

April 27, 1983

C-00018616

Ward T. Williams, Chief Counsel
Pennsylvania Department of Transportation
521 Transportation & Safety Building
Harrisburg, PA 17120

Pennsylvania Public Utility Commission

v.

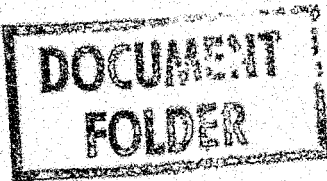
Penn Central Company, The Baltimore and Ohio Railroad Company,
City of Pittsburgh, County of Allegheny and Pennsylvania Dep
Department of Transportation

To Whom It May Concern:

This is to advise you that an Emergency Order has been issued by Commissioner James H. Cawley on April 26, 1983 in the above entitled proceeding.

A copy of this Emergency Order has been enclosed for your records.

Very truly yours,

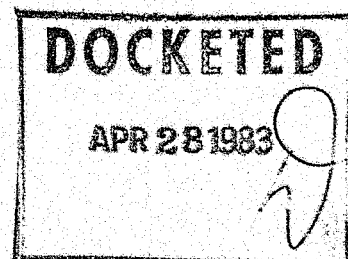


Jerry Rich, Secretary

fao
Encls.
Cert. Mail

Refer to Service list attached to Emergency Order.

Bureau of Non Rail Transportation
Law Bureau



PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

IN RE:

C-00018616

Pennsylvania Public Utility Commission

v.

Penn Central Company, The Baltimore
and Ohio Railroad Company, City of
Pittsburgh, County of Allegheny and
Pennsylvania Department of
Transportation.

EMERGENCY ORDER

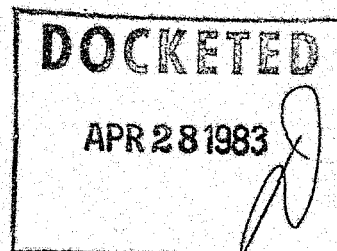
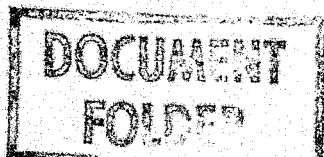
On April 18, 1983, Pennsylvania Department of Transportation notified the Commission that a building under the 31st Street bridge caught fire and damaged the bridge to the point where it had to be closed to vehicular traffic.

Inspection of the bridge revealed that ten stringers and 50 linear feet of the concrete deck in Span 22 will have to be replaced. The inspection also revealed that Spans 22 and 23 will have to be painted. Further inspection of the floor beams and girders are being conducted to determine whether the fire has damaged said members to the point of replacement.

In the interest of safety to the traveling public, we find that the action taken by Pennsylvania Department of Transportation in closing the subject bridge to vehicular traffic is proper and that we should affirm this action by the issuance of Emergency Order; THEREFORE,

IT IS ORDERED:

1. That the action taken by Pennsylvania Department of Transportation in closing the bridge carrying State Highway Route 02260 (Thirty-First Street) above the grade of the tracks of The Baltimore and Ohio Railroad Company and Consolidated Rail Corporation (formerly Penn Central Company), and over the Allegheny River, in the City of Pittsburgh, Allegheny County, to vehicular traffic, be and is hereby affirmed.
2. That Pennsylvania Department of Transportation, at its initial cost and expense, furnish all material and do all work necessary to erect and maintain substantial barricades to prohibit the use of the subject bridge by vehicular traffic.
3. That Pennsylvania Department of Transportation, at its initial cost and expense, immediately establish, mark and maintain a suitable detour over State highways for all vehicular traffic.



4. That Pennsylvania Department of Transportation, at its initial cost and expense, furnish all material and do all work necessary to perform an in-depth inspection of Span 22 including the floor beams and girders and report to this Commission its findings and whether any replacement of its structural members is necessary in the interest of safety to the traveling public.

5. That Pennsylvania Department, at its initial cost and expense, furnish all material and do all work necessary to repair the damaged portions of the subject bridge, including the replacement of ten stringers and 50 linear feet of concrete deck in Span 22, the painting of Spans 22 and 23, and any other repairs deemed necessary to open the bridge to vehicular traffic.

BY:

James H. Cawley

DATE:

April 26, 1983

TIME:

3:30 pm

1. <u>REPORT DATE:</u>	April 27, 1983	2. <u>BUREAU AGENDA NO.:</u>	
3. <u>BUREAU:</u>	Rail Transportation		APR-83-TR-142R
4. <u>SECTION(S):</u>	Railroad	5. <u>PUBLIC MEETING DATE:</u>	
6. <u>APPROVED BY:</u>			April 29, 1983
	Director: R. A. Peteritas 3-5941		
	Supervisor:		
7. <u>MONITOR:</u>	Com. Cawley		
8. <u>PERSON IN CHARGE:</u>	D. C. Hart 7-6805		
9. <u>DOCKET NO.:</u>	C-00018616		
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)			
(b) Short summary of history & facts, documents & briefs			
(c) Recommendation			

(a) PENNSYLVANIA PUBLIC UTILITY COMMISSION

V.

PENN CENTRAL COMPANY, THE BALTIMORE AND OHIO RAILROAD COMPANY, CITY OF PITTSBURGH, COUNTY OF ALLEGHENY AND PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

(b) On April 18, 1983, Pennsylvania Department of Transportation notified the Commission that a building under the 31st Street Bridge caught fire and damaged the bridge to the point where it had to be closed to vehicular traffic.

(c) The Bureau of Rail Transportation recommends ratification of the Emergency Order dated April 26, 1983, signed by Commissioner James H. Cawley, directing that the subject bridge be closed to all vehicular traffic.

DCH:11r

11. MOTION BY: Commissioner Chm. Taliaferro Commissioner Cawley - Yes
Commissioner
SECONDED: Commissioner Johnson Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

DOCUMENT
FOLDER

DOCKETED
MAY 10 1983
R

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Harrisburg, PA
June 30, 1983



IN REPLY REFER TO

Allegheny County
L.R. 02260 (31st Street Bridge)
Fire Damage Repair
PUC C. 18616

Mr. R.A. Peteritas, P.E., Director
Bureau of Rail Transportation
Public Utility Commission
Harrisburg, PA 17120

RECEIVED

JUL 12 1983

SECRETARY'S OFFICE
Public Utility Commission

Dear Mr. Peteritas:

Reference Paragraph 4 of the Emergency Order of the Commission issued by Commissioner Cawley on April 26, 1983.

Be advised an in-depth inspection was made for the fire damaged portion of the bridge but a normal report was not compiled. In view of the emergency circumstances, the results of the inspection were directly translated into drawings for inclusion in a proposal for a construction contract. Attached for your information is a copy of the drawings.

In accordance with Paragraph 5, above referenced order, be further advised the Department has opened bids on June 3, 1983 for a contract to complete the restoration of the fire damaged portion of the structure as shown in the attached plans. It is expected the work will begin in August of 1983 and be completed in September of 1983.

No utility or railroad companies facilities are affected by the work as proposed.

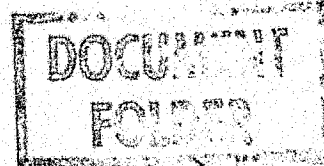
We will further advise when the work is completed and the structure is open to traffic.

Very truly yours,

KW Walker

for: Alfred F. Lyng, P.E.
Chief Engineer
Highway Administration

Attachment



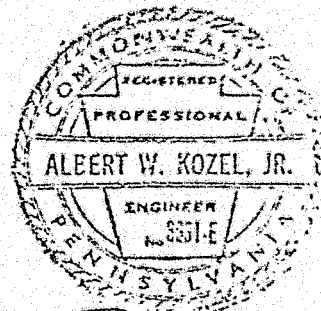
Commonwealth of Pennsylvania DEPARTMENT OF TRANSPORTATION

DRAWINGS FOR REHABILITATION OF

FIRE DAMAGED 31st STREET BRIDGE
L.R. 02260 SECTION 12
ALLEGHENY COUNTY
CITY OF PITTSBURGH
STA. 23+90 TO STA. 25+60

PMS No. _____
State Project No. III-09-096809-001-612
Federal Project No. _____

Prepared By:



Albert W. Kozel, Jr.
May 16 1983
KOZEL ENGINEERING CO., INC.
PITTSBURGH, PA.

DOC
JUL 15 1983

DOCUMENT
FOLDER

Recommended May 16 1983
[Signature]

District Engineer

NVL

February 13, 1990

James D. Dodaro, Solicitor
County of Allegheny
400 Fort Pitt Commons Bldg.
445 Fort Pitt Blvd.
Pittsburgh, PA 15219

DOCKETED
FEB 26 1990

In re: C-00018616 - Pennsylvania Public Utility Commission
v.
Penn Central Company, The Baltimore
and Ohio Railroad Company, City of
Pittsburgh, County of Allegheny and
Pennsylvania Department of
Transportation

Dear Mr. Dodaro:

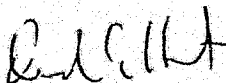
This case was instituted by the Commission on December 23, 1968. On October 10, 1973, the Department of Transportation was ordered, at its initial cost and expense, to furnish all material and do all work necessary to rehabilitate the existing above-grade railroad-highway crossing and its appurtenant drainage facilities.

By letter dated March 24, 1977, the Department notified the Commission that all work was completed and requested a hearing for allocation of costs. A hearing was held for allocation of costs on February 8, 1978. At the hearing, the Department's witness testified that the construction costs totaled \$2,287,516.60 and subsequently requested a continuance of the proceeding because the Department was awaiting receipt of an engineering study which was performed prior to the time the Department assumed maintenance of the bridge. The Department is of the opinion that this study could be vital to the determination as to the allocation of costs. The Department was granted a continuance and was informed to notify the Commission when the engineering study was received and when they would be available to proceed.

DOCUMENT
FOLDER

Presently, the Commission has not received any notice from the Department that they are willing to proceed with this case. Therefore, if we do not hear from any of the parties of record, by March 15, 1990, of any outstanding matters which they wish to be addressed, we will assume that no outstanding matters remain and will take appropriate action to close the case. We appreciate your attention in this matter.

Sincerely,



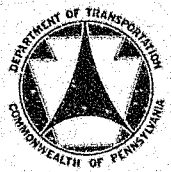
David C. Hart, P.E., Manager
Rail Safety Division
Bureau of Safety and Compliance

DCH:RJH:kmb

See attached list

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Hull



March 13, 1990

**BUREAU OF
S & C**

MAR 15 1990

**RAIL SAFETY
DIVISION**

IN REPLY REFER TO

Allegheny County
L.R. 02260, Section A06
31st Street Bridge
PUC C-00018616

RECEIVED

MAR 16 1990

**SECRETARY'S OFFICE
Public Utility Commission**

Mr. David C. Hart, P.E., Manager
Rail Safety Division
Bureau of Safety & Compliance
Public Utility Commission
Harrisburg, PA 17120

Dear Mr. Hart:

Please refer to your letter of February 13, 1990, in connection with the proceeding docketed at C-00018616.

The Department is ready to proceed to a hearing in this matter for allocation of costs and assignment of future maintenance.

Kindly schedule a hearing at your earliest convenience.

Sincerely,

A. D. Pickering

For: William R. Moyer, P.E.
Chief Engineer
Highway Administration

MAR 21 1990



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120
June 6, 1990

IN REPLY PLEASE
REFER TO OUR FILE

Trent Hargrove, Esquire
Office of Chief Counsel
PA Department of Transportation
5th Floor, Transportation & Safety Bldg.
Harrisburg, PA 17120

RECEIVED

JUN 6 1990

SECRETARY'S OFFICE
Public Utility Commission

RE: C-18616

Dear Trent:

By letter dated March 13, 1990, William R. Moyer, P.E., informed this Commission that PennDOT still desired a resolution to the above-captioned case. A review of the record reveals that the hearing held February 8, 1978, was continued on PennDOT's request because PennDOT wished to present a witness with an engineering report and neither was available at that time. PennDOT was to submit a copy of the engineering report along with the written direct testimony of its witness as soon as available, and at that time, an additional hearing was to be held.

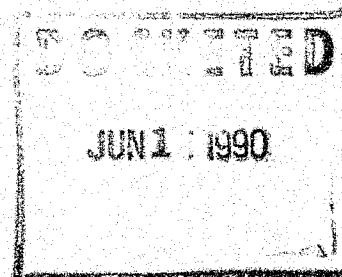
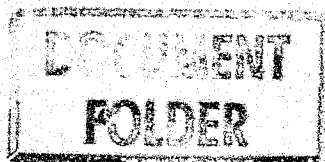
To date, the Commission still has not received the required documents. Upon receiving them, we will request that a hearing be scheduled.

Very truly yours,

Susan D. Colwell
Susan D. Colwell
Assistant Counsel

SDC/rjm

cc: Ron Hull, P.E.





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

11AMF

February 7, 1991

IN REPLY PLEASE
REFER TO OUR FILE

Trent Hargrove, Assistant Counsel
Pennsylvania Department of Transportation
Room 521, Transportation & Safety Building
Harrisburg, PA 17120

RE: C-18616

Dear Trent:

In response to your letter of July 9, 1990 regarding the above-captioned matter, please be advised that the transcript of February 8, 1978 is clear. The Department agreed to submit an engineering report along with written testimony, including a breakdown of how you seek to have the outstanding costs allocated, along with a breakdown of the costs in various parts of the structure. Aside from this, the Department's testimony was presented. The testimony of the B & O Railroad, Allegheny County, and the City of Pittsburgh was deferred until final hearing.

When you have the report and testimony that the Department agreed to provide, please submit it to the Commission and to all parties of record and a hearing will be scheduled.

Very truly yours,

Susan D. Colwell
Susan D. Colwell
Assistant Counsel

SDC/rjm

cc: All parties of record
Ron Hull, PE

MAILED

FEB 23 1991

Parties of Record

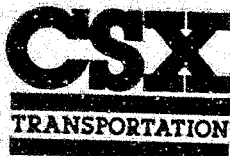
C-18616

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

Charles E. Mechem, Senior General Attorney
Consolidated Rail Corporation
1138 Six Penn Center Plaza
Philadelphia, PA 19103-2959

Dante R. Pellegrini, Solicitor
City of Pittsburgh
Room 313, City County Bldg.
Pittsburgh, PA 15219

James J. Dodaro, Solicitor
County of Allegheny
400 Fort Pitt Commons Bldg.
445 Fort Pitt Blvd.
Pittsburgh, PA 15219



A-00109395
 A-00098601
 A-0000704
 A-00100860
 A-00103328
 A-00104750
 A-00105452
 A-00105801
 A-00106036
 A-00106037
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APR 22 1991

Public Utility Commission

April 19, 1991

A-00106849
 A-00106962
 A-00108309
 A-00109302
 A-00109493
 A-00109572
 A-00109694
 C-18616
 C-77090031

Mr. Jerry Rich, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17120

Attention: Janet Patrick

Dear Mr. Rich:

Please change the records of the Pennsylvania Public Utility Commission to indicate that the designated agent for service of process for CSX Transportation is as follows:

Wandaleen Poynter, Esq.
 Senior Counsel
 CSX Transportation
 100 North Charles Street
 Law Dept. - B11A
 Baltimore, Maryland 21201

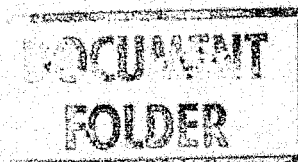
Your attention is directed in particular to Proceeding No. A-00109395, on which notice of initial hearing has just been received, incorrectly addressed to John P. Higinbotham, Esq., at 100 North Carlisle Street. Mr. Higinbotham is no longer employed by this company, and all work pertaining to matters under the jurisdiction of the Pennsylvania Public Utility Commission are handled by Ms. Poynter, at the address set forth above.

Thank you for making this change.

Yours very truly,

Virginia McCauley
 Virginia McCauley

vm





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

April 22, 1991

IN REPLY PLEASE
REFER TO OUR FILE

DOCKETED
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APR 24 1991

In re: C-00018616 Pennsylvania Public Utility Commission
v.
Penn Central Company, The Baltimore and
Ohio Railroad Company, City of Pittsburgh,
County of Allegheny and Pennsylvania
Department of Transportation

Dear

This is to advise that a field inspection and conference will be held at the site where 31st Street intersects Penn Avenue on the south end of the 31st Street Bridge on Thursday, May 16, 1991 at 1:30 p.m. to discuss any outstanding matters.

Kindly arrange to have a representative present.

Very truly yours,

Ronald J. Hull, P.E.
Rail Safety Division
Bureau of Safety and Compliance

RJH:np

cc: See attached list

COMMONWEALTH OF PENNSYLVANIA
Bureau of Safety & Compliance
Harrisburg, PA
January 6, 1994

131

SUBJECT: C-00018616
TO: John G. Alford, Secretary
FROM: David C. Hart, P.E., Manager
Rail Safety Division

RECEIVED
JAN 11 11:24
REGISTRATION DIV.

Pennsylvania Public Utility Commission
v.
Penn Central Company, The Baltimore
and Ohio Railroad Company, City of
Pittsburgh, County of Allegheny and
Pennsylvania Department of Transportation

By Commission order of October 10, 1973, the Department of Transportation was ordered, at its initial cost and expense, to furnish all material and do all work necessary to rehabilitate the existing above-grade railroad-highway crossing and its appurtenant drainage facilities. By letter dated March 24, 1977, the Department notified the Commission that all work was completed and requested a hearing for allocation of costs. A hearing was held for allocation of costs on February 8, 1978. At the hearing, the Department requested a continuance of the proceeding because the Department was awaiting receipt of an engineering study which was performed prior to the time the Department assumed maintenance of the bridge. The Department was granted a continuance and was informed to notify the Commission when they would be available to proceed.

By letter received by the Commission on March 5, 1990, the Department notified the Commission that it is ready to proceed to a hearing in this matter for allocation of costs and assignment of future maintenance.

In accordance with the matters involved in this proceeding, it is suggested that this proceeding be listed for hearing at an early date under the Hearing Examiner Procedure and that the following parties in interest be served notice thereof:

- Pennsylvania Department of Transportation
- Consolidated Rail Corporation
- CSX Transportation Corporation
- Allegheny County
- City of Pittsburgh
- Bell Telephone Company
- Duquesne Light Company
- Equitable Gas Company
- Penn Central Corporation

DOCKETED
JAN 27 1994

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FOLDER

It is suggested also that each party in interest be advised to submit testimony and exhibits with respect to the final allocations of construction costs, non-carrier utility company's relocation costs and future maintenance responsibilities.

In addition to any other relevant information, it is suggested that testimony be adduced at the hearing upon the appended list of Questions and Procedure and that appropriate action be taken at the hearing to incorporate the Questions and Procedure into the record in this proceeding.

RJH:glr

QUESTIONS AND PROCEDURE

C-00018616

1. Pennsylvania Department of Transportation submit as-built right-of-way and bridge construction drawings of the subject crossing indicating any changes, if any, that were made during the construction of the improvement.
2. Department submit testimony describing the general type of the altered crossing structure, including number of spans, principal dimensions, roadway width, number and width of sidewalks, and the horizontal and vertical clearance of the structure with respect to the railroad tracks; and in addition, identify the date the existing structure was constructed, the purpose of its construction and who constructed it.
3. Department shall state what additional work, if any, is warranted at this location.
4. Department submit testimony regarding the highway involved at the subject crossing, indicating name route and termini thereof, and the present and future volume of vehicular traffic using said crossing.
5. Department submit testimony explaining the condition of the existing bridge prior to the rehabilitation work and why such work was necessary at this location.
6. Department state whether any Federal and/or Bridge Bill funds were expended in performing any of the work, and if not, were such funds available.
7. Department shall submit into the record a detailed itemized summary of all costs incurred for the work performed by the Department in the construction of the improvement, in accordance with the Commission order issued October 10, 1973.
8. Department submit testimony and/or exhibits, in full explanation of its summary of costs, including but not limited to an account of the work and materials expended in the rehabilitation of the subject bridge structure, final quantities and prices, and any other information or costs pertinent thereto.
9. Department submit testimony as to its opinion which party or parties should bear the costs incurred in furnishing material and performing work hereinabove ordered to be performed, and in what proportions such costs should be allocated thereto; and shall submit copies of any pertinent agreements, in support of such testimony.
10. Department submit testimony as to its present obligation at the subject crossing and the highway approaches thereto with the respect to the maintenance thereof; and shall submit copies of any pertinent agreements, in support of such testimony.
11. Department submit testimony and produce records showing the dates, extent, costs, and any other pertinent information relating to any maintenance performed on the crossing structure prior to October 10, 1973.

Note: The Department, having agreed to do so at the hearing held February 8, 1978, submit to the Commission and all parties of record, an engineering report along with written testimony, including a breakdown of how it seeks to have the outstanding costs allocated, along with a

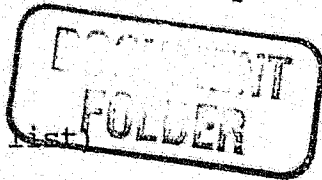
breakdown of the costs in various parts of the structure, prior to the pending hearing.

12. Consolidated Rail Corporation (Conrail) submit testimony as to the exact corporate name of the owner and operator of the rail line involved in this proceeding.
13. Conrail submit testimony stating the number of tracks presently located at the crossing site, and the volume, class and approximate speed of all trains operated daily over these tracks; and state whether any changes in such operations are contemplated in the foreseeable future.
14. Conrail shall submit into the record a detailed cost estimate of the work performed by the company to accommodate the construction of the improvement.
15. Conrail shall submit testimony as to what portion, if any, of the cost of constructing the improvement that it will agree to bear; what portion, if any, the total cost of constructing the improvement that it will agree to bear; and what portion, if any, of the costs of future maintenance that it will agree to bear; and what portion, if any, of said construction, maintenance and costs thereof that should be performed and borne by each of the other parties hereto.
16. CSX Transportation Corporation shall submit answers to Questions 12, 13, 14 and 15 as if same were posed to it.
17. City of Pittsburgh state how the alteration of the crossing structure has benefited its residents.
18. City of Pittsburgh shall submit answers to Questions 7 through 11 above, as if same were posed to it.
19. County of Allegheny shall submit answers to Questions 7 through 11 above, and Question 17 as if same were posed to it.
20. The Bell Telephone Company of Pennsylvania shall submit into the record a detailed cost estimate of the work performed by the company in public and private right-of-way, within the Commission's jurisdictional limits, to accommodate the construction of the improvement.
21. The Bell Telephone Company of Pennsylvania shall submit testimony as to what portion, if any, of those costs that it will agree to bear; what portion, if any, of the cost of future maintenance that it will agree to bear; and what portion, if any, of said construction, maintenance and costs thereof that should be performed and borne by each of the other parties hereto.
22. The Bell Telephone Company of Pennsylvania shall submit into the record a detailed plan indicating specific location of the existing facilities, within the Commission's jurisdictional limits, prior to the improvement and location of the relocated facilities, within the Commission's jurisdictional limits, with specific indications as to type and size of each facility.

23. The Bell Telephone Company of Pennsylvania shall submit testimony as to when its original facilities were installed and under what permission of authority; anticipated service life of the original facilities when they were installed; expected service life of the relocated facilities; comparison of original facilities versus relocated facilities as to the specific increases or decreases and the capacity of each.
24. The Bell Telephone Company of Pennsylvania state how much it will cost for right-of-way acquisition and construction, if it were not permitted to occupy (public right-of-way) (the crossing structure).
25. The Bell Telephone Company of Pennsylvania state specifically why the company chose to place its facilities in public right-of-way and benefits therefrom, if the company proposed to relocate its facilities in public right-of-way.
26. Duquesne Light Company and the Equitable Gas Company, each shall submit answers to Questions 20 through 25 above as if same were posed to it.
27. Department, Conrail, CSX Transportation Corporation, and any affected party submit into evidence copies of any past orders or action of this Commission or its predecessor which may have dealt with the construction, reconstruction, or alteration of the subject crossing; and, to the best of your ability give specific statements as to when, why and how the subject crossing was established.
28. Query whether any party in interest or any other party desires to submit additional relevant testimony.

RJH:glr

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265
April 26, 1994



In Re: C-000186616

C-000186616

DOCKETED
MAY 17 1994

FTL

(See attached list)

Pennsylvania Public Utility Commission

v.

Penn Central Company, The Baltimore & Ohio Railroad Company, City of Pittsburgh, County of Allegheny and the Pennsylvania Department of Transportation

NOTICE

This is to inform you that an initial hearing on the above captioned case will be held Thursday, June 23, 1994 at 10:00 a.m. in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania.

This hearing is being held to take testimony regarding costs incurred by all parties prior to allocation of those costs, and responsibility for future maintenance.

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.

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.

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

QUESTIONS AND PROCEDURE

C-00018616

1. Pennsylvania Department of Transportation submit as-built right-of-way and bridge construction drawings of the subject crossing indicating any changes, if any, that were made during the construction of the improvement.
2. Department submit testimony describing the general type of the altered crossing structure, including number of spans, principal dimensions, roadway width, number and width of sidewalks, and the horizontal and vertical clearance of the structure with respect to the railroad tracks; and in addition, identify the date the existing structure was constructed, the purpose of its construction and who constructed it.
3. Department shall state what additional work, if any, is warranted at this location.
4. Department submit testimony regarding the highway involved at the subject crossing, indicating name route and termini thereof, and the present and future volume of vehicular traffic using said crossing.
5. Department submit testimony explaining the condition of the existing bridge prior to the rehabilitation work and why such work was necessary at this location.
6. Department state whether any Federal and/or Bridge Bill funds were expended in performing any of the work, and if not, were such funds available.
7. Department shall submit into the record a detailed itemized summary of all costs incurred for the work performed by the Department in the construction of the improvement, in accordance with the Commission order issued October 10, 1973.
8. Department submit testimony and/or exhibits, in full explanation of its summary of costs, including but not limited to an account of the work and materials expended in the rehabilitation of the subject bridge structure, final quantities and prices, and any other information or costs pertinent thereto.
9. Department submit testimony as to its opinion which party or parties should bear the costs incurred in furnishing material and performing work hereinabove ordered to be performed, and in what proportions such costs should be allocated thereto; and shall submit copies of any pertinent agreements, in support of such testimony.
10. Department submit testimony as to its present obligation at the subject crossing and the highway approaches thereto with the respect to the maintenance thereof; and shall submit copies of any pertinent agreements, in support of such testimony.
11. Department submit testimony and produce records showing the dates, extent, costs, and any other pertinent information relating to any maintenance performed on the crossing structure prior to October 10, 1973.

Note: The Department, having agreed to do so at the hearing held February 8, 1978, submit to the Commission and all parties of record, an engineering report along with written testimony, including a breakdown of how it seeks to have the outstanding costs allocated, along with a

breakdown of the costs in various parts of the structure, prior to the pending hearing.

12. Consolidated Rail Corporation (Conrail) submit testimony as to the exact corporate name of the owner and operator of the rail line involved in this proceeding.
13. Conrail submit testimony stating the number of tracks presently located at the crossing site, and the volume, class and approximate speed of all trains operated daily over these tracks; and state whether any changes in such operations are contemplated in the foreseeable future.
14. Conrail shall submit into the record a detailed cost estimate of the work performed by the company to accommodate the construction of the improvement.
15. Conrail shall submit testimony as to what portion, if any, of the cost of constructing the improvement that it will agree to bear; what portion, if any, the total cost of constructing the improvement that it will agree to bear; and what portion, if any, of the costs of future maintenance that it will agree to bear; and what portion, if any, of said construction, maintenance and costs thereof that should be performed and borne by each of the other parties hereto.
16. CSX Transportation Corporation shall submit answers to Questions 12, 13, 14 and 15 as if same were posed to it.
17. City of Pittsburgh state how the alteration of the crossing structure has benefited its residents.
18. City of Pittsburgh shall submit answers to Questions 7 through 11 above, as if same were posed to it.
19. County of Allegheny shall submit answers to Questions 7 through 11 above, and Question 17 as if same were posed to it.
20. The Bell Telephone Company of Pennsylvania shall submit into the record a detailed cost estimate of the work performed by the company in public and private right-of-way, within the Commission's jurisdictional limits, to accommodate the construction of the improvement.
21. The Bell Telephone Company of Pennsylvania shall submit testimony as to what portion, if any, of those costs that it will agree to bear; what portion, if any, of the cost of future maintenance that it will agree to bear; and what portion, if any, of said construction, maintenance and costs thereof that should be performed and borne by each of the other parties hereto.
22. The Bell Telephone Company of Pennsylvania shall submit into the record a detailed plan indicating specific location of the existing facilities, within the Commission's jurisdictional limits, prior to the improvement and location of the relocated facilities, within the Commission's jurisdictional limits, with specific indications as to type and size of each facility.

23. The Bell Telephone Company of Pennsylvania shall submit testimony as to when its original facilities were installed and under what permission of authority; anticipated service life of the original facilities when they were installed; expected service life of the relocated facilities; comparison of original facilities versus relocated facilities as to the specific increases or decreases and the capacity of each.
24. The Bell Telephone Company of Pennsylvania state how much it will cost for right-of-way acquisition and construction, if it were not permitted to occupy (public right-of-way) (the crossing structure).
25. The Bell Telephone Company of Pennsylvania state specifically why the company chose to place its facilities in public right-of-way and benefits therefrom, if the company proposed to relocate its facilities in public right-of-way.
26. Duquesne Light Company and the Equitable Gas Company, each shall submit answers to Questions 20 through 25 above as if same were posed to it.
27. Department, Conrail, CSX Transportation Corporation, and any affected party submit into evidence copies of any past orders or action of this Commission or its predecessor which may have dealt with the construction, reconstruction, or alteration of the subject crossing; and, to the best of your ability give specific statements as to when, why and how the subject crossing was established.
28. Query whether any party in interest or any other party desires to submit additional relevant testimony.

RJH:glr

Judge John H. Corbett, Jr. Judge Corbett can be contacted at 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania 15222; telephone (412) 565-3550.

IF YOU ARE A PERSON WITH A DISABILITY, AND WISH TO ATTEND THE HEARING SCHEDULED ABOVE, AND REQUIRE AN AUXILIARY AID, SERVICE, OR OTHER ACCOMMODATION TO PARTICIPATE IN THE PROCEEDING, PLEASE CONTACT THE AT&T RELAY SERVICE NUMBER (TT) 1-800-654-5988 OR NORMA R. LEWIS (VOICE ONLY) (717) 787-1399 AT THE PENNSYLVANIA PUBLIC UTILITY COMMISSION (PUC) TO DISCUSS HOW THE PUC MAY BEST ACCOMMODATE YOUR NEEDS.

pc: Judge Corbett
John Frazier - BPL
Law Bureau - 2
Safety & Compliance - 2
Norma Lewis
Pat Young, Scheduler
Stephen Springer
Beth Plantz
Docket Room

RECEIVED
MAY 27 11:37
INFO. CONTROL DIV.

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265
April 29, 1994

In Re: C-000186~~8~~16

(See letter dated 04/26/94)

18616

RECEIVED
MAY 11 1994
INFO. CONTROL DIV.

Pennsylvania Public Utility Commission

v.

Penn Central Company, The Baltimore & Ohio Railroad Company, City of Pittsburgh, County of Allegheny and the Pennsylvania Department of Transportation

NOTICE

This is to inform you that the above-captioned case scheduled for Thursday, June 23, 1994 at 10:00 a.m. in Pittsburgh, Pennsylvania, will be handled under the hearing examiner procedure.

Administrative Law Judge John H. Corbett, Jr. will be acting as an examiner in this proceeding.

Judge Corbett can be contacted at 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania 15222; telephone (412) 565-3550.

IF YOU ARE A PERSON WITH A DISABILITY, AND WISH TO ATTEND THE HEARING SCHEDULED ABOVE, AND REQUIRE AN AUXILIARY AID, SERVICE, OR OTHER ACCOMMODATION TO PARTICIPATE IN THE PROCEEDING, PLEASE CONTACT THE AT&T RELAY SERVICE NUMBER (TT) 1-800-654-5988 OR NORMA R. LEWIS (VOICE ONLY) (717) 787-1399 AT THE PENNSYLVANIA PUBLIC UTILITY COMMISSION (PUC) TO DISCUSS HOW THE PUC MAY BEST ACCOMMODATE YOUR NEEDS.

pc: Judge Corbett
John Frazier - BPL
Law Bureau - 2
Safety & Compliance - 2
Norma Lewis
Pat Young, Scheduler
Stephen Springer
Beth Plantz
Docket Room

DOCKETED

MAY 12 1994

DOCUMENT
FILE



Equitable Gas

420 Boulevard of the Allies
Pittsburgh, PA 15219

RECEIVED
MAY 23 1994

SECRETARY'S OFFICE
Public Utility Commission

VIA EXPRESS MAIL

May 19, 1994

Administrative Law Judge John H. Corbett
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

**RE: C-00018616; Pennsylvania Public Utility Commission
v. Penn Central Company, The Baltimore & Ohio Railroad
Company, City of Pittsburgh, County of Allegheny, and
the Pennsylvania Department of Transportation**

Dear Judge Corbett:

In response to the notice of hearing in the above-captioned matter to be held on Thursday, June 23, 1994, this is to advise you that after investigation, none of Equitable Gas Company's facilities were involved with or affected by any of the construction at the highway railroad crossing in question. As a result, unless we learn of any changed facts prior to June 23, 1994 which would alter our conclusion, Equitable will not be submitting any testimony and will not be appearing at the June 23, 1994 hearing in question.

If you have any further questions in this regard, do not hesitate to contact me at (412) 553-5726.

Very truly yours,

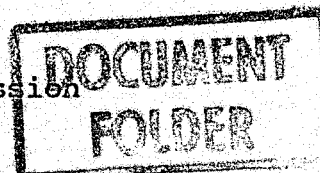
Lawrence B. Nydes
Senior Corporate Attorney

DOCKETED

JUN 01 1994

/tll

cc: Mr. John G. Alford, Secretary
Pennsylvania Public Utility Commission
All Parties of Record



REF:LBN\L\A-018616.1

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
OFFICE OF CHIEF COUNSEL
1209 STATE OFFICE BUILDING
300 LIBERTY AVENUE
PITTSBURGH, PA 15222
(412) 565-7555
Fax 565-7778



RECEIVED
JUN 15 1994
11:00 AM

IN REPLY REFER TO

June 3, 1994

DOCUMENT
FOLDER

John H. Corbett, Jr.
Administrative Law Judge
11th Floor State Office Building
Pittsburgh, PA 15222

Re: C-00018616; Pennsylvania Public Utility Commission
v. Penn Central Company, The Baltimore & Ohio
Railroad Company, City of Pittsburgh, County of
Allegheny, and the Pennsylvania Department of
Transportation

Dear Judge Corbett:

As per our conversation today, I would like to thank you for extending the deadline for the Department of Transportation to file its written testimony in the above-captioned matter. As we discussed, Department of Transportation is unable to process and submit said testimony due to a conflict in our witness' schedule and, in part, to some confusion related to Department of Transportation's position in this matter. Once the testimony is processed on Monday, Department of Transportation will fax a copy of said testimony to all parties.

Once again, thank you for your courtesy in this matter.

Sincerely,

Shawn M. Stevenson
Assistant Counsel

DOCKETED

JUN 15 1994

SMS:cmw

cc: John Alford, Secretary PUC
Gina M. D'Alfonso, Assistant Counsel-in-Charge, Hbg.
All Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the participants, listed below, in accordance with the requirements of 52 Pa. Code §1.54:

Wandaleen Poynter, Esquire
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 31201

Scott Wasserkrug, Esquire
Consolidated Rail Corporation
2 Commerce Square
2001 Market Street - 16A
P.O. Box 41416
Philadelphia, PA 19105-1416

City Solicitor
City of Pittsburgh
Room 313, City County Building
Pittsburgh, PA 15219

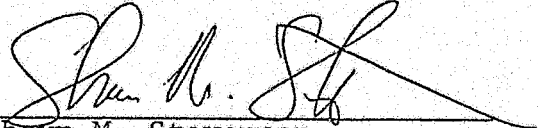
County Solicitor
County of Allegheny
400 Fort Pitt Commons Building
445 Fort Pitt Blvd.
Pittsburgh, PA 15219

Stephen R. Pelcher, Esquire
Duquesne Light Company
One Oxford Center
301 Grant Street
Pittsburgh, PA 15279

Lawrence B. Nydes, Esquire
Equitable Resources
420 Boulevard of the Allies
Pittsburgh, PA 15219

David Salapa
PUC Law Bureau
G-31 North Office Building
Harrisburg, PA 17120

Respectfully submitted,



Shawn M. Stevenson
Assistant Counsel
Commonwealth of Pennsylvania
Department of Transportation

Dated

6-3-94

ORIGINAL

SHARLOCK, REPHECK & MAHLER
ATTORNEYS AT LAW
3280 USX TOWER
600 GRANT STREET

PITTSBURGH, PA 15219-2702
(412) 391-6171
FAX (412) 391-6804

JOHN J. REPHECK
GARY F. SHARLOCK
ALOYSIUS F. MAHLER
DAVID R. HELWIG
CYNTHIA M. HUTCHINS
MICHAEL E. LANG
THERESA HOMISAK
ROBERT D. LEIDIGH
DAVID J. BROSKY

June 6, 1994

RECEIVED
JUN 10 1994
COMMUNICATIONS SECTION

JUN 10 1994

Secretary
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

In Re: Pennsylvania Public Utility Commission v. Penn Central
Company, et al
C-000186616

C-00018616

Dear Sir:

Enclosed please find original and six copies of our Appearance
on behalf of The Baltimore and Ohio Railroad Company in the
above captioned matter.

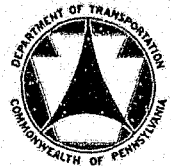
Yours truly,

Gary F. Sharlock
Gary F. Sharlock

GFS/amf
ENC.
cc: Judge John J. Corbett, Jr. (w/enc.)

DOCUMENT
FOLDER

46



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

IN REPLY REFER TO

June 7, 1994

RECEIVED
JUN 09 1994
PUC OFFICE
Public Utility Commission

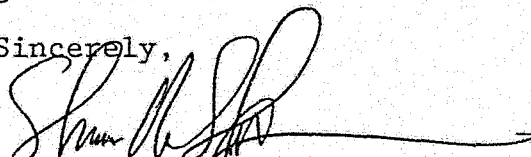
John H. Corbett, Jr.
Administrative Law Judge
11th Floor State Office Building
Pittsburgh, PA 15222

RE: C-00018616; Pennsylvania Public Utility Commission
v. Penn Central Company, The Baltimore & Ohio
Railroad Company, City of Pittsburgh, County of
Allegheny, and the Pennsylvania Department of
Transportation

Dear Judge Corbett

As per the Pennsylvania Public Utility Commission
Notice dated April 26, 1994, attached hereto is a copy of
Department of Transportation's questions and answers thereto.
If you have any questions, please call me. Once again,
thank you for your courtesy with respect to Department of
Transportation's delay in filing these answers.

Sincerely,


Shawn M. Stevenson

SMS:vag

cc ~~John Alford, Secretary PUC~~
Gina M. D'Alfonso, Assistant Counsel in Charge, Hbg.
All Parties of Record

DOCUMENT
FOLDER

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the participants, listed below, in accordance with the requirements of 52 Pa. Code §1.54:

Wandaleen Poynter, Esquire
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 31201

Scott Wasserkrug, Esquire
Consolidated Rail Corporation
2 Commerce Square
2001 Market Street - 16A
P.O. Box 41416
Philadelphia, PA 19105-1416

City Solicitor
City of Pittsburgh
Room 313, City County Building
Pittsburgh, PA 15219

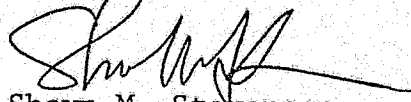
County Solicitor
County of Allegheny
400 Fort Pitt Commons Building
445 Fort Pitt Blvd.
Pittsburgh, PA 15219

Stephen R. Pelcher, Esquire
Duquesne Light Company
One Oxford Center
301 Grant Street
Pittsburgh, PA 15279

Lawrence B. Nydes, Esquire
Equitable Resources
420 Boulevard of the Allies
Pittsburgh, PA 15219

David Salapa
PUC Law Bureau
G-31 North Office Building
Harrisburg, PA 17120

Respectfully submitted,



Shawn M. Stevenson
Assistant Counsel
Commonwealth of Pennsylvania
Department of Transportation

Dated: 6-7-94

QUESTIONS AND PROCEDURE

C-00018616

1. Q. Pennsylvania Department of Transportation submit as-built right-of-way and bridge construction drawings of the subject crossing indicating any changes, if any, that were made during the construction of the improvement.

A. We do not have as-built drawings.
2. Q. Department submit testimony describing the general type of the altered crossing structure, including number of spans, principal dimensions, roadway width, number and width of sidewalks, and the horizontal and vertical clearance of the structure with respect to the railroad tracks; and in addition, identify the date the existing structure was constructed, the purpose of its construction and who constructed it.

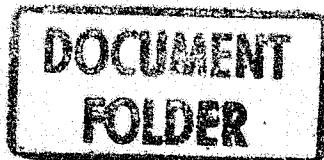
A. This information is contained in PennDOT Exhibit 5.
3. Q. Department state what additional work, if any, is warranted at this location.

A. An in-depth inspection report has been recently prepared for the Department which outlines proposed work for the bridge. An extract of this report is marked as PennDOT Exhibit 6.
4. Q. Department submit testimony regarding the highway involved at the subject crossing, indicating name route and termini thereof, and the present and future volume of vehicular traffic using said crossing.

A. The 31st Street Bridge carries State Route 2122. The Bridge has its westerly termini with State Route 28 and its easterly termini with Penn Avenue in the City of Pittsburgh. The Department's records indicate that the bridge carries 8,000 vehicles per day and is expected to carry 10,000 vehicles per day in the year 2000.
5. Q. Department submit testimony explaining the condition of the existing bridge prior to the rehabilitation work and why such work was necessary at this location.

A. This information is contained in PennDOT Exhibit 4 which was submitted at the previous hearing.
6. Q. Department state whether any Federal and/or Bridge Bill funds were expended in performing any of the work, and if not, were such funds available.

A. This information is no longer available.
7. Q. Department shall submit into the record a detailed itemized summary of all costs incurred for the work performed by the Department in the construction of the improvement, in accordance with the Commission order issued October 10, 1973.



JACKETED
JUN 22 1994

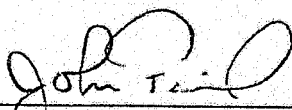
- A. This is contained in PennDOT Exhibit 4.
8. Q. Department submit testimony and/or exhibits, in full explanation of its summary of costs, including but not limited to an account of the work and materials expended in the rehabilitation of the subject bridge structure, final quantities and prices, and any other information or costs pertinent thereto.
- A. PennDOT Exhibit 4 contains contract quantities. Final costs and extra work items are no longer available.
9. Q. Department submit testimony as to its opinion which party or parties should bear the costs incurred in furnishing material and performing work hereinabove ordered to be performed, and in what proportions such costs should be allocated thereto; and shall submit copies of any pertinent agreements, in support of such testimony.
- A. The Department will assume all costs for the work performed.
10. Q. Department submit testimony as to its present obligation at the subject crossing and the highway approaches thereto with the respect to the maintenance thereof; and shall submit copies of any pertinent agreements, in support of such testimony.
- A. The Department's position with respect to maintenance is consistent with Act 615 of 1961 and the testimony offered at the previous hearing. The Department is unable to prove deferred maintenance at this time.
11. Q. Department submit testimony and produce records showing the dates, extent, costs, and any other pertinent information relating to any maintenance performed on the crossing structure prior to October 10, 1973.
- A. This information is no longer available.
27. Q. Department submit into evidence copies of any past orders or action of this Commission or its predecessor which may have dealt with the construction, reconstruction, or alteration of the subject crossing; and, give specific statements as to when, why and how the subject crossing was established.
- A. This information was provided in previous testimony. PennDOT Exhibit 7 is a copy of the last order issued by the Commission in this proceeding.

A F F I D A V I T

I, John Fail, District Grade Crossing Liaison, on behalf of the Pennsylvania Department of Transportation, hereby verify that I am authorized to execute this Affidavit. I have read the Questions and Procedures of the Commission for C. 00018616 and the facts set forth in response thereto are true and correct to the best of my knowledge, information and belief.

This Affidavit is made subject to penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

Dated:



John Fail
District Grade Crossing
Liaison, District 11-0

2.

PURPOSE - TO CROSS THE ALLEGHENY RIVER @ 31 STREET

STRUCTURE LENGTH = 2681

28 SPANS -

SPAN 1 - 69'

SPAN 2 - 59'-0

SPAN 3 - 31'-6

" 4 - 59'-0

" 5 - 64'-10⁵/₁₆

" 6 - 20'-3²⁷/₃₂

" 7 - 20'-3²⁷/₃₂

" 8 - 94'-0

" 9 - 85'-0

" 10 - 85'-0

" 11 - 85

" 12 - 40'-9²⁷/₃₂

" 13 - 95'

" 14 - 48'

" 15 - 82'

" 16 - 77'-24

" 17 - 241

" 18 - 385'

" 19 - 241'

" 20 - 114'-9

" 21 - 102'-0

" 22 - 102'-3

" 23 - 97'-0

" 24 - 41'-0⁷/₁₆

SPAN 25 - 124'-11¹/₈

SPAN 26 - 41'-0⁷/₁₆

SPAN 27 - 96'-9⁷/₈

SPAN 28 - 76'-1¹/₈

2678-5⁷/₁₆

BRIDGE ROADWAY WIDTH = 28'

BRIDGE DECK WIDTH = 43.6'

8' WIDE SIDEWALK ON EACH SIDE

CLEARANCES

	HORIZ	VERT
B&O RR -	76' 82'	22'
CONRAIL RR -	94'	22'

Penn DOT EXHIBIT NO. 5
 P.U.C. NO. C.186616
 DATE OF HEARING 6.23.94

3

PERIODIC NBIS INSPECTION REPORT

Penn DOT EXHIBIT NO. 6
P.U.C. NO. E. 186616
DATE OF HEARING C. 239

STRUCTURE BMS NUMBER:

02 2122 0010 0000

BRIDGE NAME:

31st STREET BRIDGE

LOCATION:

S.R. 2122 OVER THE
ALLEGHENY RIVER
CITY OF PITTSBURGH
ALLEGHENY COUNTY

INSPECTION DATE:

JANUARY 15, 1992

INSPECTED BY:

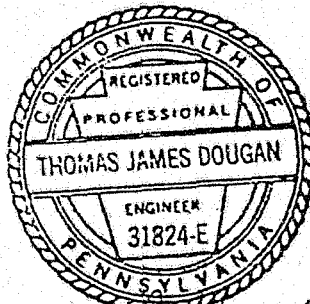
DAVID A. MILLER, P.E.
DAVID C. TARASOVIC, P.E.
MARK S. THOMAS, P.E.
CLIFFORD J. SHORTS, C.B.S.I.

PREPARED FOR:

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
DISTRICT 11-0

AGREEMENT NUMBER:

110877



SAI CONSULTING ENGINEERS, INC.
300 SIXTH AVENUE
PITTSBURGH, PA 15222

September 9, 1992

**REPORT ON THE PERIODIC NBIS INSPECTION
OF
BMS NO. 02 2122 0010 0000
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
DISTRICT 11-0**

BRIDGE DESCRIPTION:

The bridge, built in 1928, carries two lanes of S.R. 2122 (31st Street) over the B & O and CONRAIL railroads, several roadways, and the Allegheny River in Pittsburgh, Allegheny County, Pennsylvania (see Photograph No. 1). The superstructure consists of simply supported, riveted through-girder spans (Spans 1, 5, and 28), simply supported riveted deck girder spans (Spans 2 through 4, 6 through 16, 20 through 22), cantilever riveted deck girder spans (Spans 23 through 27) and steel open-spandrel deck arch spans (Spans 17 through 19). The floor system typically consists of riveted floorbeams with rolled sections for stringers. The substructure consists of reinforced concrete abutments and piers and steel bents.

The fracture-critical members of the structure are the girders of the approach spans which are riveted built-up members (Category D). Other fatigue details of the girders include the various welded repairs to Spans 20, 21, and 22 (Categories C, D, and E). Out-of-plane bending at the floorbeam connections (Category E' for welded girders) is not considered to be a fracture-critical detail due to the riveted construction. Since no web gap exists, out-of-plane distortion of the web and subsequent fatigue cracking would not be expected to occur.

INSPECTION RESULTS:

Approach Roadway

The approaches are in fair condition. The reinforced concrete pavement exhibits excessive wheel grooving and areas of spalling and cracking at the west approach (see Photograph No. 2). The concrete approach slabs at the east abutment backwall are heaved an average of 1-3/4". The reinforced concrete curbs and sidewalk on the east approach show random cracks with regions of light scaling (see Photograph No. 3). The drainage inlets at the east approach appear to be in good condition. The inlet at the west approach is partially filled with debris.

HIST SIGN: 5 * COV BRDG: N * EST. CUM TK FAT LIFE: * NO DK JNT:

STRUCTURE TYPE		APPROACH		CULVT		STRUCT		NI		M SP		G		STEEL		TYPES		CUM TK		DATE		DK	
D S	MAIN	FHWA DEPT	FHWA DEPT	LNTH	LNTH	LT	LNTH	LT	LNTH	M	M	1	2	3	4	TRAF	EST	10					
4	19119	403	16513				002700	Y	0380	1													
	16119						002681																

SPAN TYPE		TTL		NO LENG		NO LENG		NO LENG		NO LENG		NO LENG		NO LENG		FR CR		CR CR		RAT		WS		WS		THICK	
APPK		01	0380	02	0229	00	0000	00	0000	00	0000	00	0000	00	0000	02	6	4880	100	150	30	600	30	600	30	600	
2X	01-0069	0X	0059	01	0032	01	0075	01	0075	02	0028	02	0028	02	0028	02	6	4880	100	150	30	600	30	600	30	600	
	01-0094	0X	0085	03	0024	01	0048	01	0075	02	0028	02	0028	02	0028	02	6	4880	100	150	30	600	30	600	30	600	

REL	JT	FRM	RFR	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3		
EXP	JT	TYPES	BEARING	TYPE	FLD	LT	PROB	F'CT	F'G	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3
0	1	1	DEB					01	05															

VAC	W	LOC	V	TYPE	CNT	FLD	ABT	FND	PIER	TYPE	PIER	FD	SP	L	FR											
DRAP	PRGC	1	2	1	2	3	4	UTIL	L	L	SPL	N	F	N	F	1	2	3	4	1	2	3	4	CAP	TIE	SUB
		1	2	1	2	3	4							3	3	A	A	34	23							

MAIN 03 01 0341 010385 01 0241

SMKTTL LEAG- (04) (567)

APPR 23 04 0063 05 0032 02 0095 03 0085 02 0080

(16) (1017)

01 015 03 100 010206 01 0091 01 0076

(7) (794)

16 2678

RECOMMENDATIONS:

Emergency Repairs (Department Notified At Time of Inspection)

- None.

Immediate Repairs (Perform Within Six Months of Inspection)

1. Replace fascia stringer on south side of Span 17A;
2. Repair end of Stringer S5 in Span 19 at east face of Floorbeam 7;
3. Repair loose and missing curb guard on downstream side in Spans 8, 13A, 14, 21, 22, and 27 - A total of eight sections;
4. Replace top plate of plate expansion dam at Pier No. 26;
5. Repair bearing pedestals at West Abutment.

Recommended Maintenance Repairs (Perform Within Two Years of Inspection)

1. Clean drains and downspouts and replace clean-out plug at Bent 14;
2. Repair deck spalls in Span 21 between Stringers S5 and S6 at Floorbeam 5 and in Span 28, on north side of span at fascia stringer.

Recommended Rehabilitation Repairs (Perform Within Two Years of Inspection)

1. Replace west abutment;
2. Replace east approach slab;
3. Replace entire deck;
4. Replace sidewalk;
5. Repair collision-damaged bents;
6. Clean, repair, and paint deteriorated areas of superstructure;
7. Repair spalled and deteriorated areas of substructure;
8. Repair end of Stringer S1 in Span 26 at west face of Floorbeam 3.

Recommended Improvements

- None.

Possible Problem Areas

1. Continued growth of cracks existing in stringer connection angles.

Inspection Interval

- The bridge should remain on an annual inspection cycle for the fracture-critical components of this structure, specifically areas susceptible to or containing cracks. Periodic NBIS inspection of the non-fracture-critical elements and members of the structure could be extended to a bi-annual inspection cycle.

Signs Needed

- None.

Special Investigations

1. Perform a complete structural analysis.

Posting

- On hold pending results of structural analysis.

Estimated Remaining Life

- The structure's estimated remaining life is 5 years, based on the PaDOT Estimated Remaining Life Formula.

COST ESTIMATE:

Emergency Repairs

None.

Immediate Repairs

1.	Replace fascia stringer on south side of Span 17A	\$	5,000.00
2.	Repair end of Stringer S5 in Span 19 at east face of Floorbeam 7	\$	3,000.00
3.	Repair loose and missing curb rail (8 sections)	\$	4,000.00
4.	Repair crack in top plate of plate dam at Pier No. 26	\$	<u>2,500.00</u>
	Subtotal	\$	14,500.00

Recommended Maintenance Repairs

1.	Clean drain and downspouts, and replace clean-out plug at Bent 14	\$	1,500.00
2.	Repair deck spalls in Span 21, between Stringers S5 and S6 at Floorbeam 5 and in Span 28, on the north side of span at fascia stringer	\$	<u>4,000.00</u>
	Subtotal	\$	5,500.00

Recommended Rehabilitation Repairs

1.	Replace West Abutment	\$ 125,000.00
2.	Replace East Approach slab	\$ 15,000.00
3.	Replace entire deck	\$ 675,000.00
4.	Replace sidewalk	\$ 378,000.00
5.	Repair collision-damaged bents	\$ 8,000.00
6.	Clean, repair, and paint deteriorated areas of superstructure	\$ 1,215,000.00
7.	Repair spalled and deteriorated areas of substructure	\$ 20,000.00
8.	Repair end of Stringer S1 in Span 26 at west face of Floorbeam 3	\$ <u>3,000.00</u>
	Subtotal	\$ 2,439,000.00
	Total	\$ 2,459,000.00

Penn DOT EXHIBIT NO. 7
P.U.C. NO. C-186616
DATE OF HEARING 6-23-94

186616

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Complaint Docket No. 18616

PENNSYLVANIA PUBLIC UTILITY COMMISSION

v.
PENN CENTRAL COMPANY, THE BALTIMORE AND
OHIO RAILROAD COMPANY, CITY OF PITTSBURGH,
COUNTY OF ALLEGHENY and DEPARTMENT OF
HIGHWAYS OF THE COMMONWEALTH OF PENNSYLVANIA

INTERIM ORDER

BY THE COMMISSION, OCTOBER 10, 1973:

By its order issued December 23, 1968, this Commission instituted an investigation on its own motion, under the provisions of the Public Utility Law, into the use and safety of the existing structure carrying State Highway Route 02260 (Thirty-First Street) over the Allegheny River and above the grade of the tracks of The Baltimore and Ohio Railroad Company and Penn Central Company (now Penn Central Transportation Company), in the city of Pittsburgh, Allegheny County, and for the purpose of determining whether the prevention of accidents and the promotion of the safety of the public require changes in the type, location, use, or construction of the crossing. Subsequent to the above-mentioned order, Department of Highways (now Pennsylvania Department of Transportation) made a detailed inspection of the structure, and an initial hearing was held September 1, 1970.

The Commission, by its order issued January 18, 1971, directed Department of Transportation to prepare and submit to the parties of record, complete construction plans for the rehabilitation of the existing bridge structure, on or before December 31, 1971. An extension of time was granted

by the Commission, and the department submitted detail construction plans to the parties of record and to the Commission on July 6, 1973, in compliance with the order dated January 18, 1971.

Upon receipt of the construction plans, a field conference was arranged by a Commission staff engineer and held on July 31, 1973 at the site of the crossing, with representatives of Department of Transportation, The Baltimore and Ohio Railroad Company, Penn Central Transportation Company, Commissioners of Allegheny County, The Bell Telephone Company of Pennsylvania and Duquesne Light Company in attendance. Other parties in interest, City of Pittsburgh and Equitable Gas Company, were advised by letter of the date and place of the field conference but did not make an appearance. It was ascertained, however, that there are no facilities of the gas company within the construction area. The department proposes to rehabilitate the structure by the repair and/or replacement of any structural components, as may be required, and to reconstruct the floor system and roadway, all as necessary to provide a bridge capable of carrying current highway loading. No work is contemplated in the sidewalk areas, since these areas were renewed in 1968.

During a review of the extent of the proposed work, none of the parties present had any objection to the department's plan, or to the issuance of an interim order by the Commission approving construction of the improvement, at the initial cost and expense of the department, but subject to the issuance of a final order by the Commission, after a hearing has been held, following completion of the rehabilitation work, to take testimony upon the allocation of the costs of construction and the responsibilities of future maintenance.

By letter petition in this matter filed August 9, 1973, the department seeks issuance of an interim order approving construction of the improvement, in accordance with the construction plan submitted in compliance with the Commission order dated January 18, 1971, prior to a hearing upon the matters and things involved, at the initial cost and expense of the department, but subject to the issuance of a final order by this Commission, following a subsequent hearing.

The plan submitted by the department and referred to in its petition, consists of 41 sheets, identified as S-10285, for the rehabilitation of the multi-span deck girder and steel arch bridge, which crosses over the Allegheny River and above the tracks of The Baltimore and Ohio Railroad Company and Penn Central Transportation Company, on the line of Thirty-First Street, in the city of Pittsburgh, and in addition, a lighting and electrical plan, consisting of ten sheets, identified as S-9727, for the navigation lighting of the bridge.

In its letter, the department sets forth that all work will be performed within the existing highway right-of-way limits, and no appropriation of property by the Commission will be necessary; further, that the department will undertake the construction of the project, at its initial cost and expense, in order to expedite the rehabilitation of the bridge, and thus eliminate the hazard and inconvenience to the public caused by its present substandard condition and loading restriction.

The cost of the proposed construction, estimated at \$1,185,000 is itemized as follows:

<u>Rehabilitation of 31st St. Bridge</u>	
Engineering	\$ 70,000
Bridge rehabilitation	1,000,000
Navigation lighting	115,000
Total	<u>\$1,185,000</u>

A copy of the department's letter, and copies of the construction plan and the estimate of cost, have been served upon The Baltimore and Ohio Railroad Company, Penn Central Transportation Company, City of Pittsburgh, County of Allegheny, The Bell Telephone Company of Pennsylvania, Duquesne Light Company and Equitable Gas Company. None of the parties has advised that it desires to be heard, or has any objection to the issuance of an interim order. In support thereof, the Commission has received a letter dated August 20, 1973, from Penn Central Transportation Company, advising that the company has no objection to the issuance of an interim order.

We have carefully reviewed the record in this proceeding, and the construction plan prepared by the department, and are of the opinion that the issuance of an interim order by this Commission, to permit the rehabilitation of a much needed river bridge to commence at the earliest possible date, is justified in this particular instance. Accordingly, we will grant the prayer of the department's petition, and approve the rehabilitation of the existing crossing, where State Highway Route 02260 (31st Street) crosses over the Allegheny River and above the tracks of the railroad companies; however, the allocation of the costs and expenses to be incurred by the parties, and the allocation of maintenance responsibilities will be held in abeyance until a hearing has been held, following the completion of the work herein ordered to be performed.

Upon full consideration of the matters and things involved, we find and determine that the issuance of an interim order for the rehabilitation of the crossing, above grade, in the city of Pittsburgh, Allegheny County, as above described, is necessary or proper for the service, accommodation, convenience or safety of the public; THEREFORE,

IT IS ORDERED:

1. That the prayer of the petition filed August 9, 1973, by Department of Transportation, be granted, to the extent hereinafter indicated.

2. That the existing crossing, where State Highway Route 02260 (Thirty-first Street) crosses over the Allegheny River and above the tracks of The Baltimore and Ohio Railroad Company and Penn Central Transportation Company, in the city of Pittsburgh, Allegheny County, be rehabilitated, generally in accordance with the plan consisting of 51 sheets, prepared by Department of Transportation, in compliance with the Commission order issued January 18, 1971 in this proceeding; which plan is attached hereto, made a part hereof, and is hereby approved, except insofar as it may relate to the division of work, the deletion of work or the allocation of the costs and expenses incident to the construction and maintenance of the improvement.

3. That Department of Transportation, at its initial cost and expense, furnish all material and do all work necessary to rehabilitate the existing above-grade railroad-highway crossing and its appurtenant drainage facilities, in accordance with the approved plan.

4. That The Baltimore and Ohio Railroad Company and Penn Central Transportation Company, each, at the initial cost and expense of Department of Transportation, furnish any necessary watchmen or flagmen to protect its respective operations during the time the crossing, above grade, is being rehabilitated, and during the time that any alterations are being made to its facilities in accordance with this order.

5. That The Baltimore and Ohio Railroad Company and Penn Central Transportation Company, each, at the initial

cost and expense of Department of Transportation, furnish all material and do all work necessary to make any temporary or permanent alterations or relocations of its respective tracks, signals, wire lines or other facilities required to permit the construction of the improvement, and in addition, furnish any construction inspectors required to observe the progress of the work during the time the crossing is being rehabilitated, and furnish such engineering services, as may be required, to insure the safety of its facilities and operations which may be affected by the design and construction of the above-grade crossing improvement.

6. That any relocation of, changes in, or removal of any adjacent structures, equipment or other facilities of any public utility, other than The Baltimore and Ohio Railroad Company and Penn Central Transportation Company, located within the limits of any highway within the limits of this Commission's jurisdiction, which may be required as incidental to the execution of the improvement, be made by said public utility, at the initial cost and expense of Department of Transportation, and in such manner as will not interfere with the construction of the improvement; and further, said relocated or altered facilities thereafter be maintained by said public utility company, until and/or unless directed otherwise by future order of this Commission.

7. That any relocation of, changes in, or removal of any adjacent structures, equipment or other facilities of any public utility, other than The Baltimore and Ohio Railroad Company and Penn Central Transportation Company, located beyond the limits of any highway within the limits of this Commission's jurisdiction, which may be required as incidental to the execution of the improvement be made by said public utility, at the

initial cost and expense of Department of Transportation, and in such manner as will not interfere with the construction of the improvement.

8. That Department of Transportation, at its initial cost and expense, furnish all material and do all work necessary to effect the vacation, relocation, removal or demolition of any nonutility structures, including occupied dwellings, located upon property required for the construction of the project, in accordance with this order.

9. That Department of Transportation, at its initial cost and expense and in cooperation with City of Pittsburgh, furnish all material and do all work necessary to establish and maintain any detours that may be required to accommodate properly highway traffic during the time the railroad-highway crossing project is being constructed.

10. That Department of Transportation, at its initial cost and expense, furnish all material and do all work necessary to complete the remainder of the railroad-highway crossing project, in accordance with the approved plan.

11. That the railroad-highway crossing project be completed in a manner satisfactory to this commission on or before September 30, 1975, and that on or before said date, Department of Transportation, The Baltimore and Ohio Railroad Company, Penn Central Transportation Company, and the noncarrier utility companies, each report to this Commission the dates of actual completion of its respective portion; and, at the earliest practicable time subsequent to said date of completion, submit to this Commission a detailed statement of the actual costs incurred by it in furnishing material and in performing work in compliance with this order.

12. That Department of Transportation cooperate with The Baltimore and Ohio Railroad Company and Penn Central Transportation Company, so that during the construction of the project the operation of the facilities of the carriers will not be endangered or unnecessarily impeded.

13. That during the time the project is being constructed over and adjacent to its tracks, The Baltimore and Ohio Railroad Company and Penn Central Transportation Company cooperate with Department of Transportation and conduct its respective operations in the vicinity of the crossing in a safe manner and under control.

14. That The Baltimore and Ohio Railroad Company, Penn Central Transportation Company and all noncarrier utility companies affected hereby, cooperate with Department of Transportation and with each other so that the requirements of each of the named parties will be provided for and accommodated insofar as possible.

15. That Department of Transportation, at its initial cost and expense, pay all compensation for all damages due to the owners, for property taken, injured or destroyed by reason of the construction of the crossing project in accordance with this order.

16. That all costs and expenses incurred by any of the parties hereto be subject to allocation by this Commission after further hearing in this proceeding, which hearing shall be held at a time and place to be set by this Commission, following completion of the railroad-highway crossing construction work ordered herein.

17 That all of the foregoing, relative to Penn Central Transportation Company is subject to the approval of the Reorganization Court (U.S. District Court, Eastern District of Pennsylvania, Fullam, J.), if such approval is required.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

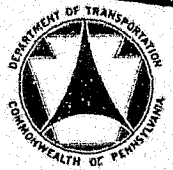
(signed) George I. Bloom

Chairman

ATTEST:

Will Fetters
Secretary

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



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

IN REPLY REFER TO

June 15, 1994

The Honorable John H. Corbett, Jr.
Administrative Law Judge
Public Utility Commission
11th Floor State Office Building
Pittsburgh, PA 15222

DOCUMENT
FOLDER

REC'D
JUN 15 1994
SECRETARY'S OFFICE
Public Utility Commission

BTU

RE: C-00018616; Pennsylvania Public Utility Commission
v. Penn Central Company, The Baltimore & Ohio
Railroad Company, City of Pittsburgh, County of
Allegheny, and the Pennsylvania Department of
Transportation

Dear Judge Corbett:

I am writing to inquire whether the hearing scheduled for June 23, 1994 with regard to the above-captioned matter is necessary. On behalf of the Pennsylvania, Department of Transportation, (the "Department") I would respectfully submit that said hearing is not necessary for the following reasons:

1. At the prior hearing in this matter in 1978, the Department wanted to argue deferred maintenance with respect to allocation of costs. However, as the Department is unable to prove deferred maintenance at the present time, it is willing to assume these costs. Thus, the only issue remaining is who is responsible for future maintenance of the structure.
2. Although the Department has not formally assumed the future maintenance responsibilities at the subject crossing, the Department's position is that it is unable to prove deferred maintenance at this time and, as a result, must assume the maintenance responsibilities and costs associated thereto pursuant to Act 615 of 1961 and the Department's testimony offered at the previous hearing.

DOCKETED
JUN 20 1994



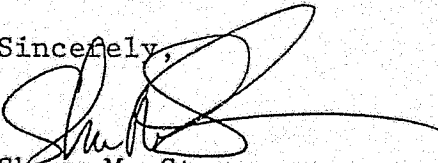
John H. Corbett, Jr.
Administrative Law Judge
C-00018616

Page 2

As a result, I would respectfully request that the hearing scheduled for June 23, 1994 be cancelled and that the Commission order the Department to assume the maintenance responsibilities and costs associated thereto based on its willingness to assume these costs.

As I understand it, there are no objections to this request. If you have any questions, please call me. Thank you for your time in reviewing this matter.

Sincerely,



Shawn M. Stevenson
Assistant Counsel

SMS:vag

cc ~~John G. Alford, Secretary, Public Utility Commission~~
Gina M. D'Alfonso, Assistant Counsel in Charge, Hbg.
John Fail, Grade Crossing Liaison Engineer, District #11-0
All Parties of Record
File
Corres.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the participants, listed below, in accordance with the requirements of 52 Pa. Code §1.54:

Wandaleen Poynter, Esquire
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 31201

Scott Wasserkrug, Esquire
Consolidated Rail Corporation
2 Commerce Square
2001 Market Street - 16A
P.O. Box 41416
Philadelphia, PA 19105-1416

City Solicitor
City of Pittsburgh
Room 313, City County Building
Pittsburgh, PA 15219

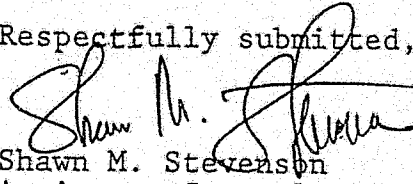
County Solicitor
County of Allegheny
400 Fort Pitt Commons Building
445 Fort Pitt Blvd.
Pittsburgh, PA 15219

Stephen R. Pelcher, Esquire
Duquesne Light Company
One Oxford Center
301 Grant Street
Pittsburgh, PA 15279

Lawrence B. Nydes, Esquire
Equitable Resources
420 Boulevard of the Allies
Pittsburgh, PA 15219

David Salapa
PUC Law Bureau
G-31 North Office Building
Harrisburg, PA 17120

Respectfully submitted,



Shawn M. Stevenson
Assistant Counsel
Commonwealth of Pennsylvania
Department of Transportation

Dated: _____

6-15-94

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265
June 20, 1994

In Re: C-00018616

(See letter dated 04/29/94)

Pennsylvania Public Utility Commission

v.

Penn Central Company, The Baltimore & Ohio Railroad Company, City of Pittsburgh, County of Allegheny and the Pennsylvania Department of Transportation

NOTICE

This is to inform you that the hearing now scheduled to be held on Thursday, June 23, 1994 at 10:00 a.m. in Pittsburgh, Pennsylvania in the subject proceeding has been cancelled.

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

pc: Judge Corbett
John Frazier - BPL
Consumer Advocate
Law Bureau
Norma Lewis
Bud Huntington, Scheduler
Stephen Springer
Beth Plantz
Docket Room

Certified Mail
Receipt Requested &
Reg. Mail to Complainant

DOCUMENT
FOLDER

JUN 28 1994

APPEARANCE SHEET

ALJ HEARING REPORT

514

Docket No. C-000186616

Case Name PA PUC v. Penn Central Co., The
Baltimore & Ohio Railroad Co., City of
Pittsburgh, County of Allegheny and the PA
Department of Transportation

Location Pittsburgh

Date June 23, 1994

ALJ Corbett

Reporting Firm COMMONWEALTH REPORTING

CHECK THOSE BLOCKS WHICH APPLY:

Prehearing held YES NO

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

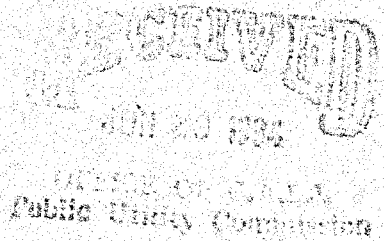
DATE 6-23-94

Briefs to be Filed YES NO

DATE _____

BENCH DECISION YES NO

REMARKS: *Hearing cancelled by Harrisburg OAG.*



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
Telephone No.	City	State	Zip	RECEIVED JUN 30 1994 OFFICE OF ALJ/PA PUC ELIZABETH L. PLANTZ
Telephone No.	City	State	Zip	
Telephone No.	City	State	Zip	

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

REPORTER _____