



August 17, 2021

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

Re: Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to abolish the public above-grade crossing and remove the railroad bridge carrying abandoned tracks of Wheeling & Lake Erie railroad above State Route 0376, DOT Number 472 971 P in the City of Pittsburgh, Allegheny County and the allocation of costs incident thereto.

Dear Secretary Chiavetta:

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

A copy of this Application and Exhibits has been served upon the parties in the Certificate of Service to the Application.

Sincerely,

A handwritten signature in black ink, reading "Philip M. Mutunga".

Philip M. Mutunga, P.E.  
Grade Crossing Engineer  
Department of Transportation  
Engineering District 11-0

Attachments

cc: Parties of Record  
Mark Chappell, P.E., Chief, Utilities and Right-of-Way Section, 7<sup>th</sup> Floor, CKB  
Karen Cummings, Senior Assistant Counsel, Office of Chief Counsel, 9<sup>th</sup> Floor, CKB  
Rodney D. Bender, P.E., Manager, Rail Safety Engineering Section PUC, 3<sup>rd</sup> Floor, CKB

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to abolish the public above-grade crossing and remove the railroad bridge carrying abandoned tracks of Wheeling & Lake Erie Railroad above State Route 0376, DOT Number 472 971 P in the City of Pittsburgh, Allegheny County and the allocation of costs incident thereto.

Application  
Docket No. \_\_\_\_\_

**Electronically Filed**

APPLICATION OF THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF  
TRANSPORTATION

Applicant, Commonwealth of Pennsylvania, Department of Transportation, files this Application pursuant to the provisions of 66 Pa.C.S § 2702 and 52 Pa. Code § 5.13 for the modification of the public above grade crossing where State Route 0376 crosses tracks of railroad at DOT Number in 472 971 P, Allegheny County as described below:

1. The name and address of Applicant are Commonwealth of Pennsylvania, Department of Transportation, Douglas M. Seeley, P.E., Assistant District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017
  
2. The name and address of attorney for the Applicant are Jason D. Sharp, Chief Counsel, Commonwealth of Pennsylvania, Department of Transportation, Office of Chief Counsel, PO Box 8212, Harrisburg, PA 17105-8212.
  
3. The Applicant is an agency of Commonwealth of Pennsylvania, organized and existing under the Administrative Code of 1929, 71 P.S. § 511, et seq. and generally 36 P.S. § 670 - 401 et seq.

4. The names and addresses of the persons, parties and entities concerned in, or affected by the proposed construction, to the best of the Applicant's knowledge, are shown in the certificate of service. In addition to those served, the Applicant requests that the following also receive service of all documents in this matter:

Mark J. Chappell P.E., Chief  
Utilities and Right of Way Section  
Pennsylvania Department of Transportation  
PO Box 3362  
Harrisburg, PA 17105-3362  
[marchappel@pa.gov](mailto:marchappel@pa.gov)

Karen L. Cummings,  
Senior Assistant Counsel  
Office of Chief Counsel  
Pennsylvania Department of Transportation  
PO Box 8212  
Harrisburg, PA 17105-8212  
[kcummings@pa.gov](mailto:kcummings@pa.gov)

5. The Applicant is seeking approval to abolish the public above-grade crossing and remove the railroad bridge carrying abandoned tracks of Wheeling & Lake Erie railroad above I-376, DOT Number 472 971 P in the City of Pittsburgh, Allegheny County. A Location Map is attached hereto and marked as Exhibit "A".

6. This Application is related to an application seeking widening of State Route 0376, DOT Number 472 809 A, in the City of Pittsburgh, Allegheny County which is being filed simultaneous with this Application. Both applications are part of the same project.

7. The Applicant is not aware of prior Public Utility Commission proceedings for this crossing.

8. The average daily traffic for State Route 0376 at this crossing is 22,060 vehicles with 9% trucks (eastbound); 52, 977 vehicles with 7% trucks (westbound).

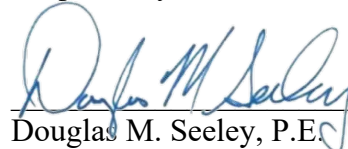
9. The estimated total cost for the work under this Application and described above is \$5,000,000. The estimated total cost for the highway project, including the work under this Application and the work under the application seeking widening of State Route 0376, DOT Number 472 809 A, is \$65,000,000. The Applicant anticipates that the funding for the project will be 100% federal funds.

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

11. A conference of all parties of interest should be held to discuss the proposed project

Wherefore, Applicant respectfully requests that the Public Utility Commission approve this Application.

Respectfully Submitted:



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Douglas M. Seeley, P.E.  
Assistant District Executive-Design  
Department of Transportation  
Engineering District 11-0  
45 Thoms Run Road  
Bridgeville, PA 15017  
Phone: (412) 429-5005  
Fax: (412) 429-4891  
Email: [dseeley@pa.gov](mailto:dseeley@pa.gov)

Dated: August 20, 2021

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to abolish the public above-grade crossing and remove the railroad bridge carrying abandoned tracks of Wheeling & Lake Erie railroad above I-376, DOT Number 472971P in the City of Pittsburgh, Allegheny County and the allocation of costs incident thereto.


Application  
Docket No. \_\_\_\_\_

**Electronically Filed**

VERIFICATION

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

Date: August 17, 2021



Philip M. Mutunga, P.E.  
Grade Crossing Engineer  
Department of Transportation  
Engineering District 11-0  
45 Thoms Run Road  
Bridgeville, PA 15017  
[pmutunga@pa.gov](mailto:pmutunga@pa.gov)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to abolish the public above-grade crossing and remove the railroad bridge carrying abandoned tracks of Wheeling & Lake Erie railroad above State Route 0376, DOT Number 472 971 P in the City of Pittsburgh, Allegheny County and the allocation of costs incident thereto.

Application  
Docket No. \_\_\_\_\_

**Electronically Filed**

CERTIFICATE OF SERVICE

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

Mr. Kasey O'Connor  
Wheeling & Lake Erie Railway Company  
100 East First Street  
Brewster, OH 44613  
koconnor@wlerwy.com

Mr. Kyle Tessmer  
Duquesne Light  
1901 Edison Street  
Pittsburgh, PA 15116  
ktessmer@duqlight.com

Mr. Jeffrey A. Davis, Jr.  
Wheeling & Lake Erie Railway Company  
100 East First Street  
Brewster, OH 44613  
jdavisjr@wlerwy.com

Mr. Michael Denny  
Peoples Natural Gas Company  
375 North Shore Drive  
Pittsburgh, PA 15212  
michael.denny@peoples-gas.com

Ms. Amie Downs  
Allegheny County  
101 County Courthouse  
436 Grant Street  
Pittsburgh, PA 15219  
Amie.Downs@AlleghenyCounty.US

Mr. Gary Redondo  
Verizon Pennsylvania, LLC  
3151 Pioneer Avenue  
Pittsburgh, PA 15226  
gary.redondo@verizon.com

Mr. Chris Hornstein  
City of Pittsburgh  
414 Grant Street  
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Mr. Nate Loden  
Columbia Gas of PA Inc.  
101 Stoney Ridge Drive  
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Mr. Eric Beringer  
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300 Galley Road  
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Eric.beringer@amwater.com

Mr. Adam Nulph  
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424 South 27th Street Suite 220  
Pittsburgh, PA, 15203  
acnulph@dqe.com

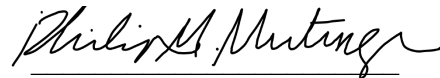
Mr. Michael Lichte  
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Mr. Ben Grunauer  
PWSA  
1200 Penn Avenue  
Pittsburgh, PA 15222  
BGrunauer@pgh2o.com

Dated this 17th Day of August, 2021



Philip M. Mutunga, P.E.  
Grade Crossing Engineer  
Department of Transportation  
Engineering District 11-0  
45 Thoms Run Road  
Bridgeville, PA 15017  
[pmutunga@pa.gov](mailto:pmutunga@pa.gov)

Project Location Map

ALLEGHENY COUNTY – CITY OF PITTSBURGH  
SR 0376-A59 – BANKSVILLE INTERCHANGE PROJECT

