



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

January 22, 2021

**Via Electronic Mail**

Honorable Darlene Heep  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
801 Market Street  
Suite 4063  
Philadelphia, PA 19107  
[dheep@pa.gov](mailto:dheep@pa.gov)

Re: Application of CSX Transportation, Inc. for Approval of the Abolition of the Crossing (DOT 140 634 G) where Cemetery Avenue crosses above grade the tracks of CSX Transportation, Inc. located in the City of Philadelphia, Philadelphia County, Pennsylvania, and the allocation of cost thereto.  
Docket No. A-2019-3013783  
**Pre-Served Rebuttal Testimony of the Bureau of Investigation and Enforcement**

Dear Judge Heep:

Enclosed please find the Bureau of Investigation and Enforcement's ("I&E") **Pre-Served Rebuttal Testimony of the Bureau of Investigation and Enforcement** in the above-referenced matter.

Copies have been served on the parties of record in accordance with the Certificate of Service. If you have any questions, please contact the undersigned.

Sincerely,

Kayla L. Rost  
Prosecutor  
Bureau of Investigation and Enforcement  
PA Attorney ID No. 322768  
(717) 787-1888  
[karost@pa.gov](mailto:karost@pa.gov)

KLR/jfm  
Enclosures

cc: Rosemary Chiavetta, Secretary  
(via e-file - Cover Letter and Certificate of Service only)  
Pamela McNeal, Legal Assistant  
(via email - [pmcneal@pa.gov](mailto:pmcneal@pa.gov))  
William Sinick, P.E.  
(via email - [wilsinick@pa.gov](mailto:wilsinick@pa.gov))  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of CSX Transportation, Inc. for :  
Approval of the Abolition of the Crossing :  
(DOT 140 634 G) where Cemetery Avenue :  
crosses above grade the tracks of CSX :       Docket No.   A-2019-3013783  
Transportation, Inc. located in the City of :  
Philadelphia, Philadelphia County, :  
Pennsylvania, and the allocation of cost :  
thereto.

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing **Pre-Served Rebuttal Testimony of the Bureau of Investigation and Enforcement** dated January 22, 2021, upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**Service by Electronic Mail Only**

Honorable Darlene Heep  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
801 Market Street  
Suite 4063  
Philadelphia, PA 19107  
[dheep@pa.gov](mailto:dheep@pa.gov)

Benjamin C. Dunlap, Jr., Esquire  
Nauman Smith Shissler & Hall  
200 North Third Street  
18<sup>th</sup> Floor  
P.O. Box 840  
Harrisburg, PA 17108  
[bdunlapjr@nssh.com](mailto:bdunlapjr@nssh.com)

Gina D'Alfonso, Esquire  
Pennsylvania Department of Transportation  
Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, PA 17105-8212  
[gdalfonso@pa.gov](mailto:gdalfonso@pa.gov)

James Clifford Kellett, Esquire  
City of Philadelphia  
1515 Arch Street  
16<sup>th</sup> Floor  
Philadelphia, PA 19102  
[james.kellett@phila.gov](mailto:james.kellett@phila.gov)



---

Kayla L. Rost  
Prosecutor  
Bureau of Investigation and Enforcement  
PA Attorney ID No. 322768  
(717) 787-1888  
[karost@pa.gov](mailto:karost@pa.gov)