



COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL

May 17, 2021

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

**RE: A-2019-3011540**

Dear Secretary Chiavetta,

Enclosed for filing please find the Department's *Petition for Time of Extension* in the above-captioned matter.

I hereby certify that a copy has been sent to all parties of record as indicated by the Certificate of Service.

Very truly yours,

*Stephen Howard*

Stephen C. Howard  
Assistant Counsel

Cc: Parties of Record  
Mark Chappell, P.E., Utilities and Right of Way Section Chief (*email*)  
Gregory J. Vaughn, Grade Crossing Engineer, Central Office, KCB 7th Floor (*email*)  
Philip Mutunga, District Grade Crossing Engineer, District 11-0 (*email*)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation of the : A-2019-3011540  
Commonwealth of Pennsylvania for approval to perform :  
bridge preservation work on the existing bridge where :  
State Route 0366 crosses above the tracks of Norfolk : **Electronically Filed**  
Southern Railway Company, DOT Number 510 866 U :  
in Tarentum Borough, Allegheny County and the :  
allocation of costs incident thereto. :

**PETITION FOR EXTENSION OF TIME**

AND NOW, comes the Commonwealth of Pennsylvania, Department of Transportation, (“Department”), by and through its counsel, Stephen C. Howard, Assistant Counsel and offers the following in support of its Petition for Extension of Time, pursuant to 52 Pa. Code § 5.41, in the above referenced matter and states as follows:

1. The name and address of the Petitioner is:

Commonwealth of Pennsylvania  
Department of Transportation  
Bureau of Project Delivery  
P.O. Box 3362  
Harrisburg, Pennsylvania 17105-3362

2. The name and address of Counsel for the Petitioner is:

Stephen C. Howard, Assistant Counsel  
Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, Pennsylvania 17105-8212  
stehoward@pa.gov

3. By Secretarial Letter entered September 30, 2019, the Pennsylvania Public Utility Commission (“Commission”) directed that “All work necessary to complete the alteration

of the subject crossing be done in a manner satisfactory to this Commission on or before December 31, 2020...”

4. The December 31, 2020 completion date was not met because the required relocation of a telecommunications pole caused delays in the project.
  
5. For the reason stated above, the Department respectfully requests an extension of time from the December 31, 2020 date contained in the September 30, 2019 Secretarial Letter to the extended date of June 30, 2022, and that the Secretarial Letter dated September 30, 2019 be modified as follows:

11. All work necessary to complete the alteration of the subject crossing be done in a manner satisfactory to this Commission on or before ~~December 31, 2020~~, June 30, 2022, and that on or before said date, Pennsylvania Department of Transportation report to this Commission in writing the date of actual completion of the work.

**[Remainder of Page Left Blank Intentionally]**

**WHEREFORE**, the Department of Transportation respectfully requests that the Public Utility Commission Secretarial Letter, entered on September 30, 2019 be modified consistent with this Petition.

Respectfully submitted,

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

*Stephen Howard*

Stephen C. Howard

Assistant Counsel

Commonwealth of Pennsylvania

Department of Transportation

Office of Chief Counsel

P.O. Box 8212

Harrisburg, PA 17105-8212

Telephone No. (717) 787-3128

Fax Number (717) 772-2741

Pennsylvania Attorney I.D. Number 325842

[stehoward@pa.gov](mailto:stehoward@pa.gov)

DATED: May 17, 2021

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation of the : A-2019-3011540  
Commonwealth of Pennsylvania for approval to perform :  
bridge preservation work on the existing bridge where :  
State Route 0366 crosses above the tracks of Norfolk : **Electronically Filed**  
Southern Railway Company, DOT Number 510 866 U :  
in Tarentum Borough, Allegheny County and the :  
allocation of costs incident thereto. :

**VERIFICATION**

I, Philip M. Mutunga, District Grade Crossing Engineer, Commonwealth of Pennsylvania, Department of Transportation, in the foregoing document, make the following statement subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsifications to authority, and do state that as the District Grade Crossing Engineer for the Commonwealth of Pennsylvania, Department of Transportation, I am authorized to make this statement on behalf of the Commonwealth of Pennsylvania, Department of Transportation, and that the facts set forth in the foregoing document are true and correct to the best of my information, knowledge, and belief.

DATED: 05/17/2021

  
\_\_\_\_\_  
Philip M. Mutunga  
District Grade Crossing Engineer

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Application of the Department of : Docket No. A-2019-3011540  
Transportation of the Commonwealth of :  
Pennsylvania for approval to perform bridge : Electronically Filed  
preservation work on the existing bridge where :  
State Route 0366 crosses above the tracks of :  
Norfolk Southern Railway Company, DOT :  
Number 510 866 U in Tarentum Borough, :  
Allegheny County and the allocation of costs :  
incident 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:

Deborah Barum, Supervisor  
Verizon Pennsylvania LLC  
15 E. Montgomery Place  
Pittsburgh, PA 15212  
[deborah.d.delia@verizon.com](mailto:deborah.d.delia@verizon.com)

Ford McLean  
At&T Local Network Services  
3487 Beck Rd  
Butler, PA 16002-9256  
[fmclean@att.com](mailto:fmclean@att.com)

Larry Goglin, Supervisor  
Windstream  
1003 Treasure Lake  
Dubois, PA 15801  
[Larry.goglin@windstream.com](mailto:Larry.goglin@windstream.com)

Michael Nestico  
Tarentum Borough  
318 E Second Ave  
Tarentum, PA 15084  
[mnestico@tarentumboro.com](mailto:mnestico@tarentumboro.com)

Mike Denny  
Peoples Natural Gas Company  
375 North Shore Drive  
Pittsburgh, PA 15212  
[michael.denny@peoples-gas.com](mailto:michael.denny@peoples-gas.com)

Nicholas Barman  
Pennsylvania Electric Co  
1910 West Market St A-Fair-1  
Akron, OH 44313  
[nbarman@firstenergycorp.com](mailto:nbarman@firstenergycorp.com)

Rich Fitzgerald  
Allegheny County Executive  
101 County Courthouse  
436 Grant Street  
Pittsburgh, PA 15219  
[executive@alleghenycounty.us](mailto:executive@alleghenycounty.us)

Rick Moslen General Manager  
Comcast  
1530 Chartiers Avenue  
Pittsburgh, PA 15204  
[Richard\\_Moslen@comcast.com](mailto:Richard_Moslen@comcast.com)

Shawn Starling, P.E.  
Norfolk Southern Railway Corporation  
1200 Peachtree Street NE  
Atlanta, GA 30309  
[douglas.starling@nscorp.com](mailto:douglas.starling@nscorp.com)

Timothy Bentley  
Norfolk Southern Railway Company  
Three Commercial Place  
Norfolk, VA 23510-9241  
[Timothy.bentley@nscorp.com](mailto:Timothy.bentley@nscorp.com)

Respectfully submitted,  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

  
Iber Guerrero Lopez, Legal Assistant to  
Stephen C. Howard  
Assistant Counsel  
Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, PA 17105-8212  
Telephone No.: 717/787-3128  
Fax No.: 717/772-2741

DATED: May 17, 2021