



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

December 29, 2021

Via E-File

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street 2nd FL
Harrisburg, PA 17120

RE: A-2020-3020537

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Department's *Prehearing Conference Memorandum* in the above captioned matter.

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

Very truly yours,

A handwritten signature in blue ink, appearing to read "Eric W. White".

Eric W. White
Assistant Counsel

Cc: Parties of Record
Mark Chappell, P.E., Chief, Highway Delivery Division (Email)
Gregory J. Vaughn, Grade Crossing Engineer, Central Office, KCB 7th Floor (Email)
Philip Mutunga, P.E., District Grade Crossing Engineer, District 11 (Email)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of CSX Transportation, Inc. :
for Approval of the Abolition of the :
Crossings where Strickler Street (DOT 145 : **Docket No. A-2020-3020537**
461 L) and Griscom Street (DOT 145 455 :
H) cross at grade the tracks of CSX : **Electronically Filed**
Transportation, Inc. located in Dawson :
Borough, Fayette County, Pennsylvania :

PREHEARING CONFERENCE MEMORANDUM

In accordance with the November 19, 2021 Prehearing Conference Order of Administrative Law Judge Elizabeth H. Barnes in the above-referenced matter, the Department of Transportation (“Department”) offers the following:

1. The Department requests that the sole service entry for the Department be as follows:

Eric W. White
Office of Chief Counsel
Pennsylvania Department of Transportation
PO Box 8212
Harrisburg, PA 17105-8212
ewwhite@pa.gov

All other Department representatives may be removed. Counsel will accept service electronically.

2. On or about June 29, 2020, CSX Transportation, Inc. (“CSX”) filed an Application to abolish two public rail-highway crossings.
3. Both rail-highway crossings are located in Dawson Borough (“Borough”), Fayette County, Pennsylvania.

4. Specifically, the public rail-highway crossings are where the tracks cross Stickler Street (DOT No. 145 461 L) and Griscom Street (DOT No. 145 455 H).
5. On or about November 11, 2021, the Borough filed a Protest to the Application to abolish the two public rail-highway crossings and requested the matter be transferred to the Office of Administrative Law Judge for a hearing on the matter.
6. The Department believes that the primary outstanding issue in this case is whether it is appropriate to abolish the Strickler Street crossing and the Griscom Street crossing given their safety issues and redundancy to other crossings in the area.
7. The Borough avers that abolishing the crossing would negatively impact emergency response time for residents and that if barricades are placed at the location of the crossings upon their abolishment a more hazardous condition would be created if the area were to flood.
8. The Department concurs with CSX's Application as abolition of these redundant crossings is the safest option given the proximity of other crossings in the area.
9. The Department defers to I&E's proposed procedural schedule.
10. The Department intends to offer the following witness to address the questions which are directed to the Department:

Thomas A. Ryczek
Senior Civil Engineer Supervisor
Pennsylvania Department of Transportation
Engineering District 12-0
825 N. Gallatin Avenue Ext.
Uniontown, PA 15401

11. The Department reserves the right to call any additional witnesses deemed necessary, as the case develops.

Respectfully Submitted,

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



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Pennsylvania Attorney I.D. Number 317171
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DATED: December 29, 2021

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of CSX Transportation, Inc. for : Docket No. A-2020-3020537
Approval of the Abolition of the Crossings : :
where Strickler Street (DOT No. 145 461 L) : Electronically Filed
and Griscom Street (DOT No. 145 455 H) : :
cross at grade the tracks of CSX : :
Transportation, Inc. located in Dawson : :
Borough, Fayette County, Pennsylvania : :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document, upon the parties listed below, in accordance with the requirements of 52 Pa.Code § 1.54 (relating to service by a party):

Service by Electronic Mail:

Honorable Elizabeth H. Barnes
Administrative Law Judge
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ebarnes@pa.gov

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Service by First-Class Mail on December 29, 2021


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Uniontown, PA 15401

Damage Prevention Personnel
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1600 Dublin Rd
Columbus, OH 43215

Annette Ruvo
Dawson Borough
P.O. Box A
Dawson, PA 15428

Mr. Bob Softcheck
P.O. Box 368
Dunbar, PA 15431

Respectfully submitted,
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION


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DATED: December 29, 2021