



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

April 15, 2022

**Via Electronic Filing**

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

Re: Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the crossings where State Route 3104 crosses, above grade, the tracks of CSX Transportation Inc. (DOT 584 825 U), Norfolk Southern Railway Company (DOT 507 455 K), and the Pittsburgh and Ohio Central Railroad Company (DOT Unknown) in the City of Pittsburgh, Stowe Township and McKees Rocks Borough, Allegheny County.  
Docket No. A-2020-3020667

**I&E Letter Reply to PennDOT's Exceptions**

Dear Secretary Chiavetta:

In accordance with 52 Pa. Code § 5.535, the Bureau of Investigation and Enforcement ("I&E") submits this short Reply to PennDOT's Exceptions filed on April 7, 2022. Specifically, I&E generally supports PennDOT's Exceptions minus Exception No. 4, related to characterizing lighting as an optional safety feature, whereas I&E does not agree with PennDOT's suggested modification. In light of the current existence of lighting on the bridge, I&E opposes any suggestion that the highway lighting is optional and thus can be removed since its removal would greatly impact safety at the bridge. N.T. pgs. 101-102, 123-125. The highway lighting is a safety feature of the bridge, no quantifier is necessary or appropriate.

Copies have been served on the parties of record in accordance with the Certificate of Service. If you have any questions, please contact the undersigned.

Sincerely,

Kayla L. Rost  
Prosecutor  
Bureau of Investigation and Enforcement  
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KLR/ac  
Enclosure

cc: Office of Special Assistants (via email - [ra-OSA@pa.gov](mailto:ra-OSA@pa.gov))  
Daniel Helfrich, P.E. (via email - [dhelfrich@pa.gov](mailto:dhelfrich@pa.gov))  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of :  
Transportation of the Commonwealth of :  
Pennsylvania for approval to alter the :  
crossings where State Route 3104 crosses, :  
above grade, the tracks of CSX Transportation :  
Inc. (DOT 584 825 U), Norfolk Southern : Docket No. A-2020-3020667  
Railway Company (DOT 507 455 K), and the :  
Pittsburgh and Ohio Central Railroad :  
Company (DOT Unknown) in the City of :  
Pittsburgh, Stowe Township and McKees :  
Rocks Borough, Allegheny County. :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing **I&E Letter Reply to PennDOT's Exceptions** dated April 15, 2022, 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 Only**

Honorable Conrad A. Johnson  
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**Service by First Class Mail Only**

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*Kayla L Rost*

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