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May 26, 2022

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

**Re: Application of the York Railway Company to determine fair and reasonable maintenance responsibilities for the warning devices at the Broadway Street crossings (DOT 540 847 W and DOT 832 109 N) where York Railway Company and CSX Transportation cross said roadway in the Borough of Hanover, York County, Pa.
Docket No. A-00123148**

**Application of CSX Transportation, Inc. for approval to abolish the public crossing (DOT #540847W) where Broadway Street crossed, at grade, a single track of York Railway Company in the Borough of Hanover, York County
Docket No. A-2016-2581908**

Dear Secretary Chiavetta:

Enclosed for filing in the above-captioned matters, please find the Petition for Extension of Time, of CSX Transportation, Inc. Copies have been served upon all interested parties as indicated on the Certificate of Service.

Sincerely yours,

A handwritten signature in blue ink that reads 'Benjamin C. Dunlap, Jr.'.

Benjamin C. Dunlap, Jr.

BCDjr/ino
Enclosure

cc: All parties of record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the York Railway Company	:	
to determine fair and reasonable maintenance	:	Docket No. A-00123148
responsibilities for the warning devices at the	:	
Broadway Street crossings (DOT 540 847 W	:	
and DOT 832 109 N) where York Railway	:	
Company and CSX Transportation cross said	:	
roadway in the Borough of Hanover, York	:	
County, Pa.	:	
	:	
	:	
Application of CSX Transportation, Inc.	:	
for approval to abolish the public crossing	:	Docket No. A-2016-2581908
(DOT #540847W) where Broadway Street	:	
crossed, at grade, a single track of York	:	
Railway Company in the Borough of Hanover,	:	Filed Electronically
York County	:	

PETITION FOR EXTENSION OF TIME

CSX Transportation, Inc. (“CSXT”), by and through its attorneys, NAUMAN, SMITH, SHISLER & HALL, LLP, files this Petition for Extension of Time to perform the work in the above-referenced proceeding, ordered in the Secretarial Letter dated October 13, 2021, based upon the following:

1. At the September 15, 2021 field investigation and conference it was observed that when vehicles exited the two (2) driveways onto Broadway Street, they are able to make a right turn directly behind the warning signals and gates.
2. In order to fix the unsafe conditions at the subject crossing, it was recommended that on the north-bound approach of the crossing, CSXT will install new warning signals and that the Pennsylvania Department of Transportation (“PennDOT”) would extend the existing sidewalk and curbing to go beyond the signals. On the south-bound approach of the crossing the

recommendation was that PennDOT would construct new sidewalk and curbing in front of the warning signals.

3. Paragraph 4 of the aforementioned Secretarial Letter states that York Railway Company, at its sole and expense, will remove its track, ties and ballast through the full width of Broadway Street and two (2) sidewalks.

4. Paragraph 5 requires CSXT, at its the sole cost and expense, to submit circuitry plans to the Pennsylvania Utility Commission (“Commission”) for approval and to submit situation plans, to all parties of record for review and to the Commission, for approval, prior to the start of construction.

5. Paragraph 5 goes on to further require CSXT to install new active control systems, remove the existing crossing surface, rails, ties and ballast, install a new asphalt crossing surface to cover the entire width of the roadway and sidewalk and restore the approach pavement as specified by the plans.

6. Per the Manual on Uniform Traffic Control Device Standards (“MUTC”) since the proposed cantilevers and gates are within 8’ 3” of the travel way, curbing must be provided. PennDOT is unable to provide the curbing until scheduled roadway work is completed in 2023.

7. To accommodate the location of CSXT’s proposed signal house, it will require York Railway Company to remove its tracks in the northwest quadrant, 60’ west of the crossing.

8. CSXT is unable to install its active control systems and signal house until the new sidewalk and curbing is constructed and an additional portion of York Railway Company’s tracks are removed.

9. PennDOT has informed CSXT that its proposal to extend the time needed is acceptable.

10. CSXT therefore requests that the aforementioned Secretarial Letter be modified to extend the completion date stated in paragraph 7, from October 31, 2022 to December 31, 2024.

11. CSXT therefore requests that Ordering Paragraph 4 of the Secretarial Letter issued October 13, 2021, be modified as follows:

That York Railway Company, at its sole and expense, shall provide all work to remove its tracks, ties and ballast through the full width of Broadway Street and two (2) sidewalks and in the northwest quadrant an additional 60 feet west of the crossing. Hanover Borough, at its sole and expense, shall provide all material and work to install asphalt paving to restore the roadway and sidewalks of Broadway Street where the tracks were removed, satisfactory to applicable state and local standards and in coordination with the Pennsylvania Department of Transportation.

WHEREFORE, CSX Transportation, Inc., respectfully requests that it be granted its request to require York Railway Company to remove an additional section of its tracks and an extension of time until December 31, 2024, to complete all work needed to alter the subject crossing.

Respectfully submitted,

NAUMAN, SMITH, SHISSLER & HALL, LLP

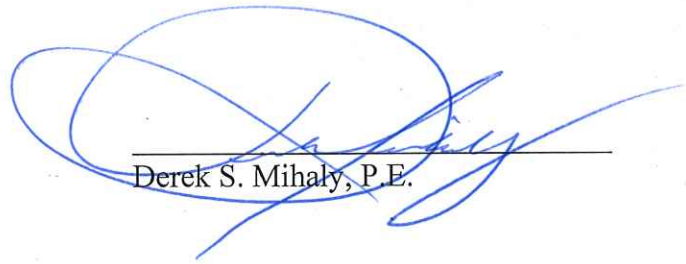
By: *Benjamin C. Dunlap, Jr.*
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Supreme Court ID #66283
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Harrisburg, PA 17101
Attorneys for CSX Transportation, Inc.

Date: May 26, 2022

VERIFICATION

I, Derek S. Mihaly, P.E, Project Manager II, of CSX Transportation, Inc, hereby states that the facts set forth in the attached *Petition for Extension of Time* in the forementioned matter is true and correct to the best of my knowledge, information and belief. 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: May 20, 2022



Derek S. Mihaly, P.E.

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/s/ Ijeoma N. Okereke

Ijeoma N. Okereke

Dated: May 26, 2022