



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

February 11, 1992

IN REPLY PLEASE
REFER TO OUR FILE
C-19707, D.C.2

JOHN L. HEATON CHIEF COUNSEL
PA DEPT OF TRANS
521 TRANS & SAFETY BLDG
HARRISBURG PA 17120

DOCKETED
FEB 13 1992

Commonwealth of Pennsylvania,
Department of Transportation
v.
Consolidated Rail Corporation, et al.

To Whom It May Concern:

This is to advise you that an Order has been adopted by the Commission in Public Meeting on January 30, 1992 in the above entitled proceeding.

A copy of this Order has been enclosed for your records.

Very truly yours,

John G. Alford, Secretary

**DOCUMENT
FOLDER**

smk
Encls.
Cert.Mail

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held January 30, 1992

Commissioners Present:

David W. Rolka, Chairman
Joseph Rhodes, Jr., Vice-Chairman
Wendell F. Holland, Commissioner

Commonwealth of Pennsylvania,
Department of Transportation

Docket No.
C-19707, D.C. 2

v.

Consolidated Rail Corporation, et al.

O R D E R

BY THE COMMISSION:

This Commission, by order adopted July 11, 1985, and entered December 4, 1985 (pages 3, 5, 6, 7, 12, 13 and 14, paragraph nos. 4 and 6) appropriated certain property of Southeastern Pennsylvania Transportation Authority (SEPTA) for the purpose of construction of the subject rail-highway improvement.

On December 30, 1991, the Commonwealth of Pennsylvania, Department of Transportation (PennDOT) filed a petition with this Commission requesting that this Commission certify the property damage claim to the Court of Common Pleas of Montgomery County for a determination of the amount of damages due, pursuant to Section 2704 of the Public Utility Code, 66 Pa. C.S. §2704.

Section 2704(a) of the Public Utility Code, 66 Pa. C.S. §2704(a) provides in pertinent part:

The compensation for damages which the owners of adjacent property taken, injured, or destroyed may sustain in the construction, relocation, alteration, protection, or abolition of any crossing under the provisions of this part, shall, after due notice and hearing, be ascertained and determined by the Commission.

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FEB 13 1992

Section 2704(b) of the Public Utility Code, 66 Pa. C.S. §2704(b) provides in pertinent part:

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The Commission may, of its own motion, or upon application of any party in interest, submit to the Court of Common Pleas of the county wherein the property affected is located, the determination of the amount of damages to any property owner due to such condemnation . . .

We determine it appropriate to refer the subject property damage claim to the Court of Common Pleas of Montgomery County in accordance with 66 Pa. C.S. §2704(b).

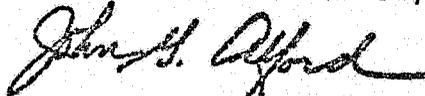
Accordingly, this Commission finds that the instant petition of PennDOT should be granted and that the property damage claim should be referred to the Court of Common Pleas of Montgomery County. We further find that said petition is in proper form for said referral in conformity with Section 3.363 of the Commission's regulations at 52 Pa. Code §3.363; THEREFORE,

IT IS ORDERED:

1. That the petition filed by PennDOT on December 30, 1991 at C-19707, D.C. 2, is granted to the extent herein indicated.

2. That this matter is referred to the Court of Common Pleas of Montgomery County for a determination of the amount of damages due SEPTA, said property interests having been appropriated by and as more fully set forth in paragraph Nos. 4 & 6 of this Commission's Order entered December 4, 1985 at C-19707 at pages 3, 5, 6, 7 and designated as Parcel "A" containing 1931.25 square feet of aerial easement right-of-way, which includes 720.00 square feet of surface easement for bridge piers and appurtenances; Parcel "B" containing 1635.00 square feet of aerial easement right-of-way, which includes 585.00 square feet of surface easement for bridge piers and appurtenances; and, Parcel "C" containing 660.00 square feet of aerial easement right-of-way; and pages 12, 13 and 14, and designated as Parcel "A" containing 5,338 square feet, more or less; Parcel "B" containing 2,400 square feet, more or less; and, Parcel "C" containing 88 square feet, more or less.

BY THE COMMISSION,



John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: January 30, 1992

ORDER ENTERED: FEB 11 1992



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

May 4, 1992

AMH

IN REPLY PLEASE
REFER TO OUR FILE

MR DS FRIEMAN MANAGER OF REAL ESTATE
PHILADELPHIA ELECTRIC COMPANY
2301 MARKET STREET
PHILADELPHIA PA 19101

In re: C-00019707 - Department of Transportation of the
Commonwealth of Pennsylvania

v.

Consolidated Rail Corporation,
Southeastern Pennsylvania Transportation Authority,
Upper Merion and Plymouth Railroad Company,
Boroughs of Conshohocken and West Conshohocken,
Plymouth Township, Montgomery County,
The Bell Telephone Company of Pennsylvania,
Philadelphia Suburban Water Company, and
Philadelphia Electric Company.

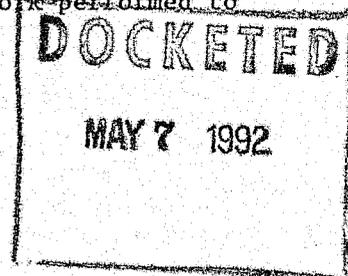
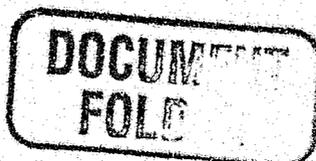
Dear Mr. Frieman:

By Commission order entered December 4, 1985, Pennsylvania Department of Transportation (PennDOT) was directed to furnish all material and do all work necessary to construct the crossing improvement that carries S.R. 3016 over and above the Schuylkill River and railroad tracks in Montgomery County. PennDOT certified to this Commission that the project was completed in accordance with our order on November 27, 1988.

In accordance with the aforesaid order in this proceeding, your company was directed to submit to this Commission any costs you incurred, so that we can certify said costs for reimbursement. Our files indicate that Philadelphia Electric Company (PECO) submitted a bill for certification by letter dated June 27, 1990, to the Commission, but no copies to PennDOT.

By letter dated November 14, 1991, the Rail Safety Division of the Bureau of Safety and Compliance sent one complete copy of PECO's above mentioned bill, to PennDOT's District 6-0 Utility Section for their review and written acceptance.

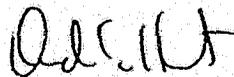
By letter dated December 2, 1991, PennDOT informed the Commission of two items which PECO should comply with prior to PennDOT agreeing with PECO's bill. These items are: (1) to produce PECO's records for an audit; and (2) to submit back-up data including plans of the work performed to accommodate the construction of the Matsonford Bridge.



In order for us to bring this proceeding to a conclusion and for the appropriate parties to receive their reimbursement of costs and expenses for work done, there must be cooperation between the parties involved. We request that PECO and PennDOT resolve the billing matters and notify this Commission, in writing, by June 15, 1992, of the aforesaid resolution.

I greatly appreciate your attention in this matter.

Very truly yours,



David C. Hart, P.E., Manager
Rail Safety Division
Bureau of Safety and Compliance

DCH:HIC:np



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

AMH

May 4, 1992

IN REPLY PLEASE
REFER TO OUR FILE

MR THOMAS KIELY MANAGER OF ENGINEERING
PHILADELPHIA SUBURBAN WATER COMPANY
762 LANCASTER AVENUE
BRYN MAWR PA 19010

In re: C-00019707 - Department of Transportation of the
Commonwealth of Pennsylvania

v.

Consolidated Rail Corporation,
Southeastern Pennsylvania Transportation Authority,
Upper Merion and Plymouth Railroad Company,
Boroughs of Conshohocken and West Conshohocken,
Plymouth Township, Montgomery County,
The Bell Telephone Company of Pennsylvania,
Philadelphia Suburban Water Company, and
Philadelphia Electric Company.

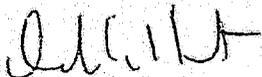
Dear Mr. Kiely:

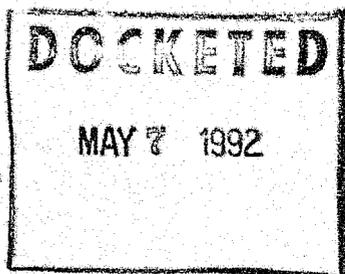
By Commission order entered December 4, 1985, Pennsylvania Department of Transportation (PennDOT) was directed to furnish all material and do all work necessary to construct the crossing improvement that carries S.R. 3016 over and above the Schuylkill River and railroad tracks in Montgomery County. PennDOT certified to this Commission that the project was completed in accordance with our order on November 27, 1988.

In accordance with the aforesaid order in this proceeding, your company was directed to submit to this Commission, and to PennDOT, any costs you incurred, so that we can certify these costs for reimbursement. Our files indicate that the Commission has not received any invoices from your company. If you are still seeking any reimbursement or have any other outstanding matters, please notify me by June 15, 1992. If the Commission does not receive written notification by this date, I will assume that all matters are satisfied and the record will be closed.

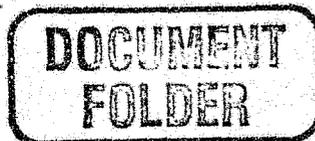
I greatly appreciate your attention in this matter.

Very truly yours,


David C. Hart, P.E., Manager
Rail Safety Division
Bureau of Safety and Compliance



DCH:HIC:np



September 15, 1992

AMW

W D PICKERING P E CHIEF
RIGHT OF WAY AND UTILITY DIVISION
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
509 TRANSPORTATION AND SAFETY BUILDING
HARRISBURG PA 17120

DOCKETED
OCT 7 1992

In re: C-00019707 - Department of Transportation of the
Commonwealth of Pennsylvania

v.

Consolidated Rail Corporation,
Southeastern Pennsylvania Transportation Authority,
Upper Merion and Plymouth Railroad Company,
Boroughs of Conshohocken and West Conshohocken,
Plymouth Township, Montgomery County,
The Bell Telephone Company of Pennsylvania,
Philadelphia Suburban Water Company, and
Philadelphia Electric Company.

Dear Sir:

This is to advise that a final inspection will be held at the site of the crossing where Harry Street crosses, at-grade, the tracks of SEPTA'S Norristown Branch (AAR 592 688 K) on Friday, October 9, 1992 at 9:30 a.m. to discuss any outstanding matters.

Kindly arrange to have a representative present.

Very truly yours,

Ronald J. Hull, P.E.
Rail Safety Division
Bureau of Safety and Compliance

RJH:kmb

See Attached List

SIMILAR LETTER LIST

C-00019707

W D PICKERING P E CHIEF
RIGHT OF WAY AND UTILITY DIVISION
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
509 TRANSPORTATION AND SAFETY BUILDING
HARRISBURG PA 17120

MR J D COSSEL CHIEF ENGINEER
CONSOLIDATED RAIL CORPORATION
15 NORTH 32ND STREET
PHILADELPHIA PA 19104

MR TONY LASPADA
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
200 RADNOR CHESTER ROAD
ST DAVIDS PA 19087

MR EUGENE CIPRIANI ASSISTANT DEPUTY COUNSEL
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY
714 MARKET STREET
PHILADELPHIA PA 19106-2385

MR JACK TACKE MANAGER OF ENGINEERING & DESIGN
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY
200 WEST WYOMING AVENUE
PHILADELPHIA PA 19104

J I HALLMAN V P & GENERAL MANAGER
UPPER MERION & PLYMOUTH RAILROAD COMPANY
PO BOX 404
CONSHOHOCKEN PA 19428

ROBERT W GRAF CHIEF CLERK
COUNTY OF MONTGOMERY
MONTGOMERY COUNTY COURTHOUSE
NORRISTOWN PA 19404

MICHAEL A LEONARD MAYOR
WEST CONSHOHOCKEN BOROUGH
164 JOSEPHINE AVENUE
WEST CONSHOHOCKEN PA 19428

WILLIAM M MASCIO MAYOR
CONSHOHOCKEN BOROUGH
326 SPRING MILL AVENUE
CONSHOHOCKEN PA 19428

JAMES T MITCHELL MANAGER
PLYMOUTH TOWNSHIP
700 BELVOIR ROAD
NORRISTOWN PA 19401

EDWARD J KENNEDY V P
REGULATORY AND GOVERNMENT RELATIONS
BELL TELEPHONE OF PA
315 NORTH SECOND STREET
HARRISBURG PA 17101

MR THOMAS KIELY MANAGER OF ENGINEERING
PHILADELPHIA SUBURBAN WATER COMPANY
762 LANCASTER AVENUE
BRYN MAWR PA 19010

DS FRIEMAN MANAGER OF REAL ESTATE
PHILADELPHIA ELECTRIC COMPANY
2301 MARKET STREET
PHILADELPHIA PA 19101

RUDOLPH CHILLEMI ESQUIRE
PHILADELPHIA ELECTRIC COMPANY
2301 MARKET STREET
PHILADELPHIA PA 19101

C-19707

The Bell Telephone Company of Pennsylvania
1000 First Avenue, 4th Floor
King of Prussia, Pennsylvania 19406

Customer Services

October 21, 1992

BUREAU OF
S&C

OCT 23 1992
RAIL SAFETY
DIVISION

Mrs. Oversia Barkley
District Utility Administrator
Department of Transportation
Commonwealth of Pennsylvania
200 Radnor-Chester Road
St. Davids, PA 19087-5178

DUPLICATE

NOV 05 1992

Re: Repair of Conduit

Dear Mrs. Barkley:

C-19707

Bell of Pennsylvania is requesting the Department of Transportation repair the conduit it's contractors placed on the Matsonford Bridge which is defective. Of the nine (9) duct structure five (5) are defective.

This was brought to light at the PUC Meeting, October 9, 1992 with Mr. Ronald J. Hull, P.E., PA, PUC. This is a written request for this repair to be done as soon as possible.

The conduit has separated under the bridge which spans the Schuylkill River between Conshohocken to West Conshohocken.

If I can be of any assistance in answering any questions, please feel free to call me at 768-5415.

Yours truly,

Dave Frankenfield
Dave Frankenfield,
Conduit Design Engineer
Bell of Pennsylvania

cc: R.Hull ✓
P.Nolan
J.Trusello
J.Harmstead
K.Bauz
T.Burke

DOCUMENT
FOLDER