BALTIMORE MD 21201

^ MR WAYNE MARTIN  
CSX TRANSPORTATION INC  
722 VIRGINIA AVENUE  
CUMBERLAND MD 21502

X MR FRANK R MASCARA CHAIRMAN  
WASHINGTON COUNTY COMMISSIONERS  
COURTHOUSE SQUARE  
WASHINGTON PA 15301

X MR FORREST B CLARKE SECRETARY  
BUFFALO TOWNSHIP  
RD 1  
CLAYSVILLE PA 15323

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
August 11, 1992

RECEIVED

AUG 12 1992

In Re: C-00923909  
Public Utility Commission  
SECRETARY'S BUREAU  
Information Control Division

(See attached List)

Department of Transportation of the Commonwealth of Pennsylvania

v.

CSX Transportation, Inc.

RLS

NOTICE

This is to inform you that a initial hearing on the above captioned case will be held Tuesday, September 15, 1992, at 10:00 a.m. in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania.

We are enclosing herewith, a list of questions, prepared by our Bureau of Safety & Compliance, indicating information to be developed at the hearing, along with other relevant testimony.

Each party is requested to submit testimony and exhibits with respect to the entire crossing alteration project with the understanding that the Commission may, in adjudicating this matter, take jurisdiction over any desired portion of the project.

If any party intends to offer prepared written testimony, such testimony must be served upon each participant of record no less than twenty (20) days prior to this hearing.

You are advised that if you fail to appear at the hearing, the hearing will proceed without you. In that event, it is possible that you or your client will have issues determined against you and that you might be assigned positive duties or be required to pay money and will have waived any objection thereto.

The Commission's Rules require that all parties (except individuals appearing on their own behalf) be represented by counsel at hearing, therefore, will you please have counsel of your choice file an appearance on your behalf prior to the hearing date herein stated.

DOCUMENT  
FOLDED

AUG 18 1992

If you intend to file exhibits, please be advised that two copies of all hearing exhibits to be presented into evidence must be submitted to the Reporter and an additional copy should be furnished to the presiding officer and each party of record.

The presiding officer in this proceeding is Administrative Law Judge Michael A. Nemeč. Judge Nemeč can be contacted at 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania 15222; telephone (412) 565-3550.

cc: Judge Nemeč  
Mr. Frazier - PIO  
Law Bureau - 2  
Bu. Safety/Compl. - 2  
Mrs. Lewis  
Scheduling Sec.  
Mrs. Plantz  
Docket Room

Certified Mail  
Receipt Requested &  
Reg. Mail to Complainant

1. That the Department of Transportation of Pennsylvania (PennDOT) submit testimony describing the general location of the existing rail-highway crossing, below grade, involved in this proceeding.
2. PennDOT submit testimony describing the general type of the existing structure, number of spans, principal dimensions and clearances about the highway, and state the general physical condition thereof.
3. PennDOT submit accurate data concerning the highway traffic before the structure was closed to traffic, including a breakdown of truck traffic, at this location.
4. PennDOT state its present obligation with respect to maintenance of the existing structure.
5. PennDOT state the nature, type, extent, date and cost and other pertinent specific details as to any recorded substantial items of maintenance and/or repairs performed on the existing structure by it or its contractor.
6. PennDOT state whether the existing crossing is adequate for the convenience and safety of the public or should be altered, rehabilitated or demolished, and, if so, submit testimony regarding the general nature and extent of all work or changes, if any, which PennDOT deems advisable to provide a safe and convenient crossing at this location.
7. PennDOT state whether it has prepared any inspection reports, plans or cost estimates as may be required for work necessary or advisable at this location.
8. PennDOT state whether any Bridge Bill Funds are available to be used at this location.
9. That PennDOT submit testimony as to what portion, if any, of any construction work that it will agree to perform; and what portion, if any, of the cost of same or future maintenance it will agree to bear; and the portions, if any, of said work and cost thereof which should be performed or borne by each of the other parties hereto. Response should be specific as to the percentage of allocation suggested and should include the reason for such allocation.
10. CSX Transportation, Inc. (CSX) submit testimony as to the exact corporate name of the owners and of the operators of the line of railroad located at the subject crossing, including the number of tracks and the volume, class and the approximate speed of all trains operated daily thereon, and whether any significant changes to such operations are contemplated in the foreseeable future.

11. CSX submit testimony describing the general type of existing structure, number of spans, principal dimensions and state the general physical condition thereof.
12. CSX state the approximate date of construction of the existing structure and any significant changes that have been made to the structure in the past which have affected or altered the structure.
13. CSX state its present obligations with respect to maintenance of the existing structure.
14. That CSX state the nature and type, extent, date, cost and any other pertinent specific details as to any recorded substantial items of maintenance and/or repair performed on the existing structure by the railroad or its contractor.
15. CSX state whether the existing crossing is adequate for the convenience and safety of the public or should be altered, rehabilitated or demolished, and, if so, submit testimony regarding the general nature and extent of all work or changes, if any, which the railroad deems advisable to provide a safe and convenience crossing at this location.
16. CSX state whether it will agree to prepare any inspection reports, plans, or cost estimates as may be required for any work necessary or advisable at this location.
17. CSX submit testimony as to what portion, if any, of any construction work that it will agree to perform; and what portion, if any, of the cost of same and future maintenance that it will agree to bear; and the portions, if any, of said work and cost thereof which should be performed and borne by each of the other parties thereto. Response should be specific as to the percentage of allocation suggested, and should include the reasons for such allocation.
18. Buffalo Township submit testimony describing the importance of the crossing at this location to its residents and businesses in the area of the structure.
19. Buffalo Township state its present obligation with respect to the maintenance of the existing crossing.
20. Buffalo Township state whether the existing crossing is adequate for the convenience and safety of the public or should be altered, rehabilitated or demolished, and, if so, submit testimony regarding the general nature and extent of all work or changes, if any, which the Township deems advisable to provide a safe and convenient crossing at this location.
21. Buffalo Township submit testimony as to what portion, if any, of any construction work it will agree to perform; and what portion, if any, of the cost of same and future maintenance that it will agree to bear; and the portions, if any, of said work and cost thereof which should be performed and borne by each of the parties hereto. Response should be

specific as to the percentage of the allocation suggested, and should indicate the reasons for such allocation.

22. Washington County state whether the existing crossing is adequate for the convenience and safety of the public or should be altered, rehabilitated or demolished, and, if so, submit testimony regarding the general nature of all work or changes, if any, which the County deems advisable to provide a safe and convenient crossing at the location.
23. Washington County submit testimony as to what portion, if any, of any construction work it will agree to perform; and what portion, if any, of the cost of same and future maintenance that it will agree to bear; and the portions, if any, of said work and cost thereof which should be performed and borne by each of the parties hereto. Response should be specific as to the percentage of allocation suggested, and should indicate the reasons for such allocation.
24. Query whether any of the other parties desires to submit any additional testimony, except those proposals relevant to this proceeding.

DAF:kmb

AUG 13 1992

Office of Chief Counsel

THE UNDERSIGNED HEREBY ACKNOWLEDGES RECEIPT OF HEARING NOTICE  
FOR DOCKET NUMBER C-00923909

Department of Transportation of the Commonwealth of Pennsylvania  
v.  
CSX Transportation

FROM PENNSYLVANIA PUBLIC UTILITY COMMISSION,  
OFFICE OF ADMINISTRATIVE LAW JUDGE

RECEIVED BY \_\_\_\_\_  
Signature

ON 8-13-92  
Date

PLEASE SIGN AND DATE FORM AND RETURN TO:

PUC  
FILE ROOM  
Room B-20  
North Office Building  
Harrisburg, PA

RLS

DOCUMENT  
FOLDER

RECEIVED

AUG 18 1992

Public Utility Commission  
SECRETARY'S BUREAU  
Control Division

THE UNDERSIGNED HEREBY ACKNOWLEDGES RECEIPT OF HEARING NOTICE  
FOR DOCKET NUMBER C-00923909

Department of Transportation of the Commonwealth of Pennsylvania  
v.  
CSX Transportation

FROM PENNSYLVANIA PUBLIC UTILITY COMMISSION,  
OFFICE OF ADMINISTRATIVE LAW JUDGE

RECEIVED BY Thomas M. Shaw ON 8/13/92  
Signature Date

PLEASE SIGN AND DATE FORM AND RETURN TO:

PUC  
FILE ROOM  
Room B-20  
North Office Building  
Harrisburg, PA

DOCUMENT  
FOLDER



CSX DISTRIBUTION SERVICES & CSX EQUIPMENT  
Wandaleen Poynter  
Senior Counsel

ORIGINAL

*AMM* 100 North Charles Street  
Baltimore, Maryland 21201  
~~(204) 237-4700~~  
(410) 613-6127  
Telecopier (410) 237-2548

August 14, 1992

RECEIVED

AUG 17 1992

SECRETARY'S OFFICE  
Public Utility Commission

John G. Alford, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17120

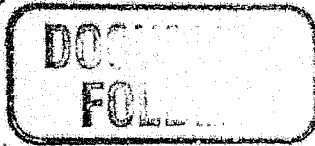
Re: Docket No. C-00923909  
Department of Transportation of  
Commonwealth of Pennsylvania v.  
CSX Transportation, Inc.

Dear Sir:

Please enter my appearance as counsel for CSX Transportation, Inc. in the captioned proceeding.

Very truly yours,

*Wandaleen Poynter*  
Wandaleen Poynter



lws

cc: Administrative Law Judge Michael A. Nemec  
1103 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

John L. Heaton, Chief Counsel  
Pennsylvania Department of Transportation  
521 Transportation & Safety Building  
Harrisburg, PA 17120

W. D. Pickering, Utility Engineer  
Pennsylvania Department of Transportation  
509 Transportation & Safety Building  
Harrisburg, PA 17120

John G. Alford, Secretary  
August 14, 1992  
Page 2

Frank R. Mascara, Chairman  
Washington County Commissioner  
702 Courthouse Square  
100 West Beau Street  
Washington, PA 15301

Solicitor Melvin B. Bassi  
702 Courthouse Square  
100 West Beau street  
Washington, PA 15301

Thomas F. Wright, Chairman  
Buffalo Township Commissioner  
130 Karen Drive  
Washington, PA 15301

Mr. Forrest B. Clarke, Secretary  
R.D. 1  
Claysville, PA 15323

Solicitor James McCune, Esq.  
McCune & Vreeland  
119 South College Street  
Washington, PA 15301

GTE North  
150 West Tenth Street  
Erie, PA 16512

Mr. Wayne Martin  
CSX Transportation, Inc.  
722 Virginia Avenue  
Cumberland, MD 21502



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
HARRISBURG, PENNSYLVANIA 17120

ORIGINAL

OFFICE OF  
SECRETARY OF TRANSPORTATION

August 25, 1992

AMW

Washington County  
S.R. 3009  
Buffalo Township  
PUC C-00923909

RECEIVED

SEP 1 1992

SECRETARY'S OFFICE  
Public Utility Commission

Mr. John G. Alford, Secretary  
Public Utility Commission  
Room G-23  
North Office Building

Dear Mr. Alford:

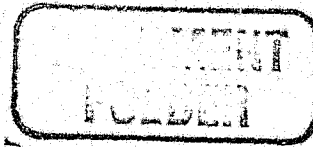
This is to notify you that the Department is proceeding with the plans necessary for structure repairs to reopen S.R. 3009, Washington County to traffic. The Department is not willing to assume responsibility for the structure; however, we feel that the work must be done for the safety of the local citizens.

We estimate the cost of repairs to be \$150,000 and will seek reimbursement from CSX Transportation Company at the September 15, 1992 Commission Hearing.

Sincerely,

*W. R. Moyer*  
William R. Moyer, P.E.  
Deputy Secretary for  
Highway Administration

DOCKETED  
SEP 04 1992



August 25, 1992

Washington County  
S.R. 3009  
Buffalo Township  
PUC C-00923909

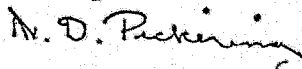
Mr. John G. Alford, Secretary  
Public Utility Commission  
Room G-23  
North Office Building

Dear Mr. Alford:

This is to notify you that the Department is proceeding with the plans necessary for structure repairs to reopen S.R. 3009, Washington County to traffic. The Department is not willing to assume responsibility for the structure; however, we feel that the work must be done for the safety of the local citizens.

We estimate the cost of repairs to be \$150,000 and will seek reimbursement from CSX Transportation Company at the September 15, 1992 Commission Hearing.

Sincerely,



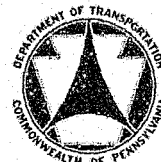
William R. Moyer, P.E.  
Deputy Secretary for  
Highway Administration

4350/HF/kgv

cc: W. L. Beaumarige, P.E., District 12-0, Attention: J. Logan, P.E.  
D. Fisher, P.E., PUC, Room 409 ✓  
J. R. Clark, CSX Transportation  
M. M. Ryan, P.E., Room 1212  
F. W. Bowser, P.E., Room 1118

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

AMW



Office of Chief Counsel  
1209 State Office Building  
300 Liberty Avenue  
Pittsburgh, Pennsylvania 15222  
(412) 565-7555

ORIGINAL

IN REPLY REFER TO

August 26, 1992

John G. Alford, Secretary  
Pennsylvania Public Utility Commission  
Post Office Box 3265  
Harrisburg, PA. 17105 - 3265

RECEIVED

AUG 26 1992

SECRETARY'S OFFICE  
Public Utility Commission

In RE: C-00923909  
Department of Transportation of the  
Commonwealth of Pennsylvania  
vs.  
CSX Transportation, Inc.  
Washington County

Dear Mr. Alford:

DOCS  
FOL

Enclosed please find the original and three copies of the Commonwealth of Pennsylvania, Department of Transportation, Notice of Appearance in the above-captioned matter.

I hereby certify that a copy of this document has been served on all parties of record.

Very truly yours,

Gina M. D'Alfonso  
Assistant Counsel

GMD:Vag

Enclosure: as stated

cc William J. Cressler, Assistant Chief Counsel, Hbg.  
Hank Farrell, Grade Crossing Engineer, Hbg.  
Ken Sharp, Acting Utility Relocation Administrator, #12-0  
Parties of Record  
File  
Corres.

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITIES COMMISSION

In Re: C-00923909  
Department of Transportation of the  
Commonwealth of Pennsylvania  
vs.  
CSX Transportation, Inc.  
Washington County.

AUG 27 1992  
SECRETARY'S OFFICE  
Public Utility Commission

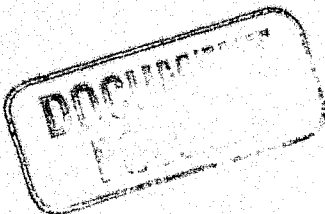
NOTICE OF APPEARANCE

TO THE SECRETARY:

Please enter the appearance of Gina M. D'Alfonso on behalf of the Commonwealth of Pennsylvania, Department of Transportation in the above-captioned proceedings.

All service and communications should be addressed to:

Gina M. D'Alfonso  
Assistant Counsel  
Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
1209 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222  
(412) 565-7555



*Gina M. D'Alfonso*  
Gina M. D'Alfonso  
Assistant Counsel

August 26, 1992  
Date

**DOCKETED**  
AUG 31 1992

CERTIFICATE OF SERVICE

I, Gina M. D'Alfonso, do hereby certify that a copy of the Notice of Appearance was sent to the following named individuals on the 26<sup>th</sup> day of August 1992.

PARTIES OF RECORD

Michael A. Nemec  
Administrative Law Judge  
1103 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA. 15222

Public Utility Commission Law Bureau  
Post Office Box 3265  
Harrisburg, PA. 17120

W. D. Pickering, Utility Engineer  
Pennsylvania Department of Transportation  
509 Transportation & Safety Building  
Harrisburg, PA 17120

CSX Transportation Corporation  
Richard D. Sanborn, President  
500 Water Street  
Jacksonville, FL 32202

Wandaleen Poynter, Esquire  
CSX Transportation Corporation  
100 North Charles Street  
Law Department - B-11A  
Baltimore, MD 21201

Mr. Wayne Martin  
722 Virginia Avenue  
Cumberland, MD 21502

Frank A. Mascara, Chairman  
Washington County Commissioner  
702 Courthouse Square (100 West Beau Street)  
Washington, PA 15301

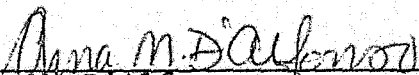
Solicitor Melvin B., Bassi, Esquire  
702 Courthouse Square (100 West Beau Street)  
Washington, PA 15301

Thomas F. Wright, Chairman  
Buffalo Township Commissioner  
130 Karen Drive  
Washington, PA. 15301

Mr. Forrest B. Clarke, Secretary  
R. D. #1  
Claysville, PA 15323

Solicitor James McCune, Esquire  
McCune & Vreeland  
119 South College Street  
Washington, PA 15301

GTE North  
150 W. Tenth Street  
Erie, PA 16512

  
\_\_\_\_\_  
Gina M. D'Alfonso  
Assistant Counsel  
Commonwealth of Pennsylvania  
Department of Transportation

August 26, 1992  
Date:

APPEARANCE SHEET

ALJ HEARING REPORT

DOCKET NO. C-00923909

CASE NAME Department of Transportation of the Commonwealth of Pa v. CSX Transportation

HEARING LOCATION Pittsburgh

HEARING DATE Sept. 15, 1992

ALJ Narec

CHECK THOSE BLOCKS WHICH APPLY:

Hearing held YES  NO

Testimony taken YES  NO

Hearing concluded YES  NO

Further hearing needed YES  NO

Estimated add'l days 1

RECORD CLOSED YES  NO

Date

Briefs to be filed YES  NO

Date

BENCH DECISION YES  NO

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SEP 22 1992

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SEP 16 1992

Office of A. L. J.  
Public Utility Commission

Public Utility Commission  
SECRETARY'S BUREAU  
Information Control Division

REMARKS: Further hearings will

probably be required for cost

allocation.

**DOCUMENT**  
FOLDER

**DOCKETED**  
OCT 7 1992

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD  
PLEASE PRINT CLEARLY  
INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

NAME and TELEPHONE NUMBER	ADDRESS			APPEARING FOR
DAVID A SALAPA Telephone No. (717) 783-2840	G-31 NORTH OFFICE BLDG City HARRISBURG State PA Zip 17120			PA. P.U.C. LAW BUREAU
Worobienky, Guyton Telephone No. (410) 613-2127	100 N. Charles Street B11A City Baltimore State Md Zip 21201			CSX Transportation
Gina M. D'AiFonso Telephone No. (412) 525-7555	1209 State Office Bldg City Pgh State PA Zip 15222			PA. Dept. of Transportation

CHECK THIS BOX IF ADDITIONAL PARTIES OR COUNSEL OF RECORD APPEAR ON BACK.

*[Signature]*  
Reporter



CSX DISTRIBUTION SERVICES & CSX EQUIPMENT  
 Wandaleen Poynter  
 Senior Counsel

ORIGINAL

100 North Charles Street  
 Baltimore, Maryland 21201  
 (410) 237-4700  
 (410) 613-6127  
 Telecopier (410) 237-2548

October 12, 1992

John G. Alford, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

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OCT 14 1992

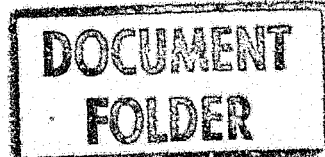
SECRETARY'S OFFICE  
 Public Utility Commission

Re: Department of Transportation of the  
 Commonwealth of Pennsylvania v.  
 CSX Transportation, Inc.  
 Washington County  
 C-00923909

Dear Mr. Alford:

Hearing was held on the captioned docket on September 15, 1992. During the proceeding ALJ Michael A. Nemec allowed the late filing of the following documents:

- (1) Cost figures on work performed on Bridge No. 161 (the subject of this proceeding) in the last quarter of 1989 [CSXT Exhibit 1];
- (2) An "as built" diagram placed on file in the CSXT archives immediately after the work CSXT volunteered to do on the bridge was performed in the last quarter of 1989 [CSXT Exhibit 2]; and
- (3) Before and after pictures of the work that was performed [CSXT Exhibit 3].<sup>1</sup>



<sup>1</sup>CSXT has elected to file the entire document entitled Pennsylvania Department of Transportation District 12-0 Underwater Bridge Inspection SR 3009 over Branch of Buffalo Creek BMS No. 62 3009 0180 1276 Buffalo Township, Washington County, a document submitted in October 1989 apparently to the Department of Transportation by Pickering, Corts & Summerson, Inc. with offices at 126 South State Street, Newtown, Pennsylvania 18940. The document being submitted by CSXT contains both before and after prints showing the condition of the bridge before CSXT's work and after CSXT's work.

John G. Alford, Secretary  
October 12, 1992  
Page 2

Special copies of the last document with reproduced prints have been supplied to David A. Salapa (who appeared on behalf of the Pennsylvania Public Utility Commission), Gina M. D'Alfonso (who appeared on behalf of PennDOT) and a courtesy copy has been sent directly to ALJ Michael A. Nemec addressed to his Pittsburgh, Pennsylvania office.

An original and two copies of Exhibits 1, 2 and 3, as well as an extra copy of this cover letter, are included, along with a self-addressed, stamped envelope and I ask that you file-mark the extra cover letter as "received" and return it directly to me.

Very truly yours,

*Wanda Lee Layton*

WP/lws

Enclosure

cc: The Hon. Michael A. Nemec - w/enc  
Administrative Law Judge  
1103 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

David A. Salapa, Esq. - w/enc.  
Pennsylvania Public Utility Commission  
G-31 North Office Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Gina M. D'Alfonso, Esq. - w/enc.  
Office of Chief Counsel  
Commonwealth of Pennsylvania  
1209 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

W. D. Pickering, Utility Engineer - w/o enc.  
Pennsylvania Department of Transportation  
509 Transportation & Safety Building  
Harrisburg, PA 17120

Mr. Wayne Martin - w/o enc.  
722 Virginia Avenue  
Cumberland, MD 21502

John G. Alford, Secretary  
October 12, 1992  
Page 3

Frank A. Mascara, Chairman - w/o enc.  
Washington County Commissioner  
702 Courthouse Square  
100 West Beau Street  
Washington, PA 15301

Thomas F. Wright, Chairman - w/o enc.  
Buffalo Township Commissioner  
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R.D. # 1  
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Solicitor James McCune - w/o enc.  
McCune & Vreeland  
199 South College Street  
Washington, PA 15301

GTE North - w/o enc.  
150 West Tenth Street  
Erie, PA 16512

D. T. Taubken - w/o enc.  
Box 740  
Connellsville, PA 15425

CONCRETE REPAIRS TO THE ARCH  
 RECAPITULATION - LABOR - 1989

Line Segment - Bridge # 161 - 835501 - 1989 Masonry Repairs Labor  
 6D62 Operator

**RECEIVED**

OCT 14 1992

SECRETARY'S OFFICE  
 Public Utility Commission

<u>Week ending</u>	<u>Hours</u>	<u>Per Hour</u>		
11-17-89	54	\$13.30	\$ 718.20	
11-24-89	26	13.30	<u>345.80</u>	<u>\$1,064.00</u>

6D88 Carpenter Force, West Newton, PA

C-42-3909

<u>Week ending</u>	<u>Hours</u>	<u>Per Hour</u>		
11-10-89	40	\$14.07	\$ 562.80	
	56	13.23	<u>740.88</u>	\$1,303.68
11-17-89	40	\$14.07	\$ 562.80	
	120	13.23	<u>1,587.60</u>	2,150.40
11-24-89	8	\$14.07	\$ 112.56	
	16	13.23	<u>211.68</u>	324.24
11-30-89	24	\$14.07	\$ 337.68	
	48	13.23	<u>635.04</u>	972.72
12-01-89	8	\$14.07	\$ 112.56	
	24	13.23	<u>317.52</u>	430.08
12-08-89	40	\$14.07	\$ 562.80	
	120	13.23	<u>1,587.60</u>	2,150.40
12-15-89	40	\$14.07	\$ 562.80	
	64	13.23	<u>846.72</u>	1,409.52
12-19-89	24	\$14.07	\$ 337.68	
	48	13.23	<u>635.04</u>	972.72
			<b>TOTAL</b>	<u><b>\$9,713.76</b></u>

**DOCKETED**  
 OCT 27 1992

**DOCUMENT  
 FOLDER**

RECAPITULATION - LABOR AND MATERIALS

Line Segment - Bridge # 161

5XJ3 CARPENTER FORCE

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OCT 14 1992

<u>Week ending</u>	<u>Hours</u>	<u>Per Hour</u>	<u>Expense</u>	<u>Totals</u>
11-10-89	36	\$14.57	\$ 91.00	\$ 615.52
	180	13.31	451.72	2,847.52
11-17-89	54	\$14.57		\$ 786.78
	270	13.31		3,593.70
11-24-89	10	\$14.57	\$ 91.00	\$ 236.70
	40	13.31	396.50	928.90
11-30-89	VAC 32			
	36	\$13.31		\$ 479.16
12-01-89	VAC 8			
	32	\$13.31		\$ 425.92
12-08-89	35	\$14.57	\$ 91.00	\$ 600.95
	175	13.31	455.00	\$2,784.25
12-15-89	26	\$14.57	\$ 45.50	\$ 424.32
	220	13.31	227.50	3,155.70
Material	25 cu. yd. concrete		5XJ3	\$16,879.42
	\$60.00 per = \$1,500.00		6D88	9,713.76
	Plywood 2x4,		6D62	\$ 1,064.00
	2x6	\$300.00		
	Gabion Baskets			
	12 @ \$54.00	\$648.00		
	Gabion Rock	\$250.00±		
	Sakrete 40 bags			
	@ \$5.00	\$200.00		
	Rebar	\$ 60.00		
	Roof bolts (4)	\$ 80.00		
	Resin	\$ 30.00		
	Grout 10 @			
	\$13.50	\$135.00	Time	\$27,657.18
	Materials	\$2,903.00	Not Counted:	Vacation time
				Holiday pay
				Truck usage
				Equipment
				Equipment usage

**TIME & MATERIAL**  
**\$30,560.18 TOTAL**

EXHIBIT NO. 2  
"AS BUILT"

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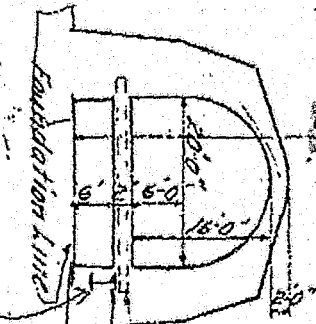
OCT 14 1992

SECRETARY'S OFFICE  
Public Utility Commission

Both

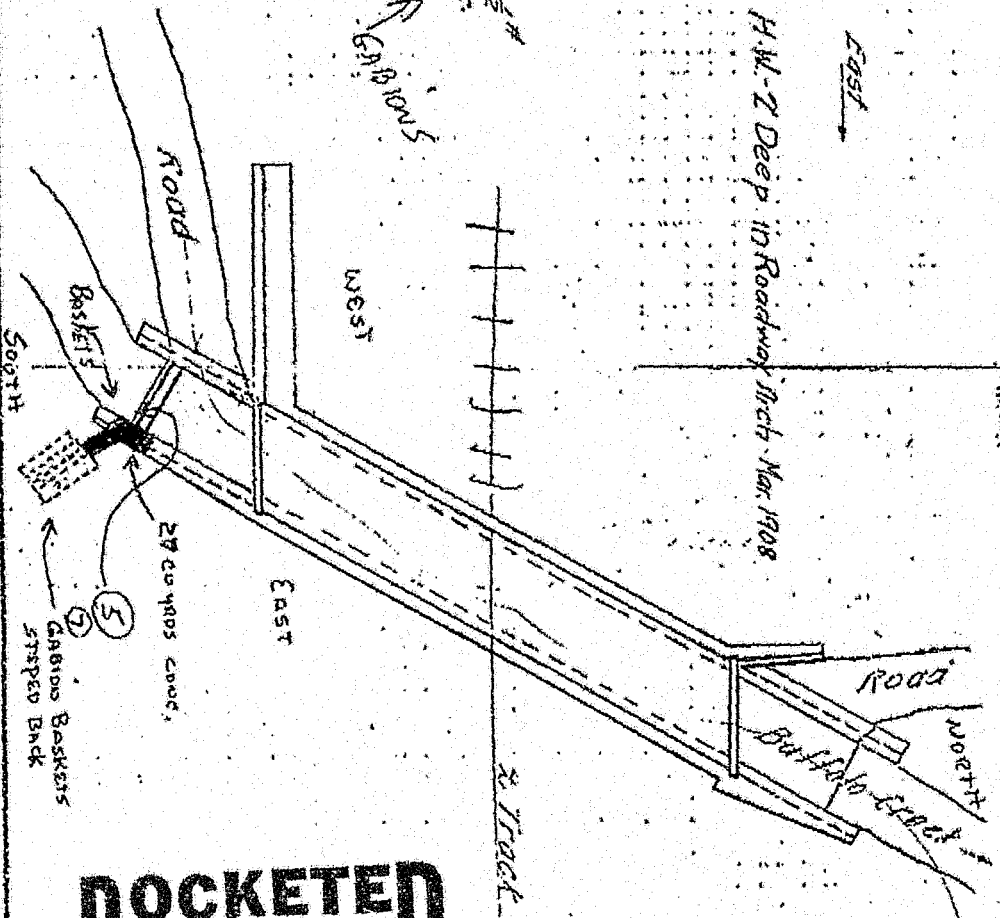
East

H.W.-2 Deep 10 Roadway Dist. Mar. 1908



30" I.C.M. EUCASED 2" x 4" x 10' 2"

GABIONS



PHYSICAL CONDITION:

REPAIRS MADE, Compl. 12/89

DOCKETED

OCT 27 1992

DOCUMENT FOLDER



MARKS:

STATION Taylorstown

CROSSING Buffalo Creek

MILE T.P. 43 1/2

ALIGNMENT 3° 45' Curve to left going East

ANGLE 60°

CLEAR HEAD

CLEAR WIDTH

BUILT 1907

LIVE LOAD

MATERIAL Concrete

B. & O. R. R. CO.

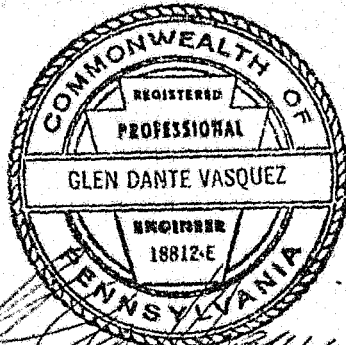
RAILROAD BRIDGE

OLD NO. 161

NEW NO.

PITTSBURGH DIVISION

W&P Branch



*[Signature]* 10 10-89  
Registered Professional Engineer Date

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

DISTRICT 12-0

UNDERWATER BRIDGE INSPECTION

S.R. 3009

OVER

BRANCH OF BUFFALO CREEK

BMS NO. 62 3009 0180 1276

BUFFALO TOWNSHIP

WASHINGTON COUNTY

OCTOBER, 1989

Submitted By

PICKERING, CORTS & SUMMERSON, INC.  
126 South State Street  
Newtown, Pennsylvania 18940

**RECEIVED**

OCT 14 1992

SECRETARY'S OFFICE  
Public Utility Commission

*0229401*

**DOCKETED**  
OCT 27 1992

**DOCUMENT  
FOLDER**



PICKERING, CORTS & SUMMERSON, INC.  
CONSULTING ENGINEERS & LAND SURVEYORS

126 SOUTH STATE STREET, NEWTOWN, PA 18940 215-968-9300 • Fax 215-968-3649  
116 WASHINGTON CROSSING-PENNINGTON ROAD, PENNINGTON, N.J. 08534 609-737-2033

October 12, 1989

C. Vance Dei Gas, P.E., District Engineer  
Pennsylvania Department of Transportation, District 12-0  
North Gallatin Avenue  
P.O. Box 459  
Uniontown, PA 15401

Attention: William Oshnack, Liaison Engineer

Re: Statewide Underwater Bridge Safety  
Inspection of S.R. 3009 over  
Branch of Buffalo Creek  
Washington County  
Agreement No. 45-0028

Dear Sir:

In accordance with the terms of our contract for Underwater Bridge Inspections with the Pennsylvania Department of Transportation, we are submitting the underwater inspection report for the above referenced structure.

This inspection was made to determine the general structural condition of the underwater portions of the bridge. The following report contains the results of the inspection and lists recommendations for repair or replacement of all major defects found. The inspection was made according to generally recognized standards and procedures, but it is not implied that all defects were or could have been disclosed.

If you have any questions about this submission or require any additional information, please do not hesitate to call our Newtown, Pennsylvania office.

Very truly yours,

PICKERING, CORTS & SUMMERSON, INC.

Glen D. Vasquez, P.E.  
Project Engineer

GDV/AEJ/lF  
Enclosure



PICKERING, CORTS & SUMMERSON, INC.  
CONSULTING ENGINEERS & LAND SURVEYORS

126 SOUTH STATE STREET, NEWTOWN, PA 18940 215-968-9300 • Fax 215-968-3649  
116 WASHINGTON CROSSING-PENNINGTON ROAD, PENNINGTON, N.J. 08534 609-737-2033

October 11, 1989

G. Vance Dei Cas, P.E., District Engineer  
Pennsylvania Department of Transportation, District 12-0  
North Gallatin Avenue  
P. O. Box 459  
Uniontown, PA 15401

Attention: William Oshnack, Liaison Engineer

Re: Statewide Underwater Bridge Safety  
Inspection of S.R. 3009 over  
Branch of Buffalo Creek  
Washington County  
Agreement No. 45-0028

Dear Sir:

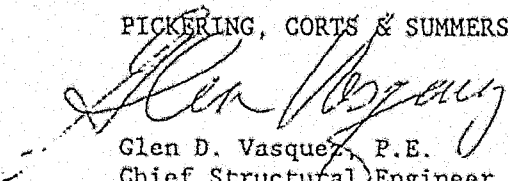
As John Prybella discussed with Lou Ruzzi on the telephone, the above referenced structure is in critical condition and in need of emergency repair. Severe undermining was detected at the south end of each abutment. The east abutment was undermined for a length of 15 feet and the west abutment was undermined for a length of 20 feet. Lateral probes beneath the abutment were 9.0' and 2.5' for the east abutment and west abutment, respectively. In addition, the south 10 feet of the east abutment has collapsed, leaving a portion of the superstructure unsupported. Severe streambed scour was also evident along the length of both abutments. At the time of inspection, the scour holes had been filled in with silt. Probe penetrations into the silt were excessive and ranged from 3.5 feet to 7 feet. Substructure movement was also noted as evidenced by wide vertical cracks through the abutments.

We recommend that the bridge be closed to traffic until the undermining repairs can be made and the south end of the east abutment can be rebuilt. As an alternative, consideration could be given to redirecting wheel loads away from the affected area.

The underwater inspection report is being forwarded under a separate cover. If you have any questions, please do not hesitate to call.

Very truly yours,

PICKERING, CORTS & SUMMERSON, INC.

  
Glen D. Vasquez, P.E.  
Chief Structural Engineer

GDV/JAP/lf

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Inspection Results . . . . .	2
Conclusions, Recommendations and Costs . . . . .	2
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Appendix 2 - Drawings. . . . .	10
Appendix 3 - Contour Maps. . . . .	13
Appendix 4 - Soundings . . . . .	15
Appendix 5 - BMS Data. . . . .	17

DISTRICT 12-0

UNDERWATER BRIDGE INSPECTION

GENERAL DATA:

Structure Name: S.R. 3009 over Branch of Buffalo Creek

BMS I.D. 62 3009 0180 1276

Structure Type: 1 span, concrete encased steel stringer (Built 1907)

Structure Location: Buffalo Township, Washington County

Owner: Pennsylvania Department of Transportation

Elements Evaluated: West Abutment (Category A1-1)

East Abutment (Category A1-1)

Foundation Classification: "E" (spread footings on soil)

Inspection By: Pickering, Corts & Summerson Inc.

Diving By: Global Oceanic Enterprises, Inc.

Date of Inspection: October 4, 1989

Site Conditions:

Weather: Clear 50°F

Water Velocity: < 1 ft./sec.

Water Visibility: 3 feet

Direction of Flow: South to North

Repair Record: There is no current record of any underwater repairs to the structure.

INSPECTION PROCEDURE:

Inspection was performed on the underwater portion of the above listed elements. Personnel at the site included two Inspectors, a Diver and a Tender. A permanent reference marker with an assumed elevation of 100.00 was placed at a convenient location on the element for use in future inspections. Marker locations are shown on the drawings in Appendix 2. Soundings (taken with a digital sonar depth finder) were taken around the perimeter of the elements at 5 foot increments from their faces to determine the water depths and any areas of streambed scour. Diving was performed on both abutments employing constant hard wire communication with the diver.

## INSPECTION RESULTS:

### Streambed Evaluation:

The streambed in the area of both abutments is severely scoured resulting in undermining of the structure. Soundings taken at the structure, when compared to soundings taken 100 feet upstream and downstream, indicated that this is a localized condition. Probe penetrations into the soft silty streambed resulted in depths of 3.5' to 7.0'.

### Evaluation of East Abutment:

The east abutment is a non-reinforced concrete element measuring 250 feet in length. The abutment is supported by a spread footing which measured 4 feet thick, 20 feet from the south end.

A 10 foot section at the south end of the abutment has failed leaving part of the superstructure unsupported (Photos 3, 4 & 5). The next 15 foot section adjacent to the failed area is severely undermined to a maximum depth of 2'-0" below the footing. The diver was able to probe laterally under the abutment 9'-0". The abutment shows movement in this area as evidenced by a wide vertical full height crack located 15' from the south end of the remaining portion of abutment (Photo 6). The southeast wingwall of the arch bridge located above the abutment also shows movement as evidenced by a wide full height crack (Photo 7). Other wide, full height vertical cracks were found on the abutment face located 50, 90, 125, 135 and 175 feet from the south end. Random areas of large spalls and scaling were noted throughout (total 50 S.F.).

### Evaluation of the West Abutment:

The west abutment is a concrete element measuring 250 feet in length. The abutment is supported by a spread footing measuring 4 feet thick, 25 feet from the south end.

Undermining was detected on the west abutment near the south end for a length of 20 feet. The undermining was noted to be 6" to 1'-0 in depth. The diver was able to probe laterally under the abutment as much as 2'-6". The footing in this area exhibits severe scaling. Wide, full height vertical cracks were noted 110, 125, and 170 feet from the south end.

## CONCLUSIONS, RECOMMENDATIONS AND COSTS:

The condition of the underwater portions of the substructure at this bridge is critical. Each abutment is severely undermined at the south end. A 10 foot section of the East Abutment has collapsed as a result of the undermining. Wide vertical cracks were noted in each abutment signifying movement of the substructure elements. The streambed at the site is severely scoured and has been filled in with silt.

CONCLUSIONS, RECOMMENDATIONS AND COSTS: (Continued)

We recommend that the following emergency repairs be made to retard further deterioration, preserve the structural integrity of the bridge and extend its useful life. Consideration could be given to redirecting wheel loads away from the affected area. If the traffic cannot be redirected, then the bridge should be closed until the repairs are completed. (Please refer to our letter of correspondence dated October 11, 1989 at the beginning of this report.)

1. Repair the undermined portion of the abutments (100 C.Y.) by:
  - a. Chipping the concrete footing to sound material.
  - b. Jetting out all mud, silty material and debris under the footing.
  - c. Fabricating and installing concrete filled poly bags. The bags should be built up at a 45 degree angle to a point above the bottom of footing. Access ports should also be provided horizontally at 10' intervals.
  - d. Pumping concrete into the void using 6" PVC tubing at each port until the entire area is filled.
  - e. Cutting all PVC tubing flush with the bags.

(Note: The poly bags remain in place and serve as protection and help prevent additional undermining.)

Lump Sum \$100,000

2. Rebuild the collapsed portion of the east abutment.

Lump Sum \$ 25,000

In addition to the above, we also recommend that the following repairs be made in order of priority .

1. Place riprap along the abutments at the areas not affected by undermining.

125 C.Y. @ \$50/CY \$ 6,250

2. Repair the wide cracks in the stems of both abutments by pressure injection with an epoxy adhesive.

Lump Sum \$ 3,000

3. Perform an in-depth underwater inspection within six months or as soon as possible after a major flood.

Total \$134,250

The above mentioned repairs can be completed at an estimated cost of \$134,250 (1989).

APPENDIX 1 - PHOTOGRAPHS

Bridge Name: S.R. 3009/Branch of Buffalo Creek  
BMS: I.D. 62 3009 0180 1276 Washington County  
Date of Photographs: 10/4/89



1. South elevation



2. North elevation



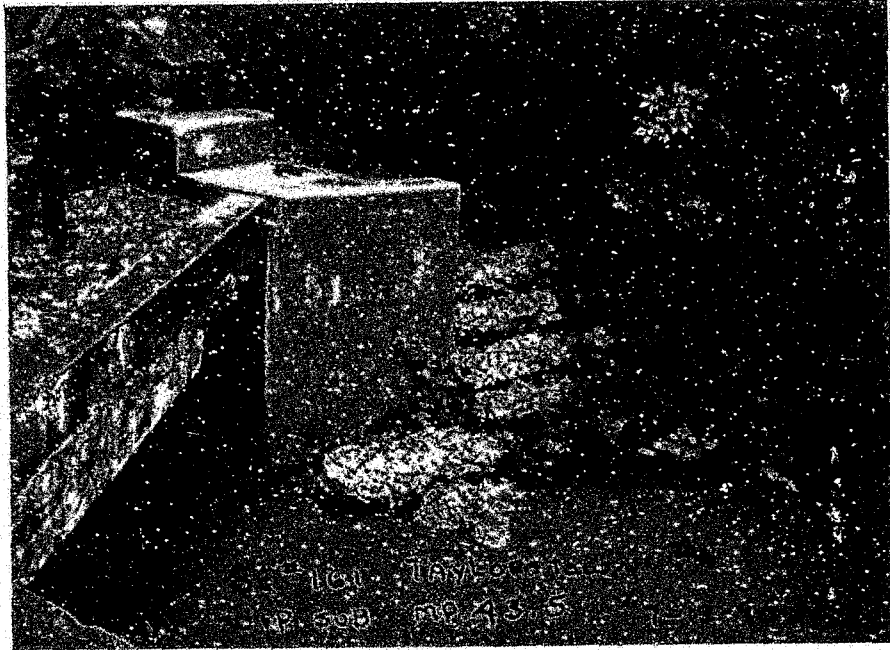
←  
REPAIRED  
12/89

3. South end of east abutment. Abutment failure. Note that the stringers are unsupported.

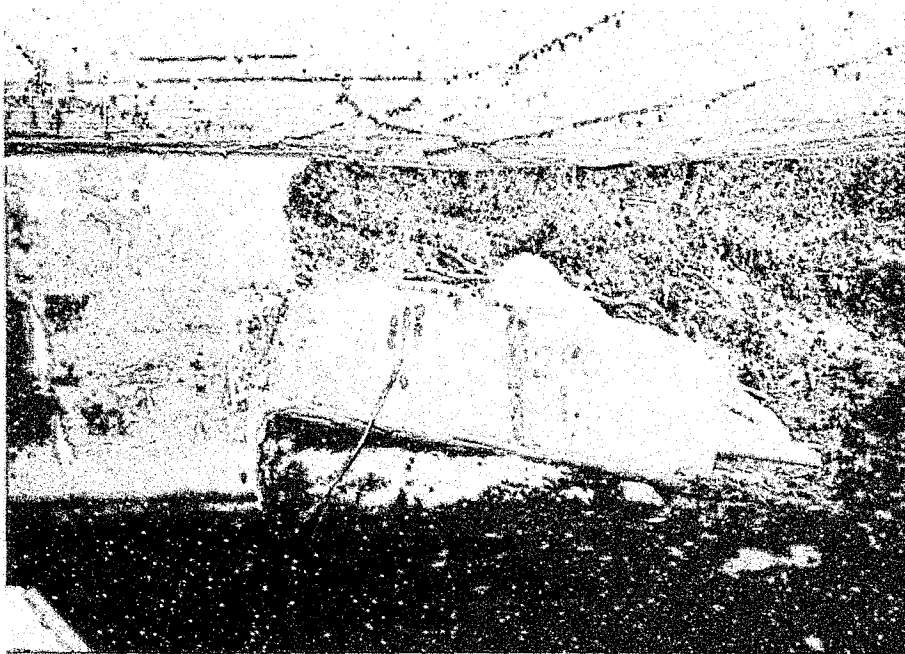


12/89

4. East abutment failure at south end.

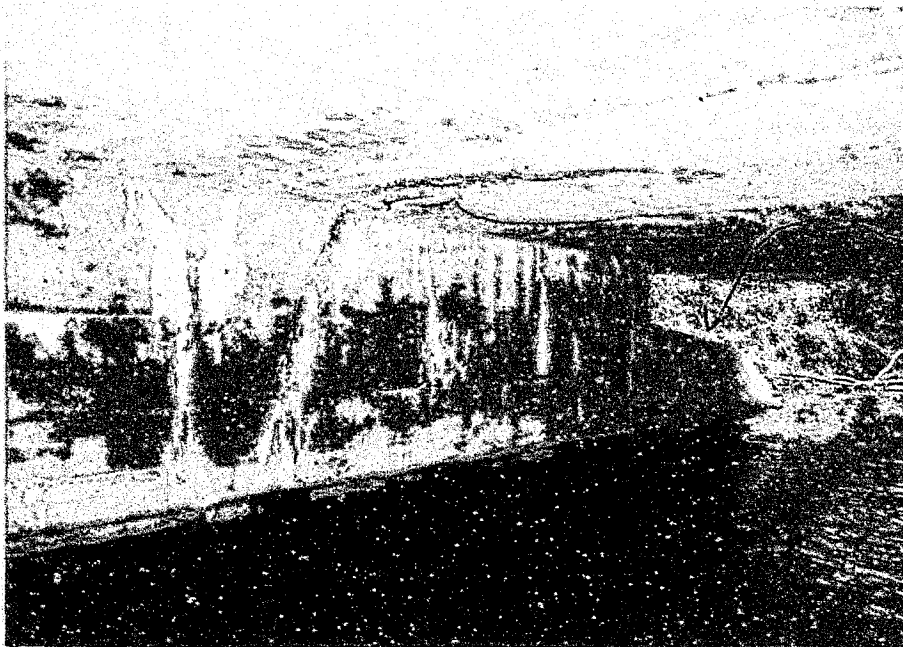


Bridge Name: S.R. 3009/Branch of Buffalo Creek  
BMS: I.D. 62 3009 0180 1276 Washington County  
Date of Photographs: 10/4/89



20.7.1950  
12/89

5. East abutment failure at south end.



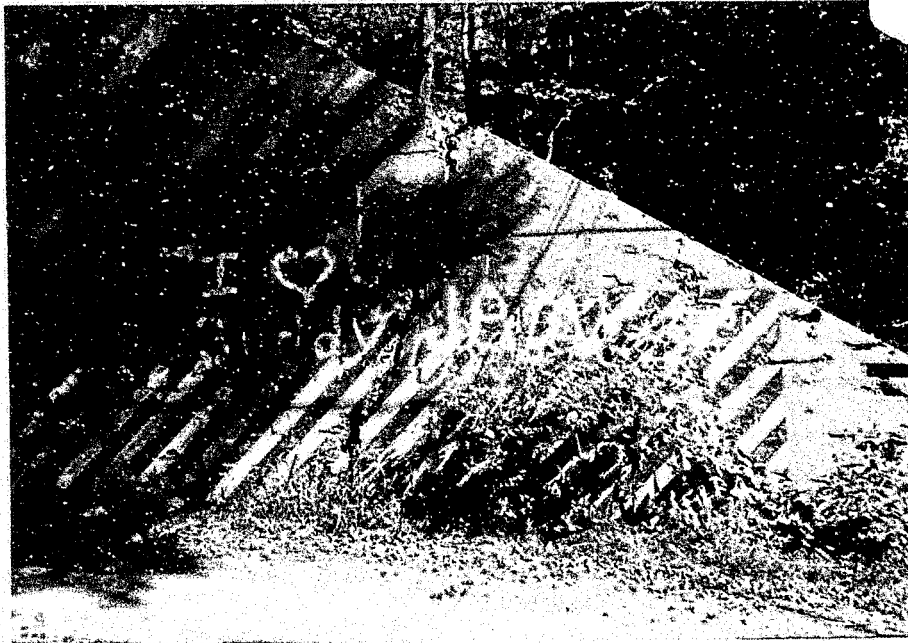
20.7.1950  
12/89

6. East abutment, south end. Note the wide vertical full height crack through abutment breastwall.

Bridge Name: S.R. 3009/Branch of Buffalo Creek  
BMS: I.D. 62 3009 0180 1276

Washington County

Date of Photographs: 10/4/89

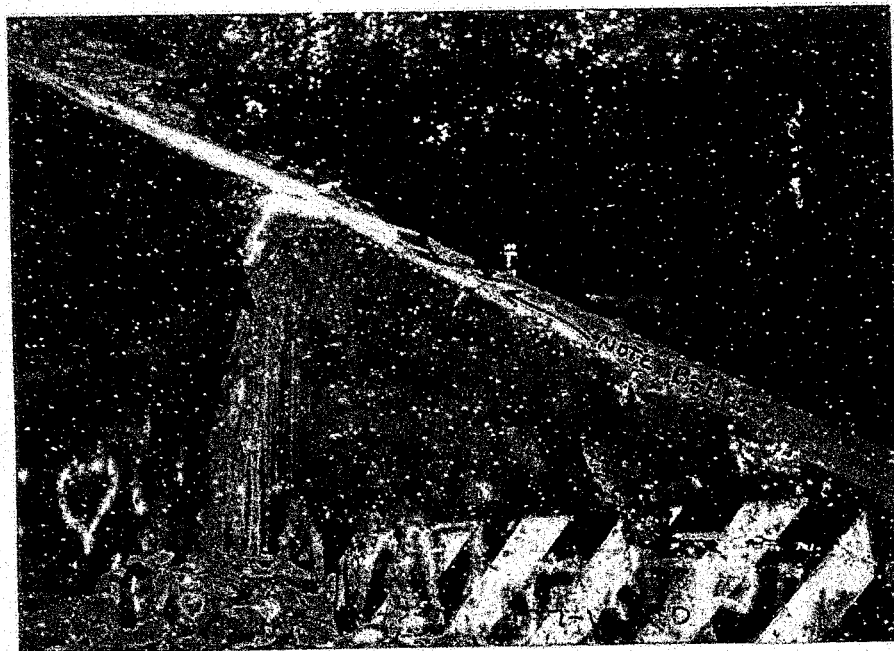


Reinforcement  
Bolts

7. Southeast wingwall above undermined area of east abutment. Note wide vertical crack indicating movement of foundation.



8. Northeast wingwall. Note the galvanized steel reference marker with reflective paint.



Bridge Name: S.R. 3009/Branch of Buffalo Creek  
BMS: I.D. 62 3009 0180 1276

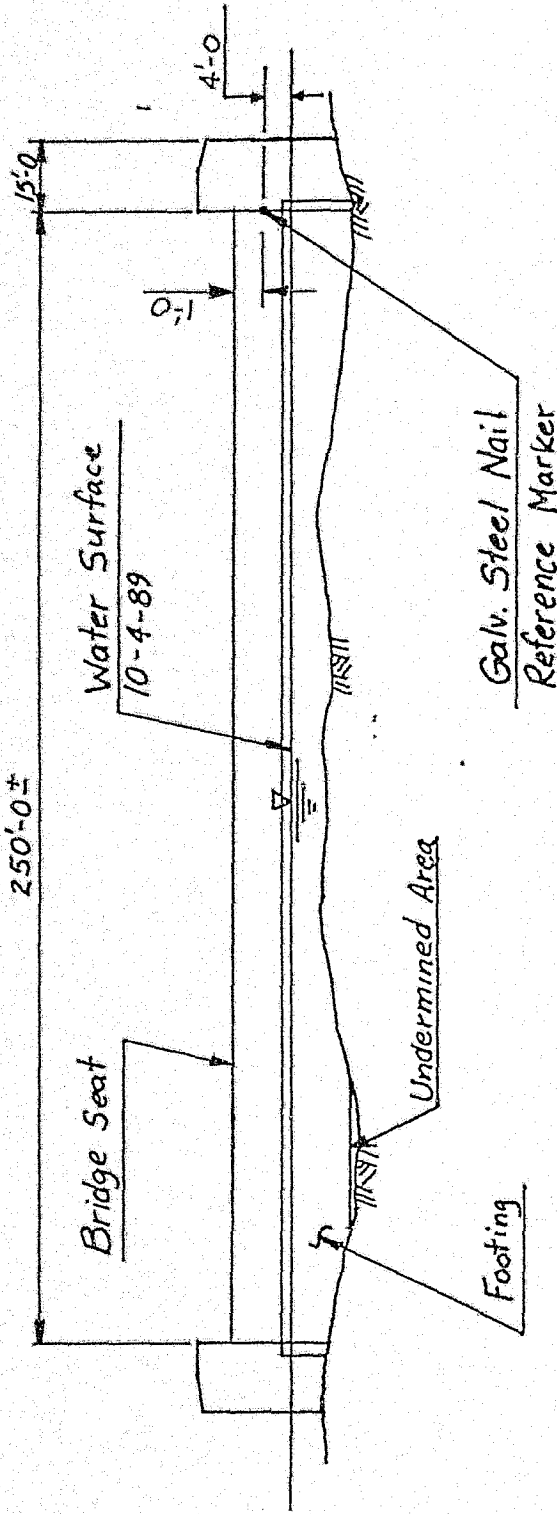
Washington County

Date of Photographs: 10/4/89



9. West abutment, north end. Note the galvanized steel reference marker with reflective paint.

APPENDIX 2 - DRAWINGS



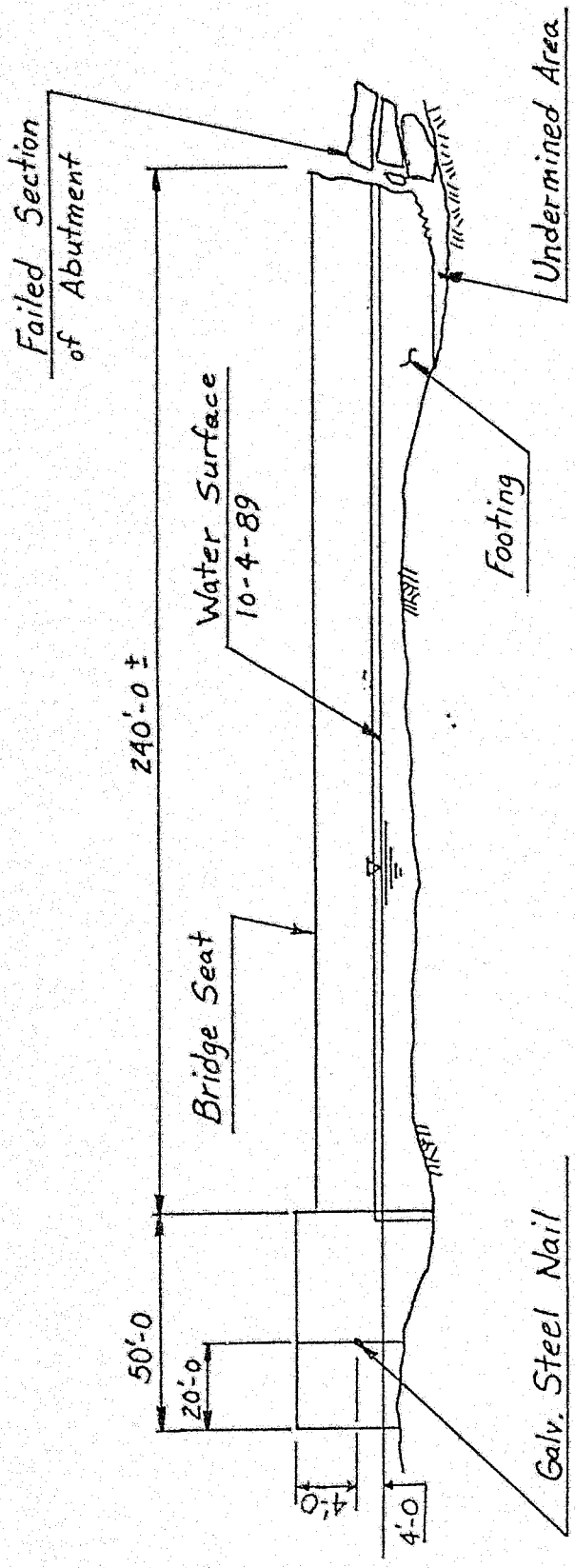
NOTE: All Dimensions are Field Measurements

WEST ABUTMENT.  
ELEVATION

Scale: Horiz. 1" = 40'-0"  
Vert. 1" = 20'-0"

PENNDOT DISTRICT 6-0
UNDERWATER BRIDGE INSPECTION
BMS NO. <u>62 3009 0180 1276</u>
DATE <u>10-4-89</u> SHEET NO. <u>11</u>

PICKERING, CORTS & SUMMERSON, INC.  
126 SOUTH STATE STREET  
NEWTOWN PA. 18940



EAST ABUTMENT  
ELEVATION

Scale: Horiz. 1" = 40'-0"  
Vert. 1" = 20'-0"

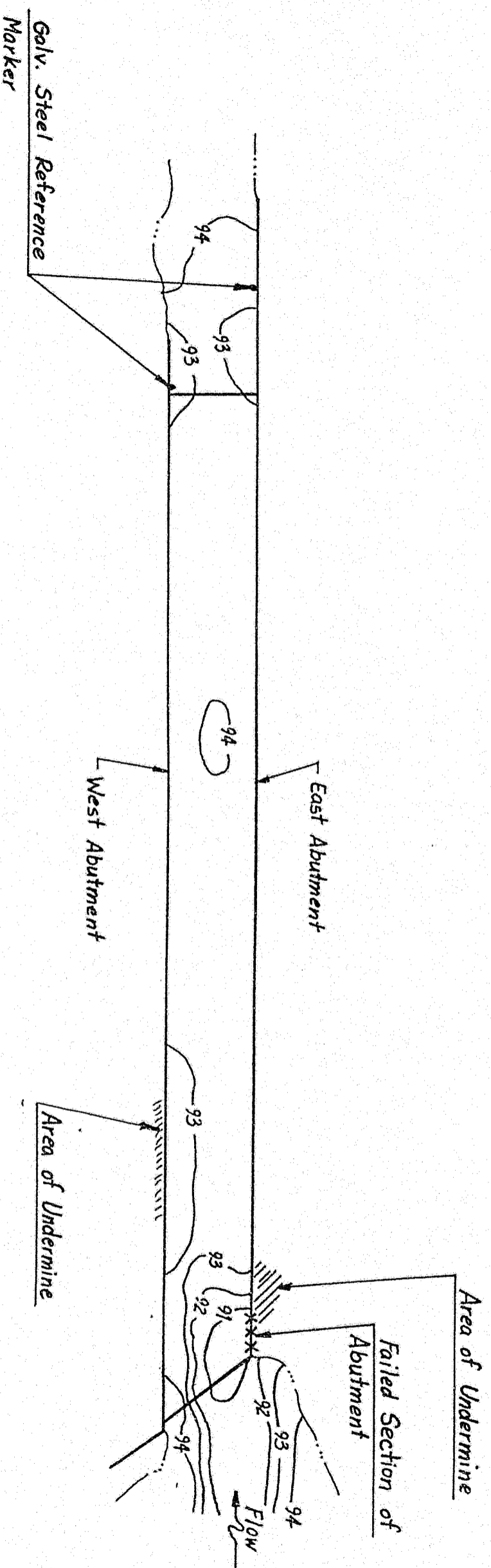
NOTE: All Dimensions are Field Measurements

PICKERING, CORTS & SUMMERSON, INC.  
126 SOUTH STATE STREET  
NEWTOWN PA. 18940

PENNDOT DISTRICT 6-0
UNDERWATER BRIDGE INSPECTION
BMS NO. <u>62 3009 0180 1276</u>
DATE <u>10-4-89</u> SHEET NO. <u>12</u>

APPENDIX 3 - CONTOUR MAPS

Bridge North



**NOTE:**

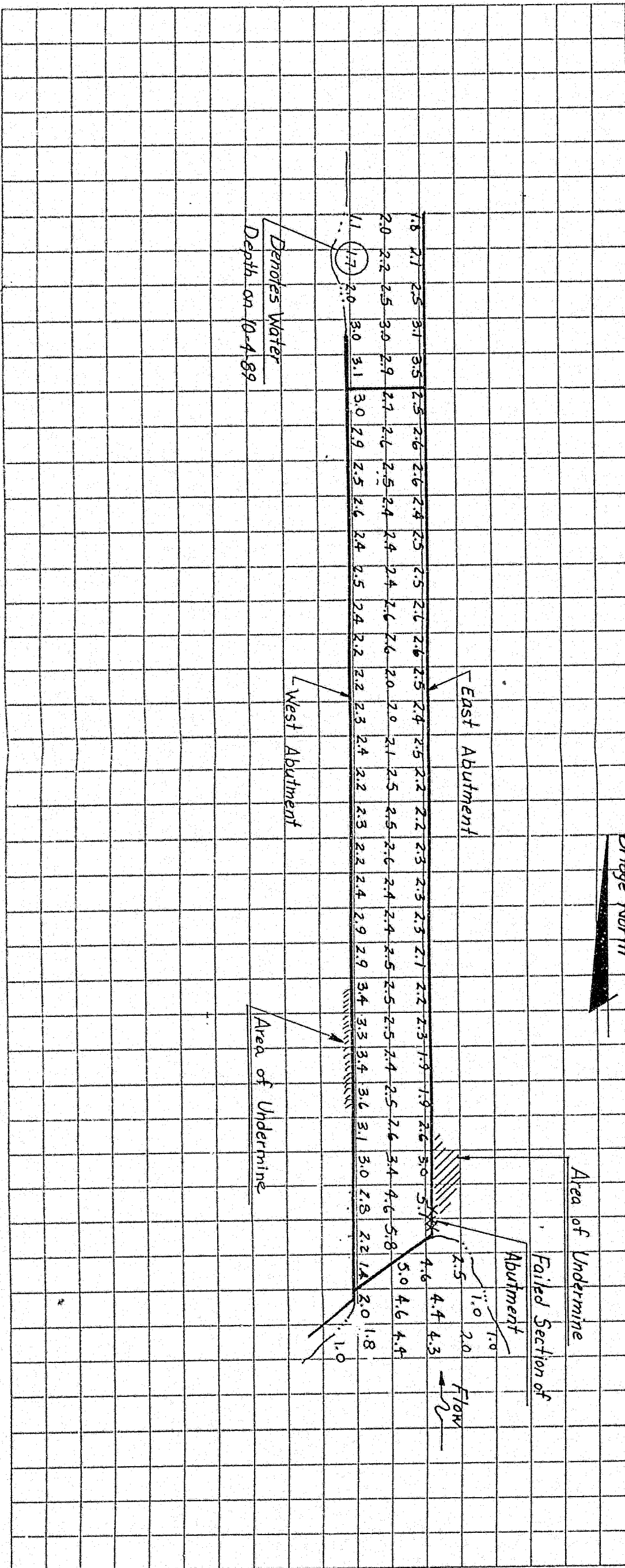
Galvanized Steel Reference  
Marker — Assumed Elevation 100.9  
Water Surface Elevation 96.0

PICKEPING CARTS & SUMMERSON, INC.  
126 SOUTH STATE STREET  
TOWN PA. 18940

**CONTOUR MAP**  
Scale: 1/32" = 1'-0"

PENNDOT DISTRICT	12-0
UNDERWATER BRIDGE INSPECTION	
BMS NO.	62 3009 0180 1276
DATE	10-4-89
SHEET NO.	14

APPENDIX 4 - SOUNDINGS



PICKERING, CURTIS & SUMMERSON, INC.  
 126 SOUTH STATE STREET  
 NEWTOWN PA. 18940

# SOUNDINGS

SCALE: . . .

PENNDOT DISTRICT	
UNDERWATER BRIDGE INSPECTION	
BMS NO. 62	3009 0180 1276
DATE 10-4-89	SHEET NO. 16

APPENDIX 5 - BMS DATA

BMS DATA

(The following items were coded based on  
the underwater inspection only)

Structure Name: S.R. 3009 over Branch of Buffalo Creek

BMS I.D.: 62 3009 0180 1276

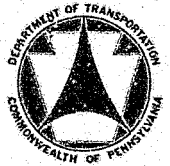
Screen AE - Inspection Data

<u>Item</u>	<u>Code</u>
E02A	06
E03	D
E04	9
E05	0490
E06	100489
E07	9
E08	8
E12	Pickering, Corts & Summerson, Inc.
E13	1
E20	2
E21	2
E27	2

Form D-488F - Quantities

<u>H01</u>	<u>H05</u>	<u>H08</u>
<u>Item</u>	<u>Est. Quantity</u>	<u>Priority</u>
E744803	110 C.Y.	0
B744802	60 C.Y.	0

ORIGINAL



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Office of Chief Counsel  
1209 State Office Building  
300 Liberty Avenue  
Pittsburgh, Pennsylvania 15222  
(412) 565-7555

RLS

IN REPLY REFER TO

October 14, 1992

John G. Alford, Secretary  
PA. Public Utility Commission  
New Filing Section  
Room B18  
North Office Building  
Harrisburg, PA 17105-3265

RECEIVED

OCT 14 1992

SECRETARYS OFFICE  
Public Utility Commission

DOCUMENT  
FOLDER

RE: C-00923909  
Department of Transportation of the  
Commonwealth of Pennsylvania  
vs.  
CSX Transportation, Inc.  
Washington County

Dear Secretary Alford:

Enclosed please find the Original plus two (2) copies of each of the following late filed Exhibits per the instructions of Administrative Law Judge Nemec:

- Late Filed Exhibit 3 - Underwater Bridge Inspections
- Late Filed Exhibit 4 - Itemized Cost for Safety Lights on the Bridge on S.R. 3009
- Late Filed Exhibit 5 - Affidavit of Kenneth A. Sharp
- Late Filed Exhibit 6 - Affidavit of Donald W. Herbert

By copy of this letter, I hereby certify that a copy of each late filed Exhibit was served on the parties listed on Page Two.

RECORDED  
MAR 02

Very truly yours,

*Gina M. D'Alfonso*

Gina M. D'Alfonso  
Assistant Counsel in Charge

GMD:vag

cc Parties of Record (Page 2)  
W. D. Pickering, Chief, R/W & Utilities Division, Hbg.  
Attention: Henry W. Farrell, Grade Crossing Engineer, Hbg.  
Kenneth A. Sharp, Acting Utility Relocation Administrator, #12-0  
File  
Corres.

Express Mail: GB733665460US

PARTIES OF RECORD

Michael A. Nemec  
Administrative Law Judge  
PA. Public Utilities Commission  
1103 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

David A. Salapa, Esquire  
PA Public Utility Commission  
G-31  
North Office Building  
Harrisburg, PA 17105-3265

Wandaleen Poynter, Esquire  
CSX Transportation Corporation  
100 North Charles Street  
Law Department B-11A  
Baltimore, MD 21201







COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
January 6, 1993

In Re: C-00923909

AMH

(See letter of 8/11/92)

Department of Transportation of the Commonwealth of Pennsylvania  
v.

CSX Transportation, Inc.

Alleging dangerous conditions at the crossing where State Route 3009 crosses above the tracks of CSX Transportation, inc., and Buffalo Creek in Buffalo Township, Washington County. It is alleged that the bridge is in need of repairs to accommodate a 3-ton load limit and requests action to assign maintenance responsibility.

NOTICE

This is to inform you that an on-site inspection of the bridge where State Route 3009 crosses above the tracks of CSX Transportation, Inc., and Buffalo Creek in Buffalo Township, Washington County, will be held Wednesday, January 20, 1993 at 10:00 a.m.

The presiding officer in this proceeding is Administrative Law Judge Michael A. Nemec. Judge Nemec can be contacted at 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania 15222; telephone (412) 565-3550.

cc: Judge Nemec  
John Frazier - PIO  
Law Bureau - 2  
Bureau Safety & Compliance - 2  
Elaine Deichmiller - Rm. G-20  
Norma Lewis  
Susan Licon  
Beth Plantz  
~~Docket Room~~

DOCUMENT  
FOLDER

DOCKETED  
JAN 12 1993

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

*John L. Houston*

4a. Article Number

*923909*

4b. Service Type

- Registered       Insured  
 Certified       COD  
 Express Mail       Return Receipt for Merchandise

7. Date of Delivery

*C923909*

5. Signature (Addressee)

6. Signature (Agent)

*Rose Martin 1/8/93*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 ☆ U.S.G.P.O.: 1992-323-402

**DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

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- Complete items 3, and 4a & b.
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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

*W. D. Pickering*

4a. Article Number

*923909*

4b. Service Type

- Registered       Insured  
 Certified       COD  
 Express Mail       Return Receipt for Merchandise

7. Date of Delivery

*C923909*

5. Signature (Addressee)

6. Signature (Agent)

*W.D. Pickering*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 ☆ U.S.G.P.O.: 1992-307-530

**DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address
2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
*CBX Transportation Inc.*

4a. Article Number  
*123456*

4b. Service Type

Registered     Insured

Certified       COD

Express Mail    Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)  
*J. Johnson*

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

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- Complete items 3, and 4a & b.
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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address
2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
*Wandaleen Poynter*

4a. Article Number  
*123456*

4b. Service Type

Registered     Insured

Certified       COD

Express Mail    Return Receipt for Merchandise

7. Date of Delivery  
*1/11/93*

5. Signature (Addressee)  
*W. Seagle*

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

Thank you for using Return Receipt Service.

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
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- The Return Receipt will show to whom the article was delivered and the date delivered.

1 also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
*Melvin B. Barsi*

4a. Article Number  
*C923909*

4b. Service Type

Registered  Insured

Certified  COD

Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
*1-11-93*

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)  
*Melvin B. Barsi*

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402

**SENDER:**

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- Complete items 3, and 4a & b.
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- The Return Receipt will show to whom the article was delivered and the date delivered.

1 also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
*Thomas F. Wright*

4a. Article Number

4b. Service Type

Registered  Insured

Certified  COD

Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
*1-9-93*

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)  
*Thomas F. Wright*

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402

**SENDER:**

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- Complete items 3, and 4a & b.
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1 also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
*Frank J. Mascara*

4a. Article Number

4b. Service Type

Registered  Insured

Certified  COD

Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
*1-11-93*

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)  
*C923909*

6. Signature (Agent)  
*Pat Stumberger*

PS Form 3811, December 1991 U.S. GPO: 1992-323-402

Thank you for using Return Receipt Service.

DOMESTIC RETURN RECEIPT

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

*Wayne Martin*

4a. Article Number

4b. Service Type

- Registered  Insured
- Certified  COD
- Express Mail  Return Receipt for Merchandise

7. Date of Delivery

*1/9*

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991

U.S. GPO, 1992-323-402

**DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

*AMR*

Thank you for using Return Receipt Service.

I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

4a. Article Number

4b. Service Type

- Registered  Insured
- Certified  COD
- Express Mail  Return Receipt for Merchandise

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

3. Article Addressed to:

*GTE MARK*

*0923309*

9. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991

U.S. GPO, 1992-323-402

1661 December 1991

**DOMESTIC RETURN RECEIPT**

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

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- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

*FORREST D. CLARKE*

4a. Article Number

4b. Service Type

- Registered  Insured
- Certified  COD
- Express Mail  Return Receipt for Merchandise

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991

U.S. GPO, 1992-323-402

**DOMESTIC RETURN RECEIPT**

I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

Thank you for using Return Receipt Service.

*0923309*

Savoyet

APPEARANCE SHEET

ALJ HEARING REPORT

BTL

DOCKET NO. C-00923909

CASE NAME Dept of Transportation of the  
Commonwealth of Pa v. CSX  
Transportation Inc.

HEARING LOCATION Pittsburgh

HEARING DATE Wednesday, January 20, 1993

ALJ Nemec

CHECK THOSE BLOCKS WHICH APPLY:

Hearing held YES  NO

Testimony taken YES  NO

Hearing concluded YES  NO

Further hearing needed YES  NO

Estimated add'l days \_\_\_\_\_

RECORD CLOSED YES \_\_\_\_\_ NO   
 Date \_\_\_\_\_

Briefs to be filed YES \_\_\_\_\_ NO   
 Date \_\_\_\_\_

BENCH DECISION YES \_\_\_\_\_ NO

REMARKS: Site hearing in Buffalo  
Twp., Washington County.

RECEIVED  
 JAN 21 1993  
 Office of A.L.J.  
 Public Utility Commission

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD  
 PLEASE PRINT CLEARLY  
 INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

NAME and TELEPHONE NUMBER	ADDRESS			APPEARING FOR	
DAVID SALAFKA Telephone No. (717) 783-2846	6-31 NORTH OFFICE BLOC	City	State	Zip	PA PUC LAW BUREAU
SHAWN STEVENSON Telephone No. (712) 565-7555	1209 STATE OFFICE BUILDING P	HARRISBURG	PA	17120	DEPARTMENT OF TRANSPORTATION
DOCUMENT Telephone No. (717) 783-2846	DOCKETED	City	State	Zip	

CHECK THIS BOX IF ADDITIONAL PARTIES OR COUNSEL OF RECORD APPEAR ON BACK.

M. J. [Signature]  
 Reporter

NEMEC