

BEFORE THE PENNSYLVANIA PUBLIC
UTILITY COMMISSION

C. 19707

Re: Matsonford Bridge

3rd Hearing

DOCKETED
COMPLAINT DOCKET
APR 6 1977
ENTRY No. *C*

MUNICIPAL BUILDING
Plymouth Township
Pennsylvania

SECRETARY'S OFFICE
PUBLIC UTILITY
COMMISSION

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Thursday, March 10, 1977

RECORD
FOLDER

BEFORE: RUDOLPH S. PALLASTRONE,
Administrative Law Judge

SHORTHAND SERVICE
EVERETT G. RODEBAUGH
COURT REPORTERS
PHILADELPHIA

FILE

52a

INDEX TO TESTIMONY

<u>WITNESSES:</u>	<u>D.</u>	<u>C.</u>	<u>Rd.</u>	<u>RC.</u>
James B. Chiles.....	5	28	-	-
[Statement of Rep. Anthony J. Scirica]... (Page 20)				
Paul C. Peterson.....	64			
Frank Moran.....	90	97	-	-

- - -

PENN DOT'S EXHIBITS:

<u>NO.</u>		<u>PAGE</u>
PD-3 ✓	Senate Bill no. 59, Act 42.....	9
PD-4 ✓	"Capital Budget Highway Project estimate - 1976-1977", Page 24...	12
PD-5 ✓	Letter to members of State Trans- portation Commission from William H. Sherlock, dated September 13, 1976.....	16

53a

BEFORE THE PENNSYLVANIA PUBLIC
UTILITY COMMISSION

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C. 19707 - Department of Transportation of the Commonwealth of Pennsylvania v. Reading Company, Borough of Conshohocken, Borough of West Conshohocken, County of Montgomery, Philadelphia Suburban Water Company and The Bell Telephone Company of Pennsylvania - Alleging, inter alia, that the Matsonford Bridge is presently in a state of disrepair and requires rehabilitation in accordance with a plan prepared by complainant, and that parties responsible for said maintenance and repairs will not agree to bear their share of the estimated costs of the proposed repairs in accordance with assignments made by Pennsylvania Public Utility Commission in its Order issued December 13, 1937, at C. 11279.

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THIRD HEARING

held at

MUNICIPAL BUILDING,
Plymouth Township

- - -

Thursday, March 10, 1977

- - -

SHORTHAND SERVICE -- COURT REPORTERS

54a

Commencing at 10:00 A.M. - Concluding at 12:15 P.M.

- - -

BEFORE: RUDOLPH S. PALLASTRONE,
Administrative Law Judge

- - -

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- - -

ADMINISTRATIVE LAW JUDGE: This hearing is on Complaint No. 19707. I believe that the first witness we are going to hear today is Mr. Chiles, I assume, from the Department of Transportation.

MR. ZAHN: If Your Honor please, Mr. Chiles has to appear at a Senate Hearing at one or two o'clock this afternoon. We would like to put him on first. But, before I call him, I would like the record to indicate that the Department of Transportation under date of November 29, 1976, filed its Petition for modification of Commission's Order of October 21, 1975, primarily because of the present financial condition within the Department that the construction project in this complaint is not on the Commonwealth's 12th year highway program nor on an approved capital budget. And there are no funds under those programs available to proceed with the project.

And because of that, the Department has been unable to complete the detailed

construction plans and estimate as ordered by the Commission.

And I would like to call Mr. Chiles to explain the Department's position regarding available funds.

I call Mr. Chiles.

ADMINISTRATIVE LAW JUDGE: Mr.

Chiles?

Mr. Chiles, would you stand and raise your right hand, please.

JAMES B. CHILES, having been duly sworn, was examined and testified as follows:

ADMINISTRATIVE LAW JUDGE: Would you give us your full name and address for the record.

THE WITNESS: James B. Chiles.
Business address?

MR. ZAHN: Yes.

THE WITNESS: Room 915, Room of the Transportation Safety Building, Harrisburg.

DIRECT-EXAMINATION

BY MR. ZAHN:

Q By whom are you employed?

A Pennsylvania Department of Transportation.

Q In what capacity?

A I am the Director of Economic Research and Programming.

Q Now, would you explain what your position entails?

A It entails analyzing projects and developing a 12-year transportation program for the Commonwealth.

Q Now, the Department has stated that this project, the Matsonford Bridge, is not on the Commonwealth's 12-year highway program, nor on an approved capital budget.

Would you please explain that?

A Yes, sir. We started in about April of 1976 to develop the full transportation program for the Commonwealth. The Transportation Commission, after duly estimating how much funds would be available under the current restrictions of Federal Law, State Law, went to the County Planning Commissions throughout the Commonwealth as well as the regional planning agency, in this case, the Delaware Valley Regional Planning Commission, asking them for their priorities

in order to develop this program.

It was the position in the Commission at this time that in order to develop the program we should have the local input since we are expending the people's money.

Q And what occurred?

A What occurred from that point through the Commission meeting of October 6th, we developed the --

Q Of what year?

A Of 1976, excuse me.

We developed the program and completed it at this Commission meeting, October 6th.

Q And did that program include the construction of the Matsonford Bridge?

A No, sir.

Q Was the Matsonford Bridge on any capital program at any time?

A Yes, sir.

Q When was that?

A It was on the program just prior to the adoption of the one in October 6th.

Q And for what purpose was that?

A It was on the program for a reconstruction

or total replacement at a cost of approximately five million.

Q Now, what program are we talking about?

A We are required by Law, the Law that formed Penn Dot, to develop a transportation improvement program every two years on the even-numbered year.

Q And under what Law is that?

A That is Act 120 of the Session of 1970.

Q And when you say that it was on a program that was Penn Dot's program?

A Yes, sir.

Q Now, was it ever on a capital budget?

A It was included in the capital budget either for 1972 as a bridge-rehabilitation at a cost of approximately three hundred thousand in construction.

Q Now, I show you a Xerox copy of a document marked Penn Dot's Exhibit No. 3, consisting of four pages, marked No. 42, a supplement; and I ask you to explain that.

ADMINISTRATIVE LAW JUDGE: Identify it first, Mr. Zahn.

MR. ZAHN: I asked it be marked Exhibit No. 3. I did identify it.

ADMINISTRATIVE LAW JUDGE: That is Senate Bill 59, a supplement?

MR. ZAHN: I am asking him.

ADMINISTRATIVE LAW JUDGE: Why can't you do it to make it easier?

THE WITNESS: I can explain it.

This is Senate Bill 59. It became Act No. 42 and is the capital budget act for Fiscal Year '72-'73. I excerpt the title sheet, the Page No. 67 of the Act which I identified as the first fall project -- parentheses -- No. 8 -- which is Legislative Route 46140; the Matsonford Bridge over the Schuylkill River. This was on our program at the time this was approved as a bridge rehabilitation. It shows the base construction cost of three hundred thousand and design cost of forty-eight thousand.

ADMINISTRATIVE LAW JUDGE: Any objection? I am putting this on the record and have it marked as Penn Dot's Exhibit 3.

BY MR. ZAHN:

Q Now, it was on a capital budget for re-hab?

A Yes, sir.

Q What happened to the funds that were authorized by this capital budget of '72-'73?

A The authorization for this project remains within this Act as a bridge rehabilitation due to the ravages of inflation since this budget was put together in the late fall of 1971, we have exhausted the obligation authority contained within this Act.

Q And if you know, Mr. Chiles, was the project changed from a re-hab to a reconstruction of the bridge?

A Yes, sir. The original programming took place in 1970 as a rehabilitation at a construction cost of about a hundred forty-three thousand; escalation took it up to three hundred thousand at the time we prepared the budget; subsequent to that, the program was changed at the request of the District Engineer at St. Davids to alter the program for a complete replacement of the structure.

Q Now, could the funds that have been authorized for rehabilitation be used for construction of the bridge?

A No, sir. The Legislative Authorization is

for a rehabilitation and not for a replacement.

Q Would it be proper for, or legal, for the Department to use those funds slated for rehabilitation to be used for the reconstruction of the bridge?

A Not according to the advisory of the Chief Counsel.

Q Then subsequent to the time that the District recommended that the bridge be reconstructed, were funds ever provided in a capital budget for the reconstruction project?

A No, sir. They were never provided.

Q Would you tell us why or the background of why this program never got -- why this project never got on a capital budget?

A We had -- the last capital budget that was passed by the General Assembly was for Fiscal 1973-74; since that time we have not had a capital budget from the General Assembly. We did submit a periodic budget to the Budget Office. They were never -- they never reached fruition. We did include the reconstruction of the Matsonford Bridge on a proposed budget for 1976-77, which is the current fiscal year.

MR. ZAHN: Your Honor, I have one

sheet of Xeroxed paper marked "Capital Budget Highway Project Estimate - 1976-1977", Page 24 and ask that that be marked as Penn Dot's Exhibit No. 4.

ADMINISTRATIVE LAW JUDGE: Okay.

I direct the stenographer to mark the exhibit by Mr. Zahn as Penn Dot's Exhibit 4.

(PD-4, "Capital Budget Highway Project Estimate - 1976-1977", Page 24, was marked for identification.)

BY MR. ZAHN:

Q Mr. Chiles, before you is Penn Dot's Exhibit No. 4; would you explain that?

A That is Page No. 24 of the Budget we proposed for Capital Project and for the Fiscal Year 1976-1977. It was prepared in the late fall of 1975 for submission to the Governor. The Matsonford Bridge is the last project to that page. It calls for reconstruction of the bridge together with the design costs to do that.

Q Would you explain the various titles?

A Yes.

Q And figures that are --

A The title across the top is the project title, the element code, location and description. This defines the county, the legislative route, the section number, what the project entails, any other pertinent data.

Q Now, before you go any further, that refers to the Matsonford Bridge?

A Yes, sir.

The PUC Complaint docket number or Application Docket number and the length of the project. Proceeding across the budget is broken into three parts: One, a bond cost, the Federal share of the project and in the event that there is a contribution, it would appear as other rights underneath the Federal. So that the summaries that then go into Law are only the bond amounts.

Q And that was how much?

A The bond amount in this project was a million six hundred four with a total Federal share of three million seven fifty-one.

ADMINISTRATIVE LAW JUDGE: Million six hundred eighty?

THE WITNESS: A million six hundred

eight thousand is the bond share estimate at that time.

ADMINISTRATIVE LAW JUDGE: So, it is not one six zero four, it is one six zero eight?

THE WITNESS: I am sorry. I am so used to looking at thousands.

BY MR. ZAHN:

Q Was this project that was recommended for the capital budget based on a 12-year program?

A It was on the 12-year program at that time, yes.

Q And was this capital budget ever passed?

A No, sir.

Q And what do we mean by capital budget not being passed?

A By not being passed, it never went to the General Assembly for them to act on.

Q And if it did not get to the General Assembly, does that mean that the Governor's Office did not send it to the Assembly for passage?

A That is my recollection of it, yes, sir.

Q Did Penn Dot submit this capital budget to

the Governor?

A Through the budget secretary.

Q Now, is this project presently on a capital budget?

A No, sir.

Q And why not?

A It is not included within the program and our policies indicate their dictate that or budget only that which we have on our program and which we feel we can afford to proceed.

Q Well, was it based on a 12-year program?

A No, sir.

Q In order for there to be Federal financing, is it necessary that their project be placed on a 12-year program?

A For Federal financing, it needs to go to the departmental 12-year program. It also needs to go to the regional planning commission's 12-year program or six year or whatever program they have working with which; in this case is the Delaware Valley Regional Planning Commission.

Q Now, what has the State Transportation Commission to do with the 12-year program?

A They recommend the program and adopt the program for the Commonwealth.

Q And was this project ever submitted to the State Transportation Commission?

A Yes, sir.

Q For inclusion on a 12-year program?

A Yes, sir.

Q It was on a preliminary list and either went to the county and was once again brought to their attention on October 6th and were put in the final program together.

MR. ZAHN: Your Honor, I have a Xerox copy of a letter and some missing link project sheets consisting of five pages. I ask that be marked as Penn Dot's Exhibit No. 5.

ADMINISTRATIVE LAW JUDGE: I direct the stenograph to mark the alluded to information which is a document of approximately six pages and direct that they be marked Penn Dot's Exhibit No. 5.

(PD-5, letter to the members of the State Transportation Commission from

Willima H. Sherlock dated September 13, 1976,
marked for identification.)

BY MR. ZAHN:

Q Mr. Chiles, I show you Penn Dot's Exhibit
No. 5. Would you kindly explain that.

A That is the first sheet of a memorandum from
the late Secretary Sherlock to all the members of the
State Transportation Commission, pointing out to them
that on October 6th we wish to finalize the program
and according to our fiscal plans in -- a hundred
eighty-nine million in 1976, five are available for
discretionary programs. This was set aside by the
Commission in April to take care of what we finally
called "missing links". You will note on Page 1 there
are three project that were included by the Commission
at the time that we went through the program.

We attached to that memo a candidate list
of projects which were classed, at that time, as pure
missing-link projects. Most of them, if you will note,
are all relocations to fill up --

ADMINISTRATIVE LAW JUDGE: Just
the Matsonford Bridge. Let's get to Page 4
where that appeared.

THE WITNESS: The Commissioners in response to the Secretary's memo proceeded to give their own candidate for this part of the program and Representative Beren, who was on the Commission, represented the Matsonford Bridge, which appears on the last sheet -- next to the last sheet of the exhibit.

BY MR. ZAHN:

Q I do not quite understand. What is the purpose of the Commissioner Beren's name being on this sheet?

A In the Secretary's memo to the Commissioners, he did ask them for any other project they wished to have considered. And the Commissioner Beren recommended four to have, one of which was already on the program and, of course, the other three, the Matsonford Bridge, the T. R. 422 relocation was the Ogontz Urban Renewal.

Q And as a result of this recommendation, was it placed on the 12-year program?

A No, sir.

Q Mr. Chiles, if you know, why wasn't it -- this Matsonford Bridge, placed on the 12-year program?

A During the deliberations of this part of the program, each Commissioner was asked for his further recommendation to the program -- this amount. Representative Beren after a conference with representatives of Montgomery County that were at the meeting added to the program the T. R. 422 relocation, not the Matsonford Bridge. Secretary Sherlock pointed out to him that the Matsonford Bridge was a fine candidate but the operation was taken to replace the T.R. 422 on the program.

Q Were these people aware that the project and the Matsonford Bridge was under an Order of the Public Utility Commission?

A Yes, sir.

Q Mr. Chiles, at this time, does the Department have approved funds for the construction of the Matsonford Bridge?

A No, sir.

MR. ZAHN: The witness is available for cross-examination.

ADMINISTRATIVE LAW JUDGE: Gentlemen, before we cross-examine Mr. Chiles, Representative Scirica called my office last

week and he asked that he be able to speak first. I think that maybe some other things he is going to say is going to help everyone and, maybe, answer some of the questions that Mr. Chiles, in his direct testimony, has alluded to.

So, let's take out of order and delay the cross-examination of Mr. Chiles. Let me swear representative Anthony Scirica, who I believe represents this particular area where the Matsonford Bridge is; and maybe by his testimony, some of the questions that would be asked Mr. Chiles will be answered or supplied by additional information to any of the other Counsel who wish to examine Mr. Chiles.

So, Mr. Chiles, would you kindly reverse with Representative Scirica and we will swear Mr. Scirica in and he can make a statement.

ANTHONY J. SCIRICA, having been duly sworn, was examined and testified as

follows:

ADMINISTRATIVE LAW JUDGE: Give your full name and address and your political affiliation as far as representation.

THE WITNESS: Thank you, Your Honor.

My name is Anthony J. Scirica, State Representative of the 148th Legislative District. My address is 331 Flowertown Road, Plymouth Meeting, 19462.

I represent the Districts of Whitemarsh, Conshohocken, parts of Lower Marion and Narberth. I do not represent the Borough of West Conshohocken. I represent the opportunity to appear before you today and for taking me in at this time. I will try to be as brief as I can and relate to you my experience especially over the last six months with the rehabilitation of the Matsonford Bridge.

To the best of my recollection, the public position of Penn Dot under -- about a year and a half ago was that it was

not necessary to rehabilitate the Matsonford Bridge, that the three hundred thousand dollars for repairs would suffice. However, about that time Penn Dot, at least to my knowledge, came to the conclusion that a complete rehabilitation was in order and I had several conversations with the engineer at St. Davids regarding this. It is true that this project is not on the 12-year program. And it is also true that a lot of us in the Conshohocken area tried to get it on the 12-year program at that time.

The position of Secretary Sherlock took was that he would not allow the design to go ahead on this particular project. It was included in the 12-year funding project or until State discretionary funds were allocated to the project.

I have been advised by the St. Davids-Penn Dot people that the design is approximately half completed and that they can complete the design in-house. It is not necessary to let out contracts to other

people.

However, the position of the former Secretary Sherlock was that he would not allow the design to go ahead until he was sure that the project was going to be funded because he felt that this had been a particular waste of resources in the past where Penn Dot designed many projects that were never going to go to completion. And I could not quarrel with his position at that time.

There were several meetings during the summer with the Montgomery County Planning Commission with staff to attempt to get them to put the project on the plan. When that was not successful, I appeared before the Transportation Commission last fall and argued that there were special reasons for the funding of this project to go on the State discretionary plan. At that time Secretary Sherlock seemed to favor the inclusion of this project. However, as has been stated here today, he did consult

with Representative Beren, who was a member of the Transportation Commission and Representative Beren. consulted with one of the staff of the Montgomery Planning Commission who was there.

It was the position of the staff of the Montgomery Planning Commission that the Pottstown Expressway had priority over the Matsonford Bridge. It was the position that I strongly disagreed with, but that was their position at that time; and Representative Beren and Secretary Sherlock and the Commission members decided to abide by the recommendation of the staff of the Montgomery County Planning Commission.

I think that that recommendation was wrong because however poor it may have been to complete the Pottstown Expressway, this particular project poses a safety hazard that none of the other Montgomery Council projects posed. And for that reason alone, it should have been funded.

Since that particular time, I and

other people have met with the members of the Montgomery County Planning Commission and the Montgomery County Commissioners talked to Secretary Sherlock prior to his death to see what we could do to fund the Matsonford Bridge.

At this particular juncture, I am confident that the Montgomery County Planning Commission will, sometime later this spring, will revitalize their plan and put the Matsonford Bridge on the 12-year plan. If this happens and if Penn Dot carries out what were the wishes of Secretary Sherlock, then the design would be completed; as soon as the design is completed, we can go ahead on the construction aspect. It is my understanding that we are not eligible for seventy-five per cent Federal funding until the design is completed, and of course, we cannot get to that point until it is on the 12-year plan or on the State discretionary plan.

We may, also, be eligible for one

hundred per cent Federal funding under the Public Works Bill, but we cannot even qualify for that until the design is completed because we have to be ready to go to construction within a certain period of time.

With reference to the capital budget, I have already had discussions with some of the Democratic leaders in the Legislature and I am hopeful that no matter what happens at this level in Montgomery County, that we will be able to include the rehabilitation of the Matsonford Bridge in the next capital budget. Obviously, whether a bill goes through or not is going to depend on whether we have any money and that depends on taxes and nobody is willing to make that prediction at this time.

So, I would like to commend the Commission for having these hearings and hopefully, for pushing through all the agencies of legislature and the local Commissions and the Montgomery County Commissioners to fund this particular project. It has been long

awaiting and if a disaster does occur, we will simply have no excuse because the problem has been known for a long period of time to every agency in the State and Local governments. And it seems to me that if we it is imperative that we take the proper action this year.

That is all I have, Your Honor. If there are any questions, I would be happy to try to answer.

ADMINISTRATIVE LAW JUDGE: Do any Counsel have any questions of Representative Scirica?

Ms. KREIGER: We have none.

ADMINISTRATIVE LAW JUDGE: Thank you.

THE WITNESS: Thank you very much.

ADMINISTRATIVE LAW JUDGE: Now, Mr. Chiles, would you resume your position of importance.

JAMES B. CHILES, having been previously sworn, was examined and testified

as follows:

ADMINISTRATIVE LAW JUDGE: It would be easier if I go right down the appearance sheet only going out of order in one area. I will ask Ms. Kreiger if she wants to cross-examine first, since she represents the Public Utility Commission Mail Bureau.

CROSS-EXAMINATION

BY Ms. KREIGER:

Q Mr. Chiles, would you explain the State discretionary plan?

A Yes. The State discretionary plan is in reality twenty-six per cent of what estimate to get from the Federal Highway Administration as primary highway dollars. There used to be at the Federal level what was known as a priority allocation of funds. The 1976 Federal Act removed this as a separate funding category and combined what was known as a Rural primary. The Commission on the advice of staff --

MR. ZAHN: Which Commission?

THE WITNESS: The Transportation Commission, excuse me, operated to set aside twenty-six per cent of this money for the

12-year time period to use and the discretionary faction to fund missing-link type projects.

As an example, the one that they put on for Montgomery County, the completion of Pottstown Expressway, these are normally high-dollar-values.

BY Ms. KREIGER:

Q So, again, this is something that in your opinion must be submitted to the Transportation Commission?

A Yes.

Q For approval?

A As part of the total estimated fiscal resources for capital planning.

Q And these are all Federal projects?

A Matched, of course, together with the required thirty per cent State funds.

Q What are the priorities of the State Transportation Commission in their decision to include projects on their 12-year highway program or to approve discretionary funds for these projects?

A You mean the priorities they use to develop the program?

Q That is correct.

A The prorities that were used were the local priorities.

Q In other words, do they have a specific criteria they use. For instance, a safety project as opposed to only a highway improvement project?

A Depending on the local -- how the local people, the local planning commission viewed their inventory of projects.

Q So, it is nothing really very formal? It is only a decision on the part of the local people as to what projects they feel are most important?

A Yes. In our transmissions to the local people, we emphasized that the safety-type projects, the correction of hazardous bridges, et cetera, should receive high priority.

Q Are the projects which are on the current 12-year highway program, or on the most recent highway program, the one prior to that that this project should have placed or could have been placed on, were all those projects safety projects?

A No, ma'am.

Q They were not?

A No.

Q Then the State Transportation Commission in determining priorities, would not always place a safety matter above a highway improvement project?

A If they had their choice, yes.

Q The State Transportation Commission?

A Yes. If there was an operation to be taken. If I might clarify that. In some small number of counties did not respond to this call for priorities, in which case the Department and the Commission set the priorities for those counties. They, in the most part, were smaller counties, such as, El -- Potter, that did not have a very active planning commission.

Q Now, you said the Department specifically pointed out to the Transportation Commission that the Matsonford Bridge was a PUC project?

A The PUC Docket number as you see it in the budget, the exhibit contains the Complaint Docket number and that is carried with that project and is well known to the Commission and known to those who work with these.

Q Did they specifically indicate to you why they would not include this particular project on the

12-year highway program?

A I think Representative Scirica very ably presented what occurred during the discussion. It almost is exactly verbatim of what happened at the Transportation Commission.

Secretary Sherlock pointed out to the Commissioners that the Matsonford Bridge was an excellent project and he deferred to Representative Beren since it was -- since he is from Montgomery County and Montgomery County was first up by order of the secretary, started at the lower end of the table and worked through the Commissioners and Representative Beren had first choice on a project for his area.

Q Now, in addition to the Secretary's indication that there was indeed an excellent project, did he specifically say it is a PUC project which we have an obligation --

A I do not believe he specifically said anything regarding the PUC order.

Q So, there is no specific justification on the part of the Transportation Commission for eliminating what was, at that time, an outstanding obligation

on the part of the Department?

A I do not know whether I understand that question.

ADMINISTRATIVE LAW JUDGE: Well, I do not know whether you can answer it either.

Ms. Kreiger, you are asking him to give what someone else's position is as to priorities. I do not see how Mr. Chiles can do that. He may give you an answer that surely would only be a guess on his Department.

Ms. KREIGER: The Department does recommend to the Commission projects they feel should be included.

ADMINISTRATIVE LAW JUDGE: Why don't you ask that question?

MR. ZAHN: She did.

Ms. KREIGER: What I am asking is what was the response to their recommendation.

ADMINISTRATIVE LAW JUDGE: Okay. Why don't you ask that question?

THE WITNESS: Well, obviously --

BY Ms. KREIGER:

Q Specifically, what was the response to the

recommendation that this PUC project be placed on the program?

A At the requests of Representative Beren and the Pottstown Expressway Commission project was included on the program and not the Matsonford Bridge.

Q I also note on Penn Dot's Exhibit 5 the discretionary fund project. There is no notation that this project is a PUC project?

A No, that is correct.

ADMINISTRATIVE LAW JUDGE: Was that not included by inadvertence or that simply is not included?

THE WITNESS: By inadvertence was a brief summary of the project.

BY Ms. KREIGER:

Q Now, does the Transportation Commission have the ultimate authority to make determinations as to what projects shall be submitted to the Legislature for approval?

A To the General Assembly, no. The Commission has never been involved with the submission of the capital budget.

Q Then, could the Department on its own submit

projects which are not on the 12-year highway program for approval?

A Not according to our departmental policy, no.

Q And that is your departmental policy, or is that based on any other authority?

A Departmental policy to carry forth the provision of Act 120 which establishes the 12-year program and the authority for forming that program.

Q Does the Department have any authority to overturn the Transportation Commission as to what projects are placed on the 12-year highway program?

A The last part of the Act, the paragraph established in that states and I will nearly quote it for you: That a program so established shall not be changed except by the Commission. It is almost the words to that effect.

Q So, the Department then would not insist that a PUC project be submitted to the Legislature if it was not on the highway program?

A We could hardly do that, I would think. I mean, that would be -- that would be against the spirit of the Law.

Q You say that it is your policy to only submit

to the Legislature for those projects which are on the program?

A That is correct.

Q But, that is only your policy -- could you change your policy to submit a PUC project separately from the highway project?

A I am -- I am not an attorney, that such a thing would be against the spirit of the Law.

Q And that, again, is Act 120?

A Yes, ma'am.

Q Then, the PUC projects are not treated any differently than the Department's own projects?

A In the program, the Commission did opt for the programming. This, incidentally, is the first time we have gone to this extent in forming the program. Since this is Penn Dot, we do get local priorities. The Department of this program was by and large what the local people wanted.

Q But, specifically, then, the PUC projects go through the Department's process of submitting to the Planning Commissions and the Transportation Commission as do its own projects?

A That is correct.

Q Is it your understanding that the PUC projects are capital projects?

A There are some I have seen that are not. As an example, in my memory I recall one on a grade crossing that was merely to repair the grade crossing and a cross bulk sign; that would not be capital.

Q And why was that one not a capital project?

A It was a maintenance-type project.

MR. ZAHN: Well, perhaps for Ms. Kreiger, you should define what a capital project is.

THE WITNESS: The capital project definition in accordance with -- what is it, Exhibit 4, that we had there --

ADMINISTRATIVE LAW JUDGE: Yes.

THE WITNESS: Those are defined by Law to be projects that have a total cost in excess of a hundred thousand dollars and an estimated life of five years.

BY Ms. KREIGER:

Q If you know, what is the authority or where, specifically, is a capital project defined? What is --

A Its definition for bond financing is defined

in the sixty-eight depth facilities enabling act.

Q Now, if you know, do you know, specifically, where in that act the PUC programs are included?

A They are not in -- defined in the depth facilities enabling act. They are -- it is defined in the scope of the project, it's magnitude of cost, its anticipated life to make it eligible for bond financing.

Q But, specifically, --

A I do not recall whether -- if there is a definition further in there on the PUC projects.

Q What extent, if any, does the Department take when the PUC projects are not included on the 12-year highway program?

A The policy is instituted by Secretary Sherlock with no further work if it is not on the program.

Q How then does the Department deal with an outstanding obligation under the Public Utility Law to expend money on a PUC project?

A I am not that familiar with the PUC Law to answer that.

Q Well, just then, with what do you do with the PUC project to fulfill your obligation to spend money

on the project?

A They have to go through the same legal requirements for Capital Budget Environmental Requirements of both: the State and the Federal if we are going to Federal finance. They -- I know of no way that those according to the Laws we operate under at Penn Dot, can be expedited any faster than any other project.

Q Then, you are, again, basing your answer to my question on this Act 120 which you mentioned before?

A Not only Act 120, but the Federal Environmental Protective Laws, the Law title 23 of the U.S. Code which sets up highway administration and highway dollars and somebody who's in design can give you a lot more of the Laws than we currently have to work with. But, those are the major ones.

Q But, it is Act 120, then, that specifically requires that the PUC projects would go through the process of being placed on the 12-year plan?

A There is a provision in Act 120 which states that the project will comply with all Federal Laws and then goes a little bit further than that.

Q Now, you stated in your direct testimony that

funds had been approved for purposes of rehabilitation?

A That is correct.

Q Now, what happened to those funds?

A The authority to do a rehabilitation still exists.

Q And funds are still there, then?

A The funds -- unfortunately, the authority to borrow the money has been completely obligated in our first three budget acts. If you will note on the -- it says, it is a supplement. What this means --

MR. ZAHN: This is Exhibit 3?

A This is a supplement to previous budgets. So that each budget adds to the one passed previously. Up until this time this was -- the third budget. So, the entire appropriation is summarized together with the entire list of projects and the authorizations for each. Due to inflation, we have obligated the entire amount apportioned by the General Assembly.

BY Ms. KREIGER:

Q So that while there is still authority for the rehabilitation project, the funds have been used in other projects?

A The authority has been used, yes.

Q Now, if those funds could be used on other projects, could not some of your other projects be de-obligated so that the funds could be used for this particular project?

A That is a distinct possibility for a rehabilitation.

Q What about de-obligating one of your construction projects?

A No. The capital budget in line-item budget defines a project together with its financial cost. So that the project whereas the -- if the scope of the project remains the same, for example, if the Matsonford Bridge was a rehabilitation of the existing structure, costing five million, the authority to do that exists in this budget. But, to reconstruct, to put a whole new bridge in, the authority does not exist.

Q Then, I would be correct in saying if you had the authority to proceed with the construction or reconstruction project at the Matsonford Bridge then you could use funds which had been approved for the purposes of another construction project?

A Providing those funds had not been used on that project. I have to de-obligate something that

has not been spent.

Q Are there any such funding or any such projects on which the construction has not begun?

A Probably, but I would hesitate to give a direct answer such as that on a project of five million.

MR. ZAHN: If Your Honor please, this witness has testified that is not on a 12-year program even though something was de-obligated, it would not mean that the Matsonford Bridge could be used.

ADMINISTRATIVE LAW JUDGE: I think that Ms. Kreiger is trying to show that if the policy of the Department is at times de-obligating this construction right which is not then this project on the 12-year project and have the benefit of the funds obligated construction.

MR. ZAHN: But, he explained that

CORRECTION

The preceding document has been rephotographed to assure, legibility and its image appears hereafter.

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ADMINISTRATIVE LAW JUDGE: I think that Ms. Kreiger is trying to show that if the policy of the Department is at times de-obligating this construction right which is not then this project on the 12-year project and have the benefit of the funds from a de-obligated construction.

MR. ZAHN: But, he explained that the complaining --

ADMINISTRATIVE LAW JUDGE: Fine, Mr. Zahn, but I assume that Ms. Kreiger if she gets the right answer, then will do something later as a result of answers given

by Mr. Chiles. So I think it is --

THE WITNESS: If I may add what you just said --

ADMINISTRATIVE LAW JUDGE: Yes.

THE WITNESS: -- she said could we de-obligate a construction project and construct the Matsonford Bridge in that we cannot do that because the authority in the budget is only for rehabilitation.

ADMINISTRATIVE LAW JUDGE: I am not saying you should go -- I do not think Ms. Kreiger is saying what you can do. All she wants to know is in the past it has happened and she may try to do something with your past policy to bring this Matsonford Bridge to fruition. .

BY Ms. KREIGER:

Q Would it be possible to use money from the motor license fund for your operating budget for construction projects?

A According to the rules of the Office of the Administration, the Budget Secretary, the Governor, any capital budget must be an included line-item if

it is cash or if it is bond.

Q So that only projects which are not capital projects, only on those projects could you use your operating funds?

A Operating funds are normally for the operation in the general government maintenance type facilities, issuing, buying licenses and things of that nature.

Q Can a department reallocate its own funds, or must any reallocation of funding be submitted to the Legislature?

A The General Assembly has altered our method of budget of the current revenues last year. I am not quite that conversant with that portion of our operation, but on what I know, just my brief knowledge on it, we must go back to the General Assembly when we make major shifts of funds between -- different than what the General Assembly has appropriated to us.

Q For instance, in this project when funds were approved for rehabilitation that were not used for that project, you had to go back to the General Assembly?

A No, no, not on that. I thought you wanted cash at that time. If you will note on Page 3 of

Exhibit 3 is a Section 3 of the Act which authorizes the State Transportation Commission to transfer the authority, moneywise, from one project to another providing that project is itemized in a capital budget.

Q So then, the authority is with the State Transportation Commission again?

A Yes.

Q When do you anticipate that funding will be approved for this budget?

A Ms. Kreiger, you are asking me to anticipate the action of the General Assembly.

Q You do not know?

A Mr. Scirica very ably put it that he has -- will put it in the general capital budget which was submitted to the General Assembly on February 15, I believe, the Governor made his presentation. This is entirely within the prerogative of the General Assembly to add or delete projects that are on the budget.

ADMINISTRATIVE LAW JUDGE: What Mr. Chiles is saying, is if Representative Scirica cannot do it, he certainly cannot.

BY Ms. KREIGER:

Q So then, what you are saying is that it will

not be submitted to a 12-year highway program but will be submitted by some other means?

A Mr. Scirica can, very surely, if he can get the General Assembly to include it in a budget, it would be in the budget, if it clears the Governor without a blue line, then the authority exists. I would hope that at that time that the other part of Mr. Scirica's statements would come true that the local people would opt to put that on the program and delete something else.

Q Now, if Mr. Scirica can submit a project such as this to the General Assembly, without it being on an approved 12-year highway program, can't the Department also do that?

A Yes. We could do that, but then we would be violating the spirit of the Law.

Q And that is Act 120?

A Yes.

Q Then, what you are saying is that you are precluded by the letter of the law to submit a project for approval which is not on the 12-year highway program?

A The spirit of the Law, correct.

Q More specifically, rather than a spirit of the Law, I am asking you the letter of the Law as it is actually --

A Ms. Kreiger, I am not an attorney. I cannot -- make a judgment.

ADMINISTRATIVE LAW JUDGE: Ms. Kreiger, let's try to stay away from any legal questions that he would have to make legal conclusion on or a legal judgment. I do not think that this is Mr. Chiles' field of expertise.

BY Ms. KREIGER:

Q He is basing this on Act 120?

A Yes, ma'am.

Q When were you or when was the Department aware that no money was available for this specific project?

MR. ZAHN: Which project?

ADMINISTRATIVE LAW JUDGE: For rehabilitation or --

MR. ZAHN: The project as it is now ordered to be constructed?

THE WITNESS: Well, Ms. Kreiger,

that is -- at no time was there not money available. The Montgomery County allocation for the 12-year time period was over forty million. They had the option to put this five million dollar project on the program, so that when was it not available. The resources as we predict them are still available.

BY Ms. KREIGER:

Q When, then, was the Department aware that it, in its opinion, could not comply with the PUC Order directing that they complete detailed construction plans and cost estimates?

A October 6th, 1976, when it dropped from the program.

MR. KASHI: Your Honor, may I ask, if Ms. Kreiger has no further questions on behalf of the Commission, there is one or two points I would like to clarify if I may.

ADMINISTRATIVE LAW JUDGE: Yes.

BY MR. KASHI:

Q Mr. Charles, just in the way of trying to simplify what we are stating here, if I could answer--

if that is your understanding as to the way that it was. In order for a capital project to be approved, be it a Penn Dot project, be it a PUC Order project, it must go before the Transportation Committee to be put on a 12-year plan; is that correct, sir?

A That is as I understand it, yes. Yes.

Q And it is your understanding that it is this way because of Act 120; is that also correct, sir?

A That is my understanding of it, yes.

MR. KASHI: No further questions.

ADMINISTRATIVE LAW JUDGE: Mr.

Chiles, do I take it from your testimony that an order from the PUC has no greater standing or ranking than any other recommendation made by the Department to get on a budget for construction?

THE WITNESS: In this round of developing the program, the transportation Commission adopted their own little policy to accept the local priorities.

ADMINISTRATIVE LAW JUDGE: That is not the answer to my question. My question is -- is your answer yes, or is it no -- that

if a Commission drafts an order and directs it to the Department of Transportation as to any budget whether it be a Matsonford project or some other project, it has no greater standing than that which may be recommended by a budget department to get on the budget?

THE WITNESS: In the Department, it does have greater standing, yes.

ADMINISTRATIVE LAW JUDGE: It does have greater standing?

THE WITNESS: Oh, yes.

ADMINISTRATIVE LAW JUDGE: Then why was the Department influenced by Representative Beren's local request to replace this project which is the subject matter of an order with a priority that was labeled by Representative Beren as something more than official to the County of Montgomery?

MR. ZAHN: That is not a proper question. It wasn't the Department. It was the Transportation Commission that made the decision.

ADMINISTRATIVE LAW JUDGE: But,

according to what Mr. Chiles said, Mr. Zahn, there was a joint meeting between three representatives who were members of the highway Commission and the late Secretary Sherlock and they discussed the project relative to Montgomery County; and it was only at the insistence of Representative Beren's suggestion even though Representative-- the Department head Sherlock said that Matsonford was a worthy project. It was only the insistence of Representative Beren that the project was replaced by the project known as the Pottsville Expressway.

So my question to Mr. Chiles was, if they are given priorities to the orders of the Commission, then didn't they foresake that priority by giving credence to the suggestion of Representative Beren? And the projects which are the subject matter of the order of the Public Utility Commission does not have priority; that is the logical conclusion and that is my question to Mr. Chiles.

THE WITNESS: Well, first, you are asking me to -- with all due respect, to some conjecture of what the late Secretary Sherlock said.

ADMINISTRATIVE LAW JUDGE: I realize that.

THE WITNESS: And I can only tell you that at that point in the development of the program, the secretary said, we are going to finish this portion which is the part of the program we put together, what we called the discretionary fund. He was going to go in a democratic manner around the table with all the Commissioners present asking their views and opinions on the -- what projects were remaining to go into that program.

ADMINISTRATIVE LAW JUDGE: All right. What I want on the record, Mr. Chiles, is, and I think I want a "yes" or "no" answer. You did say "yes" to my question that a project which is the subject matter of a PUC Order is given priority by the Department?

THE WITNESS: Yes, sir.

ADMINISTRATIVE LAW JUDGE: Okay.

This priority in this case, the Matsonford issue, was taken to a meeting with Secretary the late Secretary Sherlock and members of the Commission who were from this particular area, namely, Representative Beren and the other two gentlemen whose name appear there, but Representative Beren is the only important one as far as this question is concerned.

THE WITNESS: That is correct.

ADMINISTRATIVE LAW JUDGE: At the insistence of Representative Beren, who thought the Pottstown Expressway in his judgment, in his opinion, was more important than the Matsonford Bridge and that was the reason why that got on the 12-year project and the Matsonford Road was excluded from the 12-year project?

THE WITNESS: You are correct.

REPRESENTATIVE SCIRICA: May I make a short statement on this, too?

ADMINISTRATIVE LAW JUDGE: Yes.

REPRESENTATIVE SCIRICA: At the Transportation meeting last fall, --

ADMINISTRATIVE LAW JUDGE: You were there?

REPRESENTATIVE SCIRICA: I spoke on behalf of approving the application for the reconstruction of the Matsonford Bridge. From the remarks made by Secretary Sherlock, it was apparent to me that he favored the Matsonford Bridge Project over the other Montgomery projects. I think the answer to the question you asked, Your Honor, is that, in fact, the Transportation Commission deferred to the local wishes rather than deference to a PUC Order that appeared before them.

Now, I will say this about what took place on that day. There were four projects from Montgomery County. There were two legislators there, myself and Representative Long, who represents the Pottstown Area. Both of us were arguing equally forcefully for our own projects, and Representative

Beren, who I am sure felt very much on the spot, finally deferred to the Montgomery County Planning Commission; one of their staff members was there. They had met previous to the meeting and they had decided the staff that is, that the Pottstown Expressway should have priority. And it was on that basis that Representative Eeren: made the representation to them. Since that time, the representative has been my chief ally in attempting to get the Montgomery priority to put the Matsonford Bridge on it.

ADMINISTRATIVE LAW JUDGE: That is basically what I was asking Mr. Chiles. I think he was very candid. I do not think I am being over critical of Representative Beren. I realize the position he was placed in. I want to find out for the record if Secretary Sherlock did defer to the wishes of the Commission rather than to an order of the Public Utility Commission as to a particular order.

THE WITNESS: That is correct.

ADMINISTRATIVE LAW JUDGE: Which you answered very candidly.

Mr. Mazor, do you have any questions?

BY MR. MAZOR:

Q Mr. Chiles, I thought that under Exhibit 5, under discretionary grounds, that the widening of the Philmont Avenue is also included on the program in Montgomery County and an inclusion, too, of the cost of two million two hundred ninety-eight thousand. I assume that was considered to have a higher priority than the Matsonford Bridge?

A That is correct.

Q Is that two million two hundred ninety-eight thousand the State's share of construction cost?

A That is the total construction.

Q Is any part of it Federal?

A It could well be. I would have to look at the program list to tell you whether it was Federally funded, or not. But, in all probability, it was, yes. Representative Scirica also mentioned one other thing I would like to pursue a little bit further.

I think he mentioned that if the plans were completed, this is a possibility that there might be

under some act eligible for a hundred per cent Federal funding. There was an act, Federal Act, if you will recall, the former President Ford signed that, released several million dollars for local public works projects to be funded a hundred per cent Federal. One of the criteria of that program was that the project, once it was approved, go to construction within 90 days.

Q Yes.

A Hence, Representative Scirica stated if the designs were completed, it would be eligible. To my knowledge that particular program is complete now, they have dispensed all the Federal dollars. I understand Congress is considering an extension but I do not believe they have passed that yet. An incident from the Transportation Department submitted some 150 projects under that Act to the Federal agency and we received, exactly, none.

MR. MAZOR: Thank you, sir.

ADMINISTRATIVE LAW JUDGE: Mr.

Mr. Phipps?

BY MR. PHIPPS:

Q Were there funds available to complete the design of this bridge?

A The replacement?

Q Yes. The reconstruction of the bridge.

A Not legally, no.

Q Well, Representative Scirica said that half of the design plan had been done in-house.

A Yes. We got an interpretation of that and I do not recall the precise date that the district could have proceeded under some older policy on that, but I am -- I do not know exactly when that date occurred in that. I just --

Q You do not know of your own knowledge to know whether funds were available to complete the construction plan that the PUC mandated to be made within one year?

A The re-hab was authorized, yes.

Q What about the construction plans, would they have funds available to make the construction plans made by the PUC?

A When was that order to do the reconstruction?

ADMINISTRATIVE LAW JUDGE:

October 21, 1975.

MR. PHIPPS: '75?

THE WITNESS: Actually, no. That

was the project we included on the capital budget to do that which did not, of course, did not pass.

BY MR. PHIPPS:

Q But, assuming that the design which ybe half-way completed now, as Representative Scirica testified, was done with some funds that Penn Dot had available?

A I would assume so.

Q I would assume that if they had funds to do half, they would have funds to do the entire project; is that a fair assumption?

A It is a conjecture on my part. I do not know. It would have had to be -- to the current revenue and I do not deal in the area of current revenue.

Q Then, in essence, what you are saying is that it was beyond the control of Penn Dot to fund the project without the concurrence of the State Transportation Commission or the Regional Planning Commission?

A At the time of the order, we had the concurrence of the Transportation Commission. It was on the program at that time. We were seeking the legislative approval for bond authority.

Q You did, actually, seek legislative approval

for the reconstruction?

A Yes, sir.

MR. ZAHN: That is Exhibit --

ADMINISTRATIVE LAW JUDGE: 4.

MR. ZAHN: Which number?

ADMINISTRATIVE LAW JUDGE: 4. It

is 4.

BY MR. PHIPPS:

Q And you say the PUC mandated or was given priority by the Department?

A To my knowledge.

Q And how is that priority -- recognized or how is it given weight?

A Normally, I will receive a copy of the order. If I detect a capital project that should be on the program, I will request the District Engineer to submit the necessary documents to me to present to the Commission for a program change, together with his recommendation for a project deletion.

Q But later on, in this particular process regarding the Matsonford Bridge, the local public opinion was given greater weight than the PUC authority; is that a fair statement?

A That is a fair statment.

ADMINISTRATIVE LAW JUDGE: Mr. Kane?

BY MR. KANE:

Q Mr. Chiles, I am not clear as to exactly what this 12-year program is. Could you just very briefly tell me what it is all about?

A It is a list of projects in both highways, aviation, port development and public transportation, rural, rail projects that the Department intends to undertake in the next 12 years.

Q And how often is this 12-year program prepared?

A By Law, every two years, on the even-numbered year. It can be modified at any meeting of the Commission, however.

MR. ZAHN: That is the Transportation Commission?

THE WITNESS: Excuse me. I do forget that.

ADMINISTRATIVE LAW JUDGE: I think that you have, Mr. Chiles, I know you are used to speaking on the Commission. Many times they are interchangeable. If someone

reads the record, they can take the Public Utility Commission as the Transportation Commission. If you are going to make reference to Transportation Commission, make reference to it specifically.

BY MR. KANE:

Q When you say that a 12-year program can be modified at any time, does that mean a certain project can be deleted and another project added?

A That is correct, sir.

Q Now, does that also mean that if a project would be added, say, today, that the likelihood of a project being undertaken even would be some time towards the end of that 12-year period?

A It would depend, then, on the priority of the local people and our district engineer.

Q Now, Representative Scirica stated that he is confident that in the spring the Montgomery Planning Commission will put it on their 12-year program.

A I would assume that what he is meaning there is that they would submit it to us for program change.

Q And what affect, if any, would this have on the Commission?

A I would prepare the necessary documents to go to them at their next meeting recommending the project substitution.

MR. KANE: That is all I have.

MR. MAZOR: That could be done in '78?

ADMINISTRATIVE LAW JUDGE: That is right.

THE WITNESS: A modification can take place at any meeting of the Commission --

MR. MAZOR: Fine.

THE WITNESS: It would not wait for '78.

ADMINISTRATIVE LAW JUDGE: Since that is the last attorney to examine Mr. Chiles, let's take five minutes.

MR. ZAHN: If your Honor please, Mr. Chiles has to get to Harrisburg --

ADMINISTRATIVE LAW JUDGE: There are no questions of Mr. Chiles.

(Short recess was taken)

MR. ZAHN: Mr. Examiner, I call Paul Peterson.

I would like to -- Mr. Peterson and Mr. Chiles were subpoenaed by the Public Utility Commission for appearance at this hearing.

PAUL C. PETERSON, having been duly sworn, was examined and testified as follows:

ADMINISTRATIVE LAW JUDGE: Give us your full name and address for the record?

THE WITNESS: Paul C. Peterson, P-e-t-e-r-s-o-n, 200 Radnor-Chester Road, St. Davids, Pennsylvania, 19087.

DIRECT - EXAMINATION

BY MR. ZAHN:

Q By whom are you employed?

A The Pennsylvania Department of Transportation.

Q In what capacity?

A District Bridge Engineer.

Q Of what district?

A District 6, which comprises Philadelphia and the four surrounding suburban counties, including Montgomery.

Q Mr. Peterson, you testified at prior hearings

in this matter, did you not?

A Yes. The hearing of April, 1975 -- April 15.

MR. ZAHN: And if Your Honor please,
since Mr. Peterson was subpoenaed --

ADMINISTRATIVE LAW JUDGE: Defer
to the Commission?

MR. ZAHN: Defer to the Commission.

(Discussion off the record)

ADMINISTRATIVE LAW JUDGE: Ms.

Kreiger?

BY Ms. KREIGER:

Q Mr. Peterson, what are the plans ordered by
the Commission on its October 21st, 1975 Order?

A The plans are about fifty per cent complete.
If, in the future, if it is determined necessary to
reconstruct or replace the ramps that exist now, with
the old bridge, then there would be more design efforts
required. But, the plans with respect to the replacement
of the main structure are about fifty per cent complete.

Q And at present, the nature of the projects
are such that the replacement of the ramps is not
included in the project?

A It will be if it is necessary. Right now,

my judgment is that it probably will not be immediate.

Q This was not approved by the Commission as part of the project?

A The matter of whether there will not be ramps or there will be ramps won't be a matter before the Transportation Commission. I do not think the Public Utility Commission would intervene or take that initiative. If we presented the complete plan to the Commission that did not show ramps and if it shows plans were supported by the counties of the representatives from Conshohocken and West Conshohocken and other interested parties, I am sure the matter would end right there. I do not intend to present plans to the Commission which are in controversy. So, I think that I shall have ramps or no ramps would be decided at the local level at public meetings or private sessions with representatives and officials.

Q But, ultimately, by the Public Utility Commission?

A They would approve or disapprove the final plans, yes.

Q Do you know, Mr. Peterson, where the funds came from to complete fifty per cent of these plans?

significantly in scope. That has not occurred in my professional experience with Penn Dot before.

Q Who, specifically, in Harrisburg approved the expenditure?

A All I know is that a form is filled out and my understanding is that it goes through a number of offices, more than three, for example.

Q You were aware, Mr. Peterson, that the nature of the project did change from rehabilitation to reconstruction, weren't you?

A I was aware in the summer of 1974 that I no longer can recommend the plans that were originally submitted to the Commission in '72.

Q So, you advised the Department to file a Petition for Modification of the nature of the project?

A That was done in December 16, 1974.

Q That was at your recommendation?

A Initially, yes. It was confirmed and concurred by others within the Department.

Q Mr. Peterson, looking at Penn Dot's Exhibit No. 4, --

A Yes, ma'am.

Q -- are you familiar with the projects listed

on this sheet?

A Some of them, ma'am.

Q Can you tell me which of these projects involve safety considerations?

A Well, for example, the Henderson and Church Road is a Public Utility Commission project and I understand there was an accident that resulted in a fatality. That is the one directly above the Matsonford. We are on Page 24 of this sheet. That project has been discussed for some time.

Q Mr. Peterson, this, --

A I had before me the proposed capital budget for '76-'77.

ADMINISTRATIVE LAW JUDGE: That is Penn Dot's Exhibit 4 which Mr. Peterson testified to and does appear in C. 19707.

BY Ms. KREIGER:

Q This is the 12-year highway program for 1976-77?

A I understand Mr. Chiles to say that this was the program that was proposed, but it was not finally approved.

ADMINISTRATIVE LAW JUDGE: I believe

he was -- this was one of the projects that was the blue line.

MR. ZAHN: No, no. This was the proposed budget that never got to the legislature.

MR. PHIPPS: It was sent to the Governor and never got to the Legislature.

THE WITNESS: I do not know whether it was sent to the Governor.

ADMINISTRATIVE LAW JUDGE: That is what I thought he was saying. It was sent to the Governor with the blue line. Maybe we are mistaken. The record will reflect that. I think Mr. Chiles spelled that out very specifically.

BY Ms. KREIGER:

Q Mr. Peterson, how much time do you anticipate it would take to complete the remaining fifty per cent of the detailed construction plans and cost estimates?

MR. ZAHN: Objection. If the funds are available.

Ms. KREIGER: If the funds are available.

ADMINISTRATIVE LAW JUDGE: I think the question is premised on that, Mr. Zahn. If someone gave the Department full speed ahead, how long will it take?

THE WITNESS: My answer has to be predicated on a few assumptions. The first assumption would be that there will not be difficulty with respect to the ramps. That the project that will be proposed and completed will not include ramps either at Conshohocken or West Conshohocken. I also am assuming that there will be a lot of engineering involved in providing alternate access either in West Conshohocken or the Conshohocken side to those points at the level of the tracks, at the level of the station to use the ramps now. I am also assuming that there will be a lot of engineering involved in providing alternate accommodations to pedestrians that presently use the bridge. And my last assumption and the fourth will be that there will not be a series of arguments from the environmentalists

either within the government or within the Federal Government or outside the government with respect to some of the activities that will be necessary for removal of the bridge or for replacing. I think these assumptions are -- I think it is reasonable for me to say that none of these things will occur. But I cannot guarantee that.

For example, we do not intend to remove the bridge below the waterline, so I feel this will cover a lot of environmental questions.

Based on what I just said, I anticipate it will take about a year or a little longer to complete the bridge, to complete the plans for the new bridge.

BY Ms. KREIGER:

Q Mr. Peterson, initially in Penn Dot's first petition for modification --

A Yes, ma'am.

Q -- Penn Dot requested you testify at the --

A April hearing.

Q That Penn Dot requested that the PUC order

be modified to require Penn Dot to complete detailed construction plans and cost estimates within 12 months after service of the order.

A Yes, ma'am. Why is it still taking 12 months?

Q Yes,

A There have been layoffs in Penn Dot. I have less employees working for me then. I have a larger workload right now. I have other commitments going on right now that also involve the Public Utility Commission. And 12 months, I think, is still a reasonable estimate. Quite. Also, some of the design work for reconstruction of the bridge was completed before my testimony in April.

I was developing ideas along these lines in the summer of '74. So that you probably have the impression that from the April testimony that I had not done any work at all on the reconstruction of a new bridge; but the fact of it is, a lot of work had taken place then.

Q And how was work on the reconstruction of the new bridge begun without approval of funds on the capital budget?

A I do not know.

Q Okay. But funds were approved by the Department?

A You have to -- if I might add, Ms. Kreiger, it also has been Penn Dot's interest to develop an engineering solution to this project. And back in the days of '72 to '74, the financial strains that are on the Department today were not then -- were not there then. Whether I was in conformance with the policy that existed then or whether the policy was developed subsequent to that time, I really do not know. All I know is that there was an interest within Penn Dot not just among myself and the staff that work for me, but people above me to try to develop an engineering solution to this project of taking in this project all along. That is, perhaps, as good an explanation I can give you as to why there was some design work done for the reconstruction of the bridge.

Q About how much money will you require to complete the remaining fifty per cent of detailed construction plans?

A Assuming all the things I assumed before with the 12-month estimate, I would assume seventy-five thousand dollars.

Now, I know in some testimony that Mr. Chiles gave in deposition, not testimony here today, that he indicated to you that, normally, for programming and budgeting purposes, the Department carries a fixed percentage, probably ten per cent. And that rule of thumb has worked very well in the past and is on the conservative side.

The reason why I can do the design for a significantly less than a half million dollars is, number one, there is a design -- is a repetitive nature although it is an expensive completion, it is a completion project from an engineering standpoint. Therefore, the cost I will carry and the cost I will account for are strictly salary costs. They do not include overhead, they do not include charges for the building and physical facilities. If the project was given to a consultant, the remaining -- it would be reasonable just to automatically multiply that cost by two because of overhead charges and costs over and above the straight salaries.

So, the figure that I give you represents straight salaries of my staff and my colleagues who would be reviewing the plans.

Q So then, since it is an in-house design, you would anticipate that all you would need is seventy-five thousand dollars more to complete the design?

A Yes, ma'am.

Q What is presently the safety condition of the structure?

A The bridge is safe at the present time, for the present conditions on which it operates.

Q Penn Dot has recently inspected the structure?

A We are required by the latest PUC to formally inspect the bridge twice a year. It was inspected in April and December of last year and I intend to -- intend to inspect it within the next, oh, six weeks. I think the greatest deterioration occurs in the winter months and the condition will remain static in the spring, summer and fall.

So, I am anxious to thoroughly inspect the bridge this spring. It requires special equipment. Penn Dot owns two pieces of this special equipment and both are tied up in the Pittsburgh Area right now. But I have made inquiries about having that equipment transferred to my area in the near future.

The bridge was last inspected in December and it was formally reported to the Commission that it was safe at that time and there has been some cursory inspection since then.

Q Has there been significant deterioration in any portion of the bridge since it was determined that it should be a reconstruction project?

A There was increased deterioration, yes. Significant -- it has not been significant because it has not changed the safe condition to an unsafe condition.

There was -- the deterioration that developed between '72 and '74 was very significant. In my judgement it precluded the option of rehabilitating the bridge and required the reconstruction of the bridge.

Now, this deterioration is an on-going phenomena and the bridge is not in a static condition.

Q In your opinion, is it safe for a 20 ton carrying load capacity?

A It is a concrete arch, a massive arch. The dead-load strength is a multispan arch. There is ten spans. In this type of structure, the dead-load forces

and the dead-stresses are more than the live load and the live stresses. I do not think that the reducing of the posting would significantly preserve the life of the bridge, nor do I think it would have any value or significance to the safe operation of the bridge.

I would envision the future if nothing is done that would require the closing of the sidewalks and then, eventually, closing the bridge. I think the bridge will either operate as it is or it won't operate at all.

Q You say "eventually". What kind of time frame are you talking about?

A I cannot give you that. I think it is wise that the bridge be inspected formally and thoroughly once every six months or twice a year. It is more than the live load and the live stress.

ADMINISTRATIVE LAW JUDGE: Let's
move on, Ms. Kreiger.

Ms. KREIGER: I have nothing further.

EXAMINATION

BY MR. MAZOR:

Q If memory serves me right, at the last hearing you said you would not want to close this bridge for

construction until the bridge nearby carrying the blue route over the river and railroad was ready to be used for a detour.

A Yes.

Q Can you tell us what date that might be at this time?

A No. But I used it to get here today.

Q I know you used it. But, you have been on it, too?

A It is a question of the connections to the facility and my understanding -- and it is just based on hearsay and not firsthand information, that a year or eighteen months is a reasonable time frame.

Q So it is possible, if you got the funding and you could complete the design, by the time you did that, it is possible you could start construction, the other might be ready?

A I think it is likely that it would be ready.

MR. MAZOR: Thank you.

ADMINISTRATIVE LAW JUDGE: Mr.

Phipps?

EXAMINATION

BY MR. PHIPPS:

Q Mr. Peterson, you say that the bridge is safe now?

A That is what I said, sir.

Q Safe in all particulars?

A Yes, sir.

Q Insofar as pedestrian travel, is it safe?

A Yes, sir.

Q Have not the sidewalks or pavement deteriorated where they are crumbled and, in fact, non-existent in some areas?

A Yes, sir -- no, no. I do not agree with you that they are non-existent.

Q They are rough and crumbled?

A Yes.

Q Does the Department plan to do any restoration or repairs of those sidewalks or curbs?

A No.

Q If -- I believe in one of the meetings it was filed by Penn Dot -- they said that they anticipate in doing some repairs.

A Well, probably when you were writing to determine non-existence. In our December report to the Commission we indicated that a hole was about to

open or appeared likely to open in the vicinity of the ramp on the Conshohocken side, on the upstream side. And that particular area of the deterioration and damage has been repaired. But, as long as the sidewalk will support pedestrians, it will stay open and in my judgment when it will no longer support pedestrians or is likely to fail, I will recommend that it be closed.

Q Do you agree with this statement in the answer that was filed: Furthermore, that the most recent inspection revealed the sidewalk on one side of the bridge was badly in need of repair?

A I believe we are talking about the same thing and that repair was done.

Q And -- Penn Dot intends to repair the sidewalk of the structure -- and intends to repair other parts of the structure when such repairs become necessary?

A We are talking about the same thing. That repair was done and the sidewalk deteriorates to the extent that a hole will open up and I will try to repair it.

Q And under order by the Public Utility

Commission to do that or Penn Dot is under authority by the Public Utility Commission to do that, a hole shows light through the bridge.

A No. But something close to that. Penn Dot is not in a position to make the sidewalk surface smooth. And I do not think making the sidewalk surface smooth would preserve the life of the sidewalk, would provide any structural benefit to the sidewalk and probably the extra dead load associated with material to make the sidewalk smooth would in of themselves be detrimental to the structural condition of the sidewalk.

Q You feel that it would not provide a safety factor to the pedestrian traffic that is on the bridge?

A If the sidewalk is smooth it is less likely that someone will trip over it or fall or stumble than if it is rough. I am not arguing that point with you, Mr. Phipps. I am just saying that I am not in a position -- that Penn Dot is not in a position to incur. An expense would be involved in making the sidewalk smooth and in my judgment it is not structural possible or feasible.

Q You are saying you are not in the position of

you are saying there are no funds available for repairs?

A There are no funding available for repair. That has no value and in and of itself might be detrimental.

Q You think that the repair would be detrimental because it would increase the dead load of the bridge; is that what you are saying?

A The dead load of the cantilever that.

Q Do you have railings along the sidewalks?

A The new bridge will have high concrete parapets between the motoring public and the pedestrians of modern design and modern concepts. You are familiar with the so-called Jersey Barrier of concrete strips you see on the highways. Well, a detailed -- something similar to that would be incorporated into the bridge plans.

Q What about the condition of the lights on the bridge? Do you feel that they present a safety hazard or safety factor?

A Mr. Phipps, I think the lights are involved, are in order and agreements between the Penn Dot and some of the local governments and I am really not sure

just where the responsibility of the condition of the lights reside right now. If the bridge was lit, it would be safer than ^{if} it is unlit.

Q Does Penn Dot intend to do something with the lighting on the bridge as it presently exists?

A I do not intend to recommend anything be done right now.

Q And the railings?

A The railings alongside the bridge are supported by a cantilever sidewalk. The railings are dead loads. They are weights that are supported by the sidewalk bracket which in turn frames into the main arches, and I think the condition of the railings will be the best structurally -- the best evidence as to the structural condition of the sidewalk as a whole. There is nothing that can be done to the railings and my last time I was across the bridge, the railings were intact, reasonably intact. And that I do not intend -- I do not think anything can or should be done to the railings at this time.

Q Can you tell us right now, what in the next three months, what we can expect to be done as far as repairs or maintenance to the bridge, if anything?

ADMINISTRATIVE LAW JUDGE: That is my next question. I am asking: Are all parties going to file briefs or just the Commission?

MR. KANE: I am not going to file.

MR. ZAHN: Just for clarification, are you going to act on Penn Dot's petition for modification of the order that was filed in this matter?

ADMINISTRATIVE LAW JUDGE: I will act upon everything that is in the file which will include Penn Dot's petition, either accepting or rejecting that petition; and I will propose an appropriate order.

(Hearing was adjourned at 12:15

P.M.)

I HEREBY CERTIFY that the proceedings and evidence herein are contained fully and accurately in the notes taken by me at the hearing in the above cause before the Public Utility Commission of the Commonwealth of Pennsylvania, and that this copy is a true and correct transcript of the same.

Deborah A. Byrd

Deborah A. Byrd
Shorthand Reporter

A SUPPLEMENT

SB 59

To the act of October 11, 1972 (No. 217), entitled "An act providing for the capital budget for the fiscal year 1972-1973," itemizing highway projects to be acquired or constructed by the Department of Transportation, together with their estimated financial costs, and the amount to be financed by debt.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short Title.—This supplement shall be known and may be cited as the "Capital Budget Act for Fiscal Year 1972-1973, Highway Project Itemization Supplement."

Section 2. Itemization and Authorization of Projects.—Additional capital projects in the category of highway projects to be acquired or constructed by the Department of Transportation, its successors or assigns, and to be financed in part by the incurring of debt, are hereby itemized, together with their respective estimated financial costs to be financed by debt as follows:

PA. PUBLIC UTILITY COMMISSION	
Docket No. C. 19707	Folder No.
EXHIBIT NO. A-3	
DATE 3/10/77	
D.A. Byrd	

11:1 PM 10 MAR 1977

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DOCKETED
COMPLAINT DOCKET

APR 6 1977

ENTRY No. C

RECORD FOLDER

Project	Amount to be Financed by Debt			Total
	Base Construction Costs	Land Costs	Design Costs	
Rehabilitation of the Bridge over the Schuylkill River. Length 0.1 Mile. Map No. 620.	400,000		64,000	464,000
(8) L.R. 46140: Matson Ford Bridge over the Schuylkill River in Conshohocken Boro: Bridge Rehabilitation: Length 0.1 Mile Map No. 621.	300,000		48,000	348,000
(9) L.R. 46102 (A02): Joshua Rd., White-marsh Twp. P.U.C.-C18719: Replacement of the Structure over the Penn-Central Railroad: Length 0.2 Mile. Map No. 638.	350,000		56,000	406,000
(10) L.R. 769, T.R. I-76: Schuylkill Expy.: from Belmont Ave. to City Line Ave., Including the Pencoyd Viaduct: Widening to 6 Lanes: Length 1.5 Miles. Map No. 695.	2,100,000	75,000	714,000	2,889,000
(11) L.R.'s 151 (20) & 197 (B), T.R. 611: Ogontz URA: Old York Road from				

Project	Amount to be Financed by Debt			Total
	Base Construction Costs	Land Costs	Design Costs	
to Whiteford Rd.: 4 Lane Divided Relocation: Length 1.8 Miles. Map No. 264.			1,210,000	1,210,000

Section 3. Allocation of Funds.—Only when the State Transportation Commission has deleted a project or when, as determined by the Department of Transportation, after the prior approval of the State Transportation Commission, the full estimated financial costs of any of the highway projects itemized in section 2 hereof is not necessary for the proper design, acquisition or construction of such project, the funds no longer required may be allocated by the Department of Transportation, after the prior approval of the State Transportation Commission, to increase the estimated financial cost of any one or more of the highway projects specifically itemized in a capital budget.

Section 4. Progress Reports.—The Secretary of Transportation shall submit a progress report on all projects in a capital budget act to be constructed with borrowed funds on January 1, April 1, July 1 and October 1 of each year to the Chairmen of the Appropriations Committees of the Senate and the House of Representatives, and to the Chairman of the Senate Highways Committee and the Chairman of the House of Representatives Transportation Committee. The report shall indicate the latest estimated financial costs, the date of approval by the State Transportation Commission of any changes in these costs, the sources of funds to be used to pay the estimated financial costs and the reallocations of funds made pursuant to section 3 of this supplement. The report also shall indicate those projects contracted for during the preceding period for which Federal funds were or will be obtained, indicate the amount of the contracts and the amount of Federal funds for each, and also those projects for which Federal funds could have been obtained under existing law. If the said Federal moneys were not obtained for any project eligible for such funds, the secretary shall explain why the department did not avail itself of said moneys.

Section 5. Effective Date.—This act shall take effect immediately.

APPROVED—The 6th day of July, A.D. 1973.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 42.

C. McLaughlin Tucker

Secretary of the Commonwealth.

PROJECT TITLE, ELEMENT, ELEMENT CODE, LOCATION AND DESCRIPTION	BASE PROJECT COST	LAND COST	DESIGN ADMIN, & MISC.	TOTAL PROJECT COST
(2)	(3)	(4)	(5)	(6)
MONTGOMERY COUNTY, L.R. 1041, T.R. 422: POTTSWOM BYPASS T.R. 422 EXPRESSWAY RECONSTRUCT GUARD RAILS AND MEDIAN TREATMENT; LENGTH 4.7 MILES.	BOND 74	---	12	86
MONTGOMERY COUNTY, L.R. 1046(2A), T.R. 422: T.R. 422 RELOCATED PAWLING RD TO EGYPT; 4 LANE DIVIDED RELOCATION; LENGTH 2.5 MILES.	BOND 16,430	---	986	17,416
MONTGOMERY COUNTY, L.R. 1046(6): SCHUYLKILL EXP EXTENSION LINFIELD RD INTERCHANGE TO POTTSWOM BY PASS EAST OF POTTSWOM; 4 LANE DIVIDED RELOCATION; LENGTH 1.0 MILES.	BOND 2,107	---	126	2,233
MONTGOMERY COUNTY, L.R. 1046(6): SCHUYLKILL EXP EXTENSION LINFIELD RD INTERCHANGE TO POTTSWOM BY PASS EAST OF POTTSWOM; 4 LANE DIVIDED RELOCATION; LENGTH 1.0 MILES.	FED. 4,916	---	295	5,211
MONTGOMERY COUNTY, L.R. 4609(008): DAVISVILLE RD PENNYPACK ROAD TO BUCKS COUNTY LINE EAST OF HATROD; RECONSTRUCT ROAD AND BRIDGE REPLACEMENT; LENGTH 2.1 MILES.	BOND 101	---	6	107
MONTGOMERY COUNTY, L.R. 46102(108), 46170: INTERSECTION OF CEDAR GROVE RD AND JOSHUA ROAD VICINITY OF CONSHOHOCKEN; REALIGNMENT; LENGTH 0.1 MILES.	BOND 89	35	14	138
MONTGOMERY COUNTY, L.R. 46103(008): BARREN HILL RD INTERSECTION AT HARTS LANE EAST OF CONSHOHOCKEN; DAYLIGHT INTERSECTION VERTICAL ALIGNMENT; LENGTH 0.1 MILES.	BOND 156	2	25	183
MONTGOMERY COUNTY, L.P. 46139(A1), 46145: HENDERSON AND CHURCH RDS. ^{COMMISSION} TRIPPLE ^{TRIPPLE} GRADE ^{GRADE} CONSTRUCTION VICINITY OF SWEDLAND; CONSTRUCT GRADE SEPARATION PUC C 182221 LENGTH 0.4 MILES.	BOND ---	568	---	568
MONTGOMERY COUNTY, L.P. 46140(A): BRIDGE OVER SCHUYLKILL RIVER, FORD STREET WEST CONSHOHOCKEN ROAD BRIDGE REPLACEMENT PUC C 19707; LENGTH 0.1 MILES.	BOND 1,517	---	91	1,608
	FED. 3,539	---	212	3,751

[Handwritten signature and scribbles]

State Transportation Commission
 Harrisburg, Pennsylvania 17120
 September 13, 1976

RECEIVED
 FOLDER

SUBJECT: Discretionary Funds
 Primary and Economic Growth

TO: Members of the State Transportation Commission

FROM: William H. Sherlock, P.E., Chairman
 State Transportation Commission

DOCKETED
 COMPLAINT DOCKET
 APR 6 1977
 ENTRY No. *C*

W H Sherlock

As you are all undoubtedly aware, considerable pressure has been exerted on me from all areas of the Commonwealth regarding the programming of projects using the Discretionary Primary and Economic Growth Funds set aside by the Commission at our meeting of August 11, 1976. While I have resisted most efforts for commitment of these funds, I feel now that the Twelve Year Program for transportation improvements is near final adoption, the time has come when we must address ourselves to this issue. The Discretionary Funds (primary and economic growth center) that you set aside according to our fiscal plan total \$189 Million.

I, therefore, recommend to you that we program some of these funds for the following three projects:

County	Name	Location	Const. Cost (\$1,000)	Unprogrammed Balance (\$1,000)
Venango	T.R. 8	I-80 to Wesley	\$11,282	\$177,718
Snyder/ Northumberland	Sunbury Bridge	South of Sunbury	12,000	165,718
Allegheny	Smithfield St. Bridge Rehabilitation	City of Pittsburgh	12,000	153,718

In addition, I ask each of you, as an individual Commission Member, to recommend additional projects to me by September 29, 1976 for the programming of the remaining Discretionary Funds so that we may compile a list for your consideration and tentative approval on October 6 and final adoption at our November 3rd meeting. The attached listing includes many major projects which I hope that you will consider. It should be noted that while the projects are possibly eligible for Federal Aid, submission and approval is needed before we can proceed regardless of State action.

Attachment RECEIVED

PA. PUBLIC UTILITY COMMISSION

Docket No. C-19707 Folder No. _____
 Exhibit No. A-5

Hearing at Derry Date 3/10/77
 Reporter D A Byrd

MISSING LINK PROJECTS

County	L.R.	Project Name	Type of Improvement	Miles	Const Cost	Construction Eligible For Federal Funding	Priority	Recommended Program	Remarks
Lawrence	1023(10)	Beaver Valley Expy	4 Ln Div Reloc	4.7	9,245				
Lawrence	1023(11)	Beaver Valley Expy	4 Ln Div Reloc	4.6	12,262				
Mercer	320(B00)	T.R. 18	Reconst to 4 Lns	4.9	12,360				
Venango	1107(3B)	T.R. 8	4 Ln Div Reloc	2.9	11,282				
Warren	1094(C03)	Warren E-W Arterial	4 Ln Div Reloc	1.8	7,325				
Warren	1094(D03)	Warren E-W Arterial	4 Ln Div Reloc	2.0	10,655				
Centre	1050(4)	State College Bypass	4 Ln Div Reloc	2.0	18,283				
Mifflin	1110(B01)	T.R. 322 Relocation	4 Ln Div Reloc	4.0	12,167				
Snyder/ Northumberland	1083	Sunbury Bridge	2 Ln Bridge	1.2	17,200				
Tioga	1036(G20)	Lawrenceville Bypass	2 Ln Reloc/4 Ln R/W		9,540				
Luzerne	1052(1)	Gross Valley Expy	4 Ln Div Reloc	2.1	17,000				
Luzerne	1052(3)	Gross Valley Expy	4 Ln Div Reloc	2.4	16,000				
Berks	148(A17)	Lancaster Pike	Reconst to 4 Lns	4.0	8,277				
Berks	1035(B10)	Outer Circumferential	4 Ln Div Reloc	4.3	15,023				
Berks	1035SF(C10)	West Shore Bypass	4 Ln Div Reloc	2.2	20,892				
Berks	1075(A01)	Warren St Ext	4 Ln Div Reloc	2.8	12,398				
Schuylkill	1103(C01)	T.R. 209	Reconst to 4 Lns	2.2	6,021				
Schuylkill	1103(D10)	T.R. 209	Reconst : 4 Lns	4.2	9,764				

MISSING LINK PROJECTS

St	County	L.R.	Project Name	Type of Improvement	Miles	Const Cost	Construction		Priority	Recommended Program	Remarks
							Eligible For	Federal Funding			
3	Bucks	2812a(3)	Lincoln Highway	4 Ln Div Reloc	2.8	13,000					
5	Bucks	1036(E)	T.R. 202	4 Ln Div Reloc	4.6	14,518					
5	Bucks	1086(F)	T.R. 202	4 Ln Div Reloc	5.0	12,878					
5	Chester	1004(B03)	Exton Bypass	4 Ln Div Reloc	2.3	7,576					
6	Chester	1004(B04)	Exton Bypass	4 Ln Div Reloc	2.8	8,397					
6	Montgomery	1046(2A)	T.R. 422 Reloc	4 Ln Div Reloc	2.5	16,430					
6	Montgomery	1046(3)	T.R. 422 Reloc	4 Ln Div Reloc	4.4	15,333					
6	Montgomery	1046(5)	Schuylkill Expy Ext	4 Ln Div Reloc	1.9	8,678					
6	Philadelphia	1029(A04)	Woodhaven Road Ext	4 Ln Div Reloc	1.3	13,085					
6	Philadelphia	1029(A05)	Woodhaven Road	4 Ln Div Reloc	0.7	7,045					
8	Cumberland	1067	TR. 11 & I-81 Connector	2 Ln Reloc/4 Ln R/W	2.8	12,000					
3	Lancaster	1124(I)	T.R. 23	4 Ln Reloc	6.0	10,000					
3	Lancaster	1124(3)	T.R. 23	2 Ln Reloc/4 Ln R/W	4.3	7,026					
3	Armstrong	1037(A15)	Allegheny Valley Expy	4 Ln Div Reloc	3.9	14,525					
0	Armstrong	1037(A13)	Allegheny Valley Expy	4 Ln Div Reloc	1.9	11,000					
0	Indiana	1112(B05)	Indiana E-W Bypass	4 Ln Div Reloc	3.4	12,200					
0	Indiana	1112(B06)	Indiana E-W Bypass	4 Ln Div Reloc	2.7	10,150					

MISSING LINK PROJECTS

SE	County	L.R.	Project Name	Type of Improvement	Miles	Const Cost	Construction Eligible For Federal Funding	Priority	Recommended Program	Remarks
1	Allegheny	1023(1)	Beaver Valley Expy	4 Ln Div Reloc	3.4	23,596				
1	Allegheny	1037(5E)	Allegheny Valley Expy	4 Ln Div Reloc (Channel)	0.2	9,805				
1	Allegheny	1037(5D)	Allegheny Valley Expy	4 Ln Div Reloc	2.8	34,000				
1	Allegheny	10375P	Allegheny Valley Expy	4 Ln Div Reloc	2.4	7,632				
1	Allegheny	1039(4A)	Ohio River Blvd Ext	6 Ln Div Reloc Bridge Substructure	0.8	12,360				
1	Allegheny	1039(4B)	Ohio River Blvd Ext	6 Ln Div Reloc Bridge Superstructure	0.8	20,225				
1	Allegheny	02256(2D)	Brady Street Bridge	Intersection Connector	0.1	977				
1	Beaver	1023(8)	Beaver Valley Expy	4 Ln Div Reloc	2.0	19,080				
1	Beaver	1023(9)	Beaver Valley Expy	4 Ln Div Reloc	4.6	12,360				
2	Fayette	1058(4)	Uniontown Bypass	2 Ln Reloc/4 Ln R/W	3.4	7,000				
2	Washington	1071(31D)	T.R. I-70	Reconst to 6 Lns	4.6	13,214				
2	Washington	1125(302)	Non Valley Expy	4 Ln Div Reloc	1.3	18,100				
2	Washington	1125(32D)	Non Valley Expy	4 Ln Div Reloc	1.6	7,500				
2	Westmoreland	1071(B90)	T.R. I-70	Reconst to 6 Lns	1.3	11,489				
2	Westmoreland	1099(1)	South Approach to Donora Monessen Br	3 Ln Reloc/5 Ln R/W	1.7	10,592				

Discretionary Funds
Projects Recommended By Commission Members

<u>Commissioner</u>	<u>County</u>	<u>Project</u>	<u>Const. Cost (\$000)</u>	<u>Remarks</u>
Beran	Montgomery	Matson Ford Bridge, Conshohocken Philmont Avenue, Widening T.R. 422, Relocation, 1046(6) Ogontz Urban Renewal	5,056 2,298 8,678 2,808	Included on Program. 1046(2A) and 1046(3) included on Program
Henry	Luzerne	Cross Valley Expressway, Sec. 1 Cross Valley Expressway, Sec. 3	17,000 16,000	Included on Program. Included on Program.
Jones	Northumberland	Sunbury Bridge	17,200	Also recommended by Gov. Shapp and Sec. Sharron
		Responses from Counties at Commissioner Jones' Request		
	Bedford	Appalachia thruway Md. to Bedford T.R. 56 Cessna to Pleasantville	27,001 22,743	On Appalachia System
	Blair	Kettle Street, Altoona 1st Street Bridge Hamilton Park Access Road Chestnut Avenue Extension T.R. 866, Bedford Co. to T.R. 22 10th Avenue Extension	805 2,702 899 6,399 9,855 6,085	Not State Highway Not State Highway Not State Highway Not on Primary System Not on Primary System Not on Primary System
	Cambria	T.R. 219 North of T.R. 22 State College By-Pass	72,131 18,283	
	Huntingdon	T.R. 522 Orbisonia to Shirleysburg T.R. 522 Shirleysburg to Allenport T.R. 944 Raystown Access Road T.R. 305 Juniata River Crossing T.R. 26 Penn Central Underpass	7,253 7,034 14,204 1,685 3,321	Project on Special Federal Program
	Somerset	T.R. 219 Md. Line to Somerset	35,251	Excludes Myersdale By-Pass - On Appalachia System

Discretionary Funds

(Continued)

<u>Commissioner</u>	<u>County</u>	<u>Project</u>	<u>Const. Cost (\$000)</u>	<u>Remarks</u>
Pease - Bonetto	Allegheny	Allegheny Valley Expressway	43,805	Included on Program.
		Ohio River Blvd. Brady Street Bridge Connector	32,858 200	
Reslink	Crawford	T.R. 18, T.R. 322 to T-487	1,403	Not on Primary System, Secondary Not on Primary System, Secondary Not on Primary System, Secondary Not on Primary System, Secondary
		T.R. 198 Saegertown to T.R. 86	1,191	
		T.R. 198 Blooming Valley to T.R. 77	382	
		T.R. 89 North of Titusville Meadville East West By-Pass	1,435 7,456	
Shrager	Erie	Water Street Relocation	14,375	
		Philadelphia Woodhaven Road	13,085	
Sherlock	Venango	T.R. 8 Relocation	11,282	
		Snyder - Northumber.	17,200	
		Allegheny Smithfield Street Bridge Rehabilitation	12,000	

\$ 301,053

TOTAL Eligible Projects not included in
Program or Appalachia