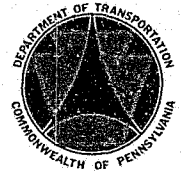


**ORIGINAL**  
QS-2 (3-78)

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION



IN REPLY REFER TO

October 20, 1987

Allegheny County  
L.R. 736-039  
City of Duquesne  
PUC C. 00018922  
Duquesne Light Company

Mr. Jerry Rich, Secretary  
Public Utility Commission  
Harrisburg, Pennsylvania 17120

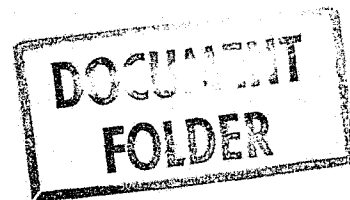
Dear Mr. Rich:

We are attaching three (3) copies of Bill No. 148684, dated December 23, 1986, in the amount of \$14,534.10, received from Duquesne Light Company for its force account work on the referenced project.

This bill has been reviewed and is satisfactory for reimbursement by the Department of Transportation. If you agree, please certify the amount of \$14,534.10 and return one copy to this office.

Very truly yours,

*W. J. Clement*  
For: William R. Moyer, P.E.  
Chief Engineer  
Highway Administration



Attachments

**RECEIVED**

OCT 21 1987

SECRETARY'S OFFICE  
Public Utility Commission

Bureau of Design  
Utility Relocation Unit

SUMMARY OF BILLING

Extensions and Additions Verified  
Date 10-9-87  
Initials JF

DISCUSSION AND EXPLANATION OF SUMMARY FORM

1. All final billing shall be prepared in accordance with the Bureau of Public Roads Policy and Procedure Memorandum 30 - 4, the Utility's Standard Accounting and Work Order Procedures and the Department's Design Manual Part 5.
2. All final and complete billing of costs incurred shall be submitted by the Utility at the earliest practicable date after completion of the work.
3. The Summary of Billing Form 4181 - B will follow as closely as possible the order of the items in the Estimate Form 4181-A and as stated in the Agreement between the State and the Utility, i. e., the items for Preliminary Engineering, Right of Way, Construction, Labor, Transportation, Equipment, Material, Handling and other services shall be shown in such a manner as will permit comparison with the approved Plan and Estimate Form 4181-A.
4. Supporting Data sheets shall accompany the Final Billing Form 4181-B showing an itemized list of materials removed and installed by quantity, type and unit cost, in accordance with Design Manual Part 5.
5. Each individual payment of Right of Way shall be supported in accordance with Design Manual Part 5.
6. Work performed under contracts, entered into by bidding, having had the prior approval of the State, and as indicated on the Estimate Form 4181-A, must be substantiated by the total amounts of each bid received from the actual bidders.
7. The term "additives" for the purpose of this billing form shall mean and include items of Workmen's Compensation, Social Security, Unemployment Compensation, and other similar items. The total cost and percentage used to determine the lump sum shall be shown under the (b) Additives on the Summary Form 4181-B.
8. The Item Administration, Indirect Overhead and Supervision shall be shown as a Percentage in accordance with P. P. M. 30 - 4: "So that each relocation shall bear its equitable proportion of such costs, all overhead construction costs not chargeable directly to work order or construction accounts such as, general engineering and supervision, general office salaries and expenses, construction engineering and supervision by other than the accounting utility, legal expense, insurance, relief and pensions and taxes shall be charged to the relocation on the basis of the amount of such overhead costs reasonably applicable thereto. The instructions contained herein shall not be interpreted as permitting the addition to utility accounts of arbitrary percentages or amounts to cover assumed overhead costs, but as accepting assignment to the relocation of actual and reasonable overhead costs."
9. Under D. - Permanent Construction and/or C. - Temporary Construction, the Item - Handling shall be shown as a Percentage in accordance with P.P.M. 30-4: "The costs of supervision, labor, and expenses incurred in the operation and maintenance of the storerooms and material yards, including storage, handling and distribution of materials and supplies, and costs of purchasing, and the costs of testing and inspection, are reimbursable. Costs determined by a rate, or other equitable method of distribution which is representative of the costs to the utility, may be reimbursed."
10. Credits for Expired Service Life, Betterment and Salvage shall be documented in accordance with Design Manual Part 5, Utility Relocation.
11. A charge for Sacrificed Life made in the amount of the computed value of facilities which were removed from private Right of Way and not functionally replaced shall be documented in accordance with Design Manual Part 5.
12. If there is a substantial difference between the total estimated cost and the total actual cost billed, or a substantial difference for individual items of cost, i. e., Preliminary Engineering, Right of Way, Construction, etc., an explanation shall be attached to the Summary of Billing Form 4181-B.
13. All billing shall be certified by the Company's Auditor or person directly responsible for its accuracy and conformance to Bureau of Public Roads Policy and Procedure Memorandum 30-4, the Utility's Standard Accounting and Work Order Procedures and the Department's Design Manual Part 5.

SUMMARY OF BILLING  
FOR  
UTILITY RELOCATION

County Allegheny  
State Route 736  
Route City of Duquesne  
Agreement No. \_\_\_\_\_  
Order: 0000 18922  
Federal Project No. \_\_\_\_\_

Utility Duquesne Light Company

Address One Oxford Centre, 301 Grant Street, Pittsburgh, PA 15279

Invoice may be Audited at (Address) Same as above

Date of First Billed Expense (including Preliminary Engineering) May, 1983

Date of Actual Construction Start by the Utility April, 1983

Date of Last Billed Expense (including accounting) \_\_\_\_\_

A. PRELIMINARY ENGINEERING (Performed by \_\_\_\_\_ )

- 1. Labor
  - (a) Salaries and Wages \_\_\_\_\_
  - (b) Additives ( \_\_\_\_\_ Percentage Used) \_\_\_\_\_
- 2. Supplies \_\_\_\_\_
- 3. Transportation \_\_\_\_\_
- 4. Administration, Indirect Overhead and Supervision ( \_\_\_\_\_ Percentage Used) \_\_\_\_\_
- 5. TOTAL ..... -0-

B. RIGHT OF WAY ACQUISITION

- 1. Property Costs \_\_\_\_\_
- 2. Labor
  - (a) Salaries and Wages \_\_\_\_\_
  - (b) Additives ( \_\_\_\_\_ Percentage Used) \_\_\_\_\_
- 3. Supplies \_\_\_\_\_
- 4. Transportation \_\_\_\_\_
- 5. Administration, Indirect Overhead and Supervision ( \_\_\_\_\_ Percentage Used) \_\_\_\_\_
- 6. TOTAL ..... -0-

DOCUMENT  
FOLDER

C. TEMPORARY CONSTRUCTION

- 1. Labor
  - (a) Salaries and Wages \_\_\_\_\_
  - (b) Additives ( \_\_\_\_\_ Percentage Used) \_\_\_\_\_
  - (c) Contract (Performed by \_\_\_\_\_) \_\_\_\_\_
- 2. Material
  - (a) New Material \_\_\_\_\_
  - (b) Handling ( \_\_\_\_\_ Percentage Used) \_\_\_\_\_
  - (c) Depreciation \_\_\_\_\_
  - (d) Salvage \_\_\_\_\_

DOCKETED  
OCT 23 1987

3. Equipment			
(a) Utility Owned	_____		
(b) Rented (Owner _____ )	_____		
4. Administration, Indirect Overhead and Supervision ( _____ Percentage Used)			
5. TOTAL .....			<u>-0-</u>

D. PERMANENT CONSTRUCTION

1. Labor			
(a) Salaries and Wages	<u>16,938.41</u>		
(b) Additives (21.4 Percentage Used)	<u>3,625.73</u>		
(c) Contract (Performed by <u>Joseph Fay</u> )	<u>17,032.32</u>	<u>37,596.46</u>	
2. Material			
(a) New Material	<u>24,439.39</u>		
(b) Handling ( _____ Percentage Used)	<u>3,218.43</u>	<u>27,657.82</u>	
3. Equipment			
(a) Utility Owned	_____		
(b) Rented (Owner _____ )	_____		
4. Administration, Indirect Overhead and Supervision ( <u>21.799</u> Percentage Used)		<u>14,224.89</u>	
5. TOTAL .....			<u>79,479.17</u>

E. REMOVAL COSTS

1. Labor			
(a) Salaries and Wages	<u>5,517.49</u>		
(b) Additives ( _____ Percentage Used)	<u>1,235.71</u>	<u>6,753.20</u>	
2. Supplies			
3. Transportation		<u>2,094.97</u>	
4. Administration, Indirect Overhead and Supervision ( <u>16.93</u> Percentage Used)		<u>1,497.98</u>	
5. TOTAL .....			<u>10,346.15</u>

F. CONSTRUCTION ENGINEERING AND INSPECTION

1. Labor			
(a) Salaries and Wages	_____		
(b) Additives ( _____ Percentage Used)	_____		
2. Supplies			
3. Transportation		<u>5,092.73</u>	
4. Administration, Indirect Overhead and Supervision ( <u>21.799</u> Percentage Used)		<u>1,110.17</u>	
5. TOTAL .....			<u>6,202.90</u>

G. CONNECTING COSTS (Connecting Proposed to Present Facilities)

1. Labor			
(a) Salary and Wages	_____		
(b) Additives ( _____ Percentage Used)	_____		
2. Administration, Indirect Overhead and Supervision ( _____ Percentage Used)			
3. TOTAL .....			_____

H. SACRIFICED LIFE (VALUE OF FACILITIES REMOVED FROM PRIVATE RIGHT OF WAY AND NOT FUNCTIONALLY REPLACED. See 5.12.8, Utility Manual) .....

I. ACCOUNTING (Including Preparation of Estimate and Billing)

1. Labor

(a) Salaries and Wages

(b) Additives (Percentage Used)

2. Supplies

3. Administration, Indirect Overhead and Supervision (Percentage Used)

4. TOTAL

J. TOTAL CONSTRUCTION COST

K. LESS CREDITS (See 5.12.10, Utility Manual)

\* 1. Betterment

2. Salvage

3. Expired Service Life

4. TOTAL CREDITS

L. TOTAL NET COST

UTILITY SHARE

STATE SHARE

18,895.87

1,092.00

3,369.83

(23,357.70)

72,670.52

80

%

\$

58,136.42

20

%

\$

14,534.10

I hereby certify that to the best of my knowledge and belief this bill is true and correct and that all costs included herein are properly chargeable to the State as a result of adjusting our facilities to conform to the above-named highway project as shown by this Utility's Plan and Highway Plan and Estimate, and in accordance with the terms of the approved agreement on file with the Commonwealth of Pennsylvania, Department of Highways.

I further certify that all work billed hereon has been completed in accordance with the Department's Design Manual Part 5, with the current Policy and Procedure Memorandum 30-4 of the Bureau of Public Roads and in accordance with work order accounting procedure prescribed by the applicable Federal or State Regulatory Board, and that no collusion exists or has existed between members or employees of this firm and other persons, firms or corporations in order to establish an unjust basis for any part of the costs covered by this invoice.

\* Exclusion of costs incurred altering electrical facilities between Duquesne Light Company pole No. 128963 on Oliver Street and manhole No. 15068 on Second Avenue.

Duquesne Light Company

Utility

Donald J. Clayton Manager VJR 11/19/86
(Name and Title) (Date)

(Use Supplemental Sheets as required to describe the scope of work performed and to explain any unusual charges).

CO 3185

SALVAGE

Salvage is charged to the construction order by means of our Reclaim Material Reports. Copies of the following list of RMR's will be sent upon request.

RECLAIM MATERIAL REPORTS

<u>Number</u>	<u>\$</u>
488183	204.00
490558	870.00
491457	<u>18.00</u>
TOTAL	<u>1,092.00</u>

THOMPSON RUN BRIDGE

Replace Conduits & Cable  
CO 3185

Material Used:

<u>Description</u>	<u>Quantity Installed</u>	<u>Unit Price</u>	<u>Total</u>
Arms, Cross - Wood - 17' & Under	10	26.88	\$ 268.81
Guys	1	17.80	17.80
Pole, 55' - Wood	2	237.46	474.93
Rack, #358	2	8.09	16.18
1/C 350 MCM RC 23KV Aerial	3,000'	2.90	8,712.17
18M ALWD Messenger	1,000'	.3264	326.41
Lightning Arrester, 4KV	6	60.76	364.57
Switch, Disconnecting - 4KV	6	84.216	505.30
1/C 350 MCM RC 23KV Cable UG	3,951'	2.983	11,787.92
4/0 Bare Neutral Wire	1,317'	.918	1,209.08
1/C 4/0 25KV T-18 Terminal	6	126.036	<u>756.22</u>
Total Material			<u>\$ 24,439.39</u>

1 2 3 4 5 6 7 8 9 10 11

Quantity	Description of Item	Date of Installation	Date of Retirement	Age At Retirement	Remaining Life Expectancy Years	Total Life Expectancy Years	Expired Service Life Ratio	Original Cost Dollars	Expired Service Life Credit Dollars	Life Charge Sacrificed Dollars	Account Number
1	Pole 40' Wood 295524	1926	1985	19	29	48	.3958	22939	9079	13860	8641
1	45' 496	1946		37	18	55	.6442	8214	5620	2594	
1	50' 128963	1942		43	16	59	.7288	6379	4649	1750	
1	Anchor	1966		19	29	48	.4186	7570	3345	4226	
2	54YS Anchor & Line	1929		56	9	65	.91805	9360	8593	767	
1		1942		43	11	54	.79650	4680	11033	3647	
1		1966		19	29	48	.4186	4680	2068	2612	
4	CROSS ARMS 17' & Under	1942		43	11	54	.79650	12152	9884	2668	
3		1942		39	13	52	.75000	7614	5711	1903	
2	Rack	1929		56	5	61	.97803	2594	2581	213	
1		1942		48	10	58	.79650	1297	11033	264	
2		1946		39	18	57	.75600	2594	1940	648	
1	Pole 50' Wood 128463	1942		43	14	57	.7288	CA (1969)	(1935)	(1935)	9244
3	Lighting Armature 4K.V	1942		43	14	57	.7288	8520	7045	1475	865
3		1946		39	14	53	.82692	8520	264	1874	
118'	WIRE 10 DLOR	1942		43	6	49	.82692	5705	4718	987	
127'		1942		43	6	49	.82692	6141	1228	4913	
175'	#4 DOLX	1942		43	32	75	.20000	12685	1204	10831	
390'	#6 WOPF	1942		43	36	79	.10000	12685	2499	223	
387'		1946		36	15	51	.91803	2722	2467	594	
1050'	CABLE 1/2 350 R.C. 23K.V	1946		37	11	48	.97803	2701	2467	594	
420'	1/2 500 L.C. 5 K.V	1946	1984	37	11	48	.97803	74388	20658	53130	867
833'	1/2 350 L.C. 4K.V	1929		22	27	49	.82692	298700	108983	99517	
140'	Neutral 4/0 bare	1942		22	22	44	.5227	24957	194239	45978	
58'		1942		22	18	40	.8049	13859	7496	6663	
343'	CABLE 3/4 4 L.C. 10K.V	1942		27	27	54	.5227	32404	9151	24453	
159'	1/2 4 L.C. 13 K.V	1942		27	17	44	.74827	18352	17403	949	
1	LUMINAIRE Made	1946	1985	19	17	36	.61290	47728	30478	19250	
1	Bracket V	1946		19	12	31	.61290	4151	5566	3515	
	Totals							783368	472872	310490	

50  
 10  
 52  
 10  
 17



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

October 23, 1987

IN REPLY PLEASE  
REFER TO OUR FILE

C-00018922

William J. Clements, P.E.  
Pennsylvania Department of Transportation  
Room 509  
Transportation & Safety Building  
Harrisburg, Penna. 17120

Allegheny County  
L.R. 736-039  
City of Duquesne

Dear Sir:

Receipt is acknowledged of your letter attaching three copies of Bill No. 148684, dated December 23, 1986, in the amount of \$14,534.10, received from Duquesne Light Company for its force account work on the above referenced project.

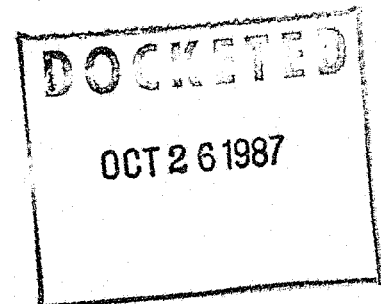
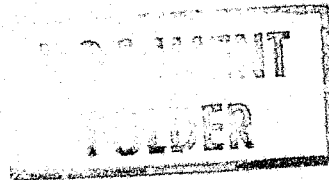
The Bill will receive the attention of the Commission.

Very truly yours,

for Jerry Rich  
Secretary

cc: Bureau of Safety & Compliance - Rail Safety - w/copy of letter and all copies of Bill.

JEP:rmb



**ORIGINAL**

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION, :

v. :

DEPARTMENT OF HIGHWAYS OF THE COMMONWEALTH OF PENNSYLVANIA, UNION RAILROAD COMPANY, CITY OF DUQUESNE, COUNTY OF ALLEGHENY, THE BELL TELEPHONE COMPANY OF PENNSYLVANIA, CARNEGIE NATURAL GAS COMPANY, DUQUESNE LIGHT COMPANY, EQUITABLE GAS COMPANY and KEYSTONE PIPE LINE COMPANY, :

**RECEIVED**

**SEP 22 1988**

**SECRETARYS OFFICE**  
Public Utility Commission

COMPLAINT DOCKET NO. 18922

**DOCKETED**

**SEP 26 1988**

PETITION TO ENFORCE ORDER

1. Petitioner is the Commonwealth of Pennsylvania, Department of Transportation, (hereinafter referred to as the "Department").

2. Respondent is the City of Duquesne, Pennsylvania, (hereinafter referred to as the "City").

3. By Order issued April 27, 1970, the Pennsylvania Public Utility Commission, (hereinafter referred to as the "Commission"), instituted an investigation on its own motion into the use and safety of the existing structure known as the Thompson Run Bridge carrying State Highway Route 736 Extension over and

**DOCUMENT**  
**FOLDER**

above the grade of the main line yard tracks of Union Railroad Company, in the City of Duquesne, Allegheny County, Pennsylvania.

4. By Order issued June 1, 1970, the Commission directed the Department, at its initial cost and expense, to furnish all material and do all work necessary to effect full and complete restoration and repair to the structure, and directed further, that all costs incurred by any of the parties be subject to allocation by the Commission, after a hearing, to be held following completion of the repair work.

5. At a hearing held March 22, 1972, evidence was presented that work was completed April 8, 1971 and that the costs of the work totaled \$189,397.00.

6. At the hearing of March 22, 1972, a witness for the City testified that the City had not requested any work on the bridge and that the city would not agree to bear any portion of the costs of repairs. However, the witness did acknowledge that the elected officials of the City were vitally interested in the condition of the subject bridge.

7. By Order adopted May 23, 1975, the Commission directed inter alia:

1. That Department of Transportation, at its initial cost and expense, furnish all material and do all work necessary to effect repair and restoration of the bridge structure carrying State Highway Route 736 Extension over and above the tracks of Union Railroad Company, and over Thompson Run, in the city of Duquesne, Allegheny County, to permit current highway loading, in accordance with the plan approved in numbered Paragraph 2 of our order issued June 1, 1970 in this proceeding.

. . .

9. The City of Duquesne pay Department of Transportation, when and as certified by Pennsylvania Public Utility Commission, a sum or sums of money equal to 10 percent of the actual costs of material furnished and work performed by the Department, in compliance with numbered Paragraph 1 of this order.

. . . "

8. At a Public Meeting of June 12, 1980, the Commission approved the costs incurred by the Department in the amount of \$189,397.35 and authorized the City of Duquesne to pay the Department the sum of \$18,939.74.

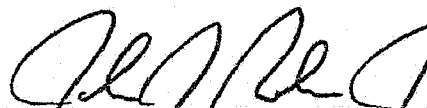
9. By letter dated May 6, 1988, the undersigned counsel for the Department requested payment from the City of Duquesne. A copy of the letter is attached hereto as Exhibit "A".

10. To date, the City has not responded to the request of the Department's counsel.

11. The City has refused and continues to refuse to pay the Department the sum of \$18,939.74.

WHEREFORE, the Petitioner respectfully requests that the Commission enforce its Order of May 22, 1975 and direct the City to pay \$18,939.74 to the Department.

Respectfully submitted,



---

John J. Robinson, Jr.  
Assistant Counsel  
Office of Chief Counsel  
Department of Transportation  
Commonwealth of Pennsylvania  
Harrisburg, Pennsylvania 17120  
(717) 783-1322

Office of Chief Counsel  
May 6, 1988

The Honorable Raymond R. Ierza  
1212 South Second Street  
Duquesne, Pennsylvania 15110

RE: L.R. 736 Extension,  
Section 27  
Thompson Run Bridge  
P.U.C. Docket No. 18922

Dear Mayor Ierza:

The above-referenced matter has been referred to this office for collection. I understand that you were advised of this matter by letter dated August 13, 1987 from James R. Hobbs. I do not have any indication that you responded the letter from Mr. Hobbs regarding proof of payment by the Borough of the invoiced amount. I have provided a copy of the invoice for your information.

If you have any questions regarding this matter, please give me a call. If you do not have any questions, please mail a check directly to me in the amount of \$18,939.74 payable to the Pennsylvania Department of Transportation.

If I do not receive proof of payment or the payment within thirty (30) days, I shall petition the P.U.C. to enforce its Order.

Very truly yours,

John J. Robinson, Jr.  
Assistant Counsel  
(717) 783-1322

220/JJR:dk

Exhibit "A"

VERIFICATION

I, Frank J. Breiner, Acting Comptroller, hereby attest that I am authorized to make this verification on behalf of the Commonwealth of Pennsylvania, Department of Transportation, and that the averments contained and set forth in the foregoing Petition to Enforce are true and correct to the best of my knowledge, information and belief and that this verification is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

*Frank J. Breiner*

---

Frank J. Breiner  
Acting Comptroller  
Department of Transportation  
Commonwealth of Pennsylvania

CERTIFICATE OF SERVICE

I, John J. Robinson, Jr., Assistant Counsel, do hereby certify that I have this day served the foregoing Petition to Enforce Order upon the person and in the manner indicated below.

Service by Certified Mail, Return Receipt Requested.

City of Duquesne  
12 South Second Street  
Duquesne, Pennsylvania 15110  
Attn: The Honorable Raymond R. Ierza



John J. Robinson, Jr.  
Assistant Counsel  
Commonwealth of Pennsylvania  
Department of Transportation

Date: 9/22/88

PUC - 77

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheet

1. <u>REPORT DATE:</u>	November 14, 1988	:	2. <u>BUREAU AGENDA NO.</u>	NOV-88-L-310*
3. <u>BUREAU:</u>	Law	:		
4. <u>SECTION(S):</u>	Rail	:	5. <u>PUBLIC MEETING DATE:</u>	November 23, 1988
6. <u>APPROVED BY:</u>		:		
Director:	Delaney	7-5000		
Supervisor:	Wilson	3-2840		
7. <u>MONITOR:</u>		:		
8. <u>PERSON IN CHARGE:</u>		:		
	Linda Smith	3-2840		
9. <u>DOCKET NO:</u>	C-18922	:		

**DOCKETED**  
DEC-8-1988

10. (a) CAPTION (abbreviate if more than 4 lines)  
(b) Short summary of history & facts, documents & briefs  
(c) Recommendation

(a) The Pennsylvania Public Utility Commission v. Department of Highways of the Commonwealth of Pennsylvania, Union Railroad Company, City of Duquesne, County of Allegheny, The Bell Telephone Company of Pennsylvania, Carnegie Natural Gas Company, Duquesne Light Company, Equitable Gas Company, and Keystone Pipeline Company.

(b) On June 1, 1970, the Commission ordered the City of Duquesne to reimburse PennDOT \$18,939.74. PennDOT has petitioned this Commission to enforce the order against the city for its failure to comply.

(c) The Law Bureau recommends that the Commission authorize and direct the Law Bureau to take such necessary action, including the institution of an action in Commonwealth Court in the nature of mandamus, if required, against the City of Duquesne in order to secure enforcement of the Commission's Order of June 1, 1970.

**DOCKETED**  
FOLDER

- |                       |                         |                               |
|-----------------------|-------------------------|-------------------------------|
| 11. <u>MOTION BY:</u> | Commissioner Smith      | Commissioner Taliaferro - Yes |
|                       |                         | Commissioner Rhodes - Yes     |
| <u>SECONDED:</u>      | Commissioner Chm. Shane | Commissioner Fischl - Yes     |

CONTENT OF MOTION: That an Order to Show Cause be issued against City of Duquesne with regard to why the order should not be enforced, and afford the City and PennDOT an opportunity to respond; and that the Law Bureau prepare the necessary Order.