

**BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

Complaint filed by Reading Blue Mountain & Northern Railroad Company involving the Deteriorated condition of the railroad crossing Surface and roadway approaches at the public Crossing (DOT 361 425 J) where SR 2019 (Oak Street) crosses, at grade, the tracks of Reading Blue Mountain & Northern Railroad Company, located in the Pittston Township, Luzerne County : C-2020-3016906
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**MEMORANDUM OF READING BLUE MOUNTAIN & NORTHERN RAILROAD
IN RESPONSE TO COURT REQUEST OF JAN. 19, 2022**

As requested by Judge Emily DeVoe on January 19, 2022, the parties have conferred on the issues. Counsel for Railroad and counsel for PennDOT, the primary parties in this matter, have agreed to respond via separate memoranda as opposed to requesting a teleconference.

RESPONSE OF READING, BLUE MOUNTAIN & NORTHERN RAILROAD (RBMN)

A. Signage: RBMN is aware that signage has been placed at and near the crossing, consisting of several “bump ahead” signs, some with flashing lights. RBMN believes this signage is sufficient to alert the travelling public during the pendency of this litigation, and possibly on a permanent basis.

B. Long-term solution: RBMN position is that the sole feasible solution is to regrade/reconfigure and repave the roadway approaches to the crossing. Lowering of the track elevation at the crossing is not a viable option, as the current track elevation is required to accommodate track speed in the particular area of the rail line. As for timing of the reconstruction, the winter weather will preclude any paving work until springtime, and the crossing is currently passable to vehicular traffic.

C. The allocation of costs for the reconstruction/paving will be at issue.

Respectfully submitted:

FANELLI, EVANS & PATEL, P.C.

By: 

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served a true and correct copy of the foregoing document upon the parties listed below in accordance with the requirements of § 1.54 (relating to service by a party):

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Date: *January 20, 2022*

John R. Kantner

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