



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

IN REPLY PLEASE
REFER TO OUR FILE

A-2020-3021103

April 29, 2022

Via Eservice and Email Only
TO ALL PARTIES OF RECORD

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the five (5) public at grade crossings by the installation of new active traffic control devices where South Hoover Street, Brubaker Avenue, Custer Avenue, South Railroad Avenue and Brimmer Ave., (SR 1011), cross the tracks of Norfolk Southern Railway Company in New Holland Borough, Lancaster County, all in accordance with the Federal Grade Crossing Program and the allocation of costs incident thereto.

To Whom It May Concern:

By Commission Secretarial Letter dated, October 29, 2020, Pennsylvania Department of Transportation was directed to alter the subject crossing by the installation of new active traffic control devices where South Hoover Street, Brubaker Avenue, Custer Avenue, South Railroad Avenue and Brimmer Ave., (SR 1011), cross the tracks of Norfolk Southern Railway Company in New Holland Borough, Lancaster County. The installation of new automatically operated flashing-light signals with gates and a bell on the approaches to the subject crossings is being done by Norfolk Southern Railway Company at the sole cost and expense of the Pennsylvania Department of Transportation. All work at the subject crossings was to be completed on or before May 31, 2022.

By letter-petition received by the Commission on April 25, 2022, Norfolk Southern Railway Company requests that the Commission grant an extension of time until May 31, 2023, due to additional time required to coordinate relocation of utility lines, poles, and facilities, prior to project construction.

We have carefully reviewed the record in this proceeding and will grant Norfolk Southern Railway Company an extension of time to May 31, 2023.

This Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code.

THEREFORE:

The letter-petition received on April 25, 2022 by Norfolk Southern Railway Company be and is hereby granted to the extent herein directed:

1. Paragraph 15 of the Secretarial Letter dated October 29, 2020, which reads as follows, to wit:

“15. All work to alter the subject crossings shall be completed in a manner satisfactory to this Commission on or before May 31, 2022, and that on or before said date, Norfolk Southern Railway Company report the date of actual completion of the work.”

be and is hereby modified to read:

15. All work to alter the subject crossings shall be completed in a manner satisfactory to this Commission on or before May 31, 2023, and that on or before said date, Norfolk Southern Railway Company report the date of actual completion of the work.

2. In all respects not inconsistent herewith, our Secretarial Letter dated October 29, 2020, remains in full force and effect.

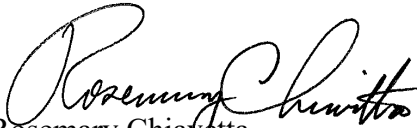
The Parties are reminded that failure to comply with this or any Order or Secretarial Letter in this proceeding may result in an enforcement action seeking civil penalties and/or other sanctions pursuant to 66 Pa. C.S. § 3301.

The Commission has waived certain regulatory service provisions as directed by the Commission’s Order at M-2021-3028321. Currently, while the Commission’s physical facilities are open for business, some of the operational restraints occasioned by the pandemic remain. It is evident that the pandemic and its changing nature require certain procedural flexibility for the public, the regulated community, and the Commission. Toward this end, the Commission will continue to permit electronic service by the Commission on all parties, regardless of whether a particular party has agreed to electronic service. An exception to this general waiver is where the Public Utility Code requires service by specified means, e.g., Section 702. Additionally, service on Commission staff in proceedings pending before it, whether staff is a party or otherwise, shall be exclusively electronic unless the parties agree otherwise. Filings must be submitted by efilings with the Secretary of the Commission by opening an efilings account through the Commission’s website and accepting eservice at <https://www.puc.pa.gov/filing-resources/efiling/>. If your filing contains confidential material, you are required to file by overnight delivery to ensure the timely filing of your submission.

If you are dissatisfied with the resolution of this matter, you may, as set forth in 52 Pa. Code §§ 1.31 and 5.44, file a Petition for Reconsideration from Staff Action (Petition) with the Commission within twenty (20) days of the date of this letter. The Petition shall be submitted by e-filing said petition within twenty (20) days, or if no timely request is made, the action will be deemed to be a final action of the Commission.

The Petition MUST include: (1) a written statement (divided into numbered paragraphs) outlining the reasons for the request; (2) the case docket number (it is provided for you at the top right hand corner of this letter); (3) the party on whose behalf the petition is made; (4) a Certificate of Service on the other parties of record; and (5) a Verification with original signature in accordance with 52 Pa. Code § 1.36.

Very truly yours,



Rosemary Chialetta
Secretary