



October 27, 2020

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Re: Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to abolish and remove: (1) the public below-grade crossing where State Route 4034 (East Bayfront Parkway) intersects State Street above a single track of CSX Transportation, Inc., DOT Number 938 230 V; and (2) the public at-grade crossing where Holland Street crosses the single track of CSX Transportation, Inc, DOT Number 524 153 C, in City of Erie, Erie County and the allocation of costs incident thereto.

Dear Secretary Chiavetta:

Enclosed for filing please find the Application of the Department of Transportation.

I certify that a copy has been sent to all parties of record by email as permitted by the Emergency Order at M-2020-3019262.

Sincerely,

A handwritten signature in black ink that reads "Jeron E. Hollis". The signature is written in a cursive style.

Jeron E. Hollis  
District Grade Crossing Administrator  
Engineering District 1-0  
Department of Transportation

Enclosure

cc: Parties of Record  
Michael C. Clinger, P.E., Acting Chief, Right-of-Way and Utilities Section, 7th Floor, CKB  
Gina M. D'Alfonso, Senior Counsel in Charge, Office of Chief Counsel, 9th Floor, CKB  
Ronald J. Hull, P.E., Chief, Rail Safety Engineering Section PUC, 3rd Floor, CKB

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of : Application  
Transportation of the Commonwealth of : Docket No. \_\_\_\_\_  
Pennsylvania for approval to abolish and :  
remove: (1) the public below-grade crossing : **Electronically Filed**  
where State Route 4034 (East Bayfront :  
Parkway) intersects State Street above a single :  
track of CSX Transportation, Inc., DOT :  
Number 938 230 V; and (2) the public at-grade :  
crossing where Holland Street crosses the :  
single track of CSX Transportation, Inc, DOT :  
Number 524 153 C, in City of Erie, Erie :  
County and the allocation of costs incident :  
thereto.

To the Pennsylvania Public Utility Commission:

1. The name and address of Applicant are Commonwealth of Pennsylvania, Department of Transportation, Brian A. McNulty, P.E., District Executive, Engineering District 1-0, 255 Elm Street, Oil City, PA 16301.
2. The name and address of attorney for the Applicant are Jason D. Sharp, Chief Counsel, Commonwealth of Pennsylvania, Department of Transportation, Office of Chief Counsel, PO Box 8212, Harrisburg, PA 17105-8212.
3. The Applicant is an agency of Commonwealth of Pennsylvania, organized and existing under the Administrative Code of 1929, 71 P.S. § 511, et seq. and generally 36 P.S. § 670 - 401 et seq. The City of Erie concurs with the filing of this application for the abolition of the local street, Holland Street as is evidenced by Exhibit "A" that is attached hereto. The abolition of these two (2) crossings is part of the Applicant's SR 4034-A01 Bayfront Parkway Project.
4. The names and addresses of the persons, parties and entities concerned in, or affected by the proposed construction, to the best of the Applicant's knowledge, are shown in the certificate of service. In addition to those served, the Applicant requests that the following also receive service of all documents in this matter:

Michael C. Clinger, P.E., Acting Chief  
Right of Way and Utilities Section  
Pennsylvania Department of Transportation  
PO Box 3362  
Harrisburg, PA 17105-3362

Gina M. D'Alfonso  
Senior Counsel in Charge  
Office of Chief Counsel  
Pennsylvania Department of Transportation  
PO Box 8212  
Harrisburg, PA 17105-8212

5. It is desirable to abolish and remove: (1) the public below-grade crossing where State Route 4034 (East Bayfront Parkway) intersects State Street above a single track of CSX Transportation, Inc., DOT Number 938 230 V; and (2) the public at-grade crossing where Holland Street crosses the single track of CSX Transportation, Inc, DOT Number 524 153 C. See the provided Location Map which is attached hereto and marked as Exhibit "B".

6. The average daily traffic counts are as follows: State Route 4034 is 22,200 vehicles with 2% trucks; for State Street, 11,600 vehicles with 4% trucks; and, for Holland Street, 5,600 vehicles with 4% trucks.

3. The estimated total cost for the abolition of the two (2) crossings is \$500,000. The funding for the abolition will be 70% federal funds and 30% state funds.

8. This project is necessary and proper for the safety and convenience of the public.

9. A conference of all parties of interest should be held to discuss the proposed abolition.

Wherefore, Applicant respectfully requests that the Public Utility Commission approve this application:

Respectfully Submitted

*Brian A. McNulty*

\_\_\_\_\_  
Brian A. McNulty, P.E.

District Executive

District 1-0

Department of Transportation

255 Elm Street

Oil City, PA 16301

Phone: (814) 678-7130

Fax: (814) 678-7030

Dated: 10/27/2020

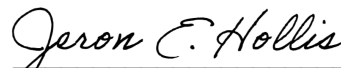
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crossing where Holland Street crosses the :  
single track of CSX Transportation, Inc, DOT :  
Number 524 153 C, in City of Erie, Erie :  
County and the allocation of costs incident :  
thereto. :

VERIFICATION

I, Jeron E. Hollis, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

Date: 10-27-2020

  
\_\_\_\_\_  
Grade Crossing Administrator

**BEFORE THE  
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thereto.

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the participants listed below by electronic mail pursuant to the Emergency Order at Docket Number M-2020-3019262:

Derek Mihaly, P.E., Project Manager II  
Derek\_Mihaly@csx.com  
CSX Transportation  
4 Neshaminy Interplex  
Suite 205  
Trevose, PA 19053

Jason Fleek  
fleekj@natfuel.com  
National Fuel Gas Distribution Corporation  
1100 State Street  
P.O. Box 2081  
Erie, PA 16512

André Horton  
ahorton@eriecountypa.gov  
Erie County Commissioner  
140 West Sixth Street, Room 114  
Erie, PA 16501

John Lynch  
john.lynch@zayo.com  
Zayo Group  
800 Cabin Hill Drive  
Greensburg, PA 15601

Jon Tushak, City Engineer  
JTushak@erie.pa.us  
City of Erie  
626 State Street  
Erie, PA 16501

Chris Beyer  
cbeyer@firstenergycorp.com  
Pennsylvania Electric Company  
5404 Evans Road  
Erie, PA 16558

Steve Putt  
stephen.putt@level3.com  
CenturyLink/Level 3 Communications  
200 Technology Drive  
Pittsburgh, PA 1521

Chad Ellsworth  
cellsworth@eriewaterworks.org  
Erie Water Works  
240 West 12th Street  
Erie, PA 16501

Dated this 27th Day of October 2020

  
\_\_\_\_\_  
Jeron E. Hollis

ENGINEERING

By Mr. Witherspoon Seconded By: Mr. Winarski

COUNCIL CHAMBERS

Erie, Pa. October 21, 2020

Resolved, by the Council of the City of Erie,

Whereas PennDOT is preparing for Bayfront Parkway Improvements at State Street Holland Street,

And whereas this may be the final official approval required on the project by City Council, other than any maintenance agreements required by PennDOT upon project completion,

And whereas City Council desires to be included in review of alternatives and have input on decisions through the final design of the project, as per PennDOT policies.

And whereas the project requires coordination with the railroad (CSXT Inc.) at the below grade crossing where SR 4034 (Bayfront Parkway) intersects State Street above a single track of CSXT Inc. (938 230 V) and the at grade crossing where Holland Street crosses the single track of CSXT, Inc. (524 153 C) in the City of Erie, Erie County,

And whereas PennDOT is filing an application with the PA Public Utility Commission PUC for the approval to abolish and remove these crossings,

The Mayor and City Controller are hereby authorized and agree to allow the Department (PennDOT) to file this application on behalf of the City of Erie and authorize the Department (PennDOT) to issue Notice to Proceed letters to the railroad for design and/or construction.

City Council is to be included in the two newly formed peer review committees on the project and will be included on the Project Advisory Committee.

*YMS*

JOURNAL 123-371-A

OCT 21 2020

CITY COUNCIL - CITY OF ERIE, PA.

NO. 3

2020	Ayes	Nays
Allen		1
Brennan	1	
Brzezinski	1	
Keys	ABSTAIN	
Schaaf		1
Witherspoon	1	
Winarski	1	

OCT 21 2020

Attest: Laurie Watson  
Laurie Watson, City Clerk

Joseph W. Schember  
Joseph W. Schember, Mayor  
Teresa Stankiewicz  
Teresa Stankiewicz, City Controller

Distribution: 1. Clerk-White 2. Finance-Blue 3. Public Works-Green  
4. Public Safety-Yellow 5. Economic & C.D.-Pink 6. Mayor/Misc.-Gold

Exhibit "A"

Abolish and remove crossings and warning devices

