



## **CITY OF PHILADELPHIA**

**Law Department  
1515 Arch Street, 16<sup>th</sup> Floor  
Philadelphia, PA 19102**

**September 24, 2020**

**Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265**

**RE: A-2019-3013783**

Dear Secretary Chiavetta,

Enclosed for filing please find the Prehearing Conference Memorandum, compiled on behalf of Respondent, City of Philadelphia, in the above-captioned matter.

I hereby certify that a copy has been made available to all parties via the methods indicated in the accompanying Certificate of Service.

Sincerely,

/s/

\_\_\_\_\_  
James C. Kellett, Esq.  
Deputy City Solicitor  
City of Philadelphia Law Department  
1515 Arch Street, 16<sup>th</sup> Floor  
Philadelphia, PA 19102  
James.Kellett@phila.gov  
P: (215) 683-8452  
F: (215) 683-5175

Dated: September 24, 2020

COMMONWEALTH OF PENNSYLVANIA

BEFORE THE PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

**In re: Application of CSX Transportation, Inc. for Approval of the Abolition of the Crossing (DOT No. 140634G) where Cemetery Avenue crosses above grade two Of CSX Transportation, Inc. located in the City of Philadelphia, Philadelphia County, Pennsylvania** : **DOCKET NO. A-2019-3013783**  
:  
:  
:  
:  
:  
:

**PREHEARING CONFERENCE MEMORANDUM**

City of Philadelphia (“City”) hereby submits the following Prehearing Conference Memorandum in response to the Prehearing Conference Order issued August 26, 2020.

1. The City’s sole entry on the service list shall be:

James C. Kellett, Esq.  
Deputy City Solicitor  
City of Philadelphia Law Department  
1515 Arch Street, 16<sup>th</sup> Floor  
Philadelphia, PA 19102  
[James.Kellett@phila.gov](mailto:James.Kellett@phila.gov)  
P: (215) 683-8452  
F: (215) 683-5175

2. The City is open to discussion regarding settlement in this matter. The City shares the Pennsylvania Department of Transportation’s concern about pedestrian access and safety, and the construction of cul-de-sacs to abate other safety concerns accompanying dead-end roads. More generally the proposed abolition would deleteriously affect trash removal and emergency services, and potentially impact surrounding business(es).
3. The City intends to provide, as needed, the following witness:

Darin Gatti, Chief Engineer  
City of Philadelphia Streets Department  
1401 John F. Kennedy Blvd., Ste. 830  
Darin.Gatti@phila.gov  
(215) 686-5537

The City reserves the right to call additional witnesses should developments warrant such testimony.

4. Discoverable material shall be made available by the City pursuant to 52 Pa. Code §5.331, and supplemented if necessary pursuant to 52 Pa. code §5.332.
5. The City concurs with the proposed litigation schedule:

Written testimony due December 18, 2020;

Written rebuttal testimony due January 22, 2021;

Witness schedule due three (3) days before the hearing;

Hearing to occur the week of February 8, 2021 or February 15, 2021;

Briefing schedule to be established at the hearing; and

If conditions continue to prevent an in-person hearing, the use of Microsoft Teams to conduct the hearing.

Respectfully Submitted,

\_\_\_\_\_  
/s/

James C. Kellett, Esq.  
Deputy City Solicitor  
City of Philadelphia Law Department  
1515 Arch Street, 16<sup>th</sup> Floor  
Philadelphia, PA 19102  
[James.Kellett@phila.gov](mailto:James.Kellett@phila.gov)  
P: (215) 683-8452  
F: (215) 683-5175

Dated: September 24, 2020

**COMMONWEALTH OF PENNSYLVANIA**

**BEFORE THE PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

**In re: Application of CSX Transportation, : DOCKET NO. A-2019-3013783**  
**Inc. for Approval of the Abolition of the :**  
**Crossing (DOT No. 140634G) where :**  
**Cemetery Avenue crosses above grade two :**  
**Of CSX Transportation, Inc. located in the :**  
**City of Philadelphia, Philadelphia County, :**  
**Pennsylvania :**

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing Prehearing Conference Memorandum dated September 24, 2020, upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party) and the Emergency Order at M-2020-3019262.

**BY ELECTRONIC MAIL (EMAIL) TO:**

Honorable Darlene Heep  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
801 Market Street, Ste. 4063  
Philadelphia, PA 19107  
Email: dheep@pa.gov

Kayla Rost, Esq.  
Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120  
Email: karost@pa.gov

Benjamin C. Dunlap, Jr. Esq.  
P.O. Box 840  
Harrisburg, PA 17108-0840  
Email: bdunlapjr@nssh.com

Gina M. D'Alfonso, Esquire

Office of Chief Counsel, PennDOT  
P.O. Box 8212  
Harrisburg, PA 17105-8212  
Email: gdalfonso@pa.gov

**VIA FIRST CLASS UNITED STATES MAIL TO:**

Columbia Gas Transmissions LLC  
Attn: Monitoring Center Personnel  
1700 Maccorkle Ave. SE 8th flr  
.Charleston, WV 25314  
Email: pbradley@cpg.com

PECO Energy c/o USIC  
Attn: Nikkia Simpkins  
450 S. Henderson Rd., Suite B  
King of Prussia, PA 19406  
Email: NIKKIASIMPKINS@USICLLC.COM

Philadelphia City Water Dept.  
Attn: Eric Ponert  
1101 Market Street 2nd Floor, ARA Tower  
Philadelphia, PA 19107  
Email: eric.ponert@phila.gov

Philadelphia Gas Works  
Attn: Michael Parzanese  
800 W. Montgomery Ave.  
Philadelphia, PA 19122  
Email: MICHAEL.PARZANESE@PGWORKS.COM

City of Philadelphia  
Attn: Kevin McGinley  
4501 G St.  
Philadelphia, PA 19120  
Email: kevin.mcginley@phila.gov

Verizon Pennsylvania LLC  
Attn: Darline Lepperd Johnson  
1050 Virginia Dr.  
Fort Washington, PA 19034  
Email: Darline.Lepperd@verizon.com

Department of Transportation District 6-0  
Kenneth M. McClain

7000 Geerdes Blvd.  
King of Prussia, PA 19406-1525  
Email: Kenneth.McClain@pa.gov

Comcast  
Attn: Robert Harvey  
4400 Wayne Avenue  
Philadelphia, PA 19140  
Email: bob\_harvey@cable.comcast.com

Verizon Business f/k/a MCI  
Attn: Dean Boyers  
400 International Parkway  
Richardson, TX 75081  
Email: investigation@verizon.com

Zayo Bandwidth f/k/a PPL Telecom LLC  
Attn: George Huss  
1060 Hardees Drive, Unit H  
Aberdeen, MD 21001  
Email: george.huss@zayo.com

/s/  
\_\_\_\_\_  
Chandell F. Craig  
Executive Secretary

Dated: September 24, 2020