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July 20, 2022

BY ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
PO Box 3265
Harrisburg, PA 17105-3265

Re: Docket Nos. C-2015-2513130 and C-2015-2513384

Dear Secretary Chiavetta:

Enclosed for filing in the above-referenced proceedings on behalf of Buffalo & Pittsburgh Railroad, Inc. is a Motion for Extension of Time. A copy has been sent to all parties of record as shown in the enclosed Certificate of Service.

Respectfully,

CLARK HILL

A handwritten signature in blue ink that reads 'Eric M. Hocky'.

Eric M. Hocky

EMH:e
Enclosure

cc: All parties shown on the Certificate of Service

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Complaints filed by the Borough of Ellwood :	No.: C-2015-2513130
City vs. Buffalo & Pittsburgh Railroad, Inc. :	
alleging falling concrete from the railroad :	No.: C-2015-2513384
overpass onto the public roadway and :	
sidewalks and other issues at the public :	<i>Electronically Filed</i>
crossing (DOT 145 827 X) where SR 2017 :	
(Fifth Street) crosses, below grade, the :	
tracks of Buffalo & Pittsburgh Railroad Inc., :	
located in the Borough of Ellwood City, :	
Lawrence County :	
_____ :	

**MOTION OF BUFFALO & PITTSBURGH RAILROAD, INC.
FOR EXTENSION OF TIME TO COMPLY
WITH COMMISSION ORDER**

Buffalo & Pittsburgh Railroad, Inc. (“BPRR”) files this Motion to request an extension of time to complete the project as set forth in paragraph 14 of the Secretarial Letter dated May 6, 2022 (the “May 6 Secretarial Letter”), and in support thereof states as follows:

1. In this proceeding, BPRR agreed to install a sidewalk protection canopy to be constructed in accordance with plans that were submitted to the Commission and approved by Secretarial Letter dated February 2, 2022.
2. The sidewalk safety improvement project was approved, and the future maintenance, cost allocation and installation of the sidewalk protection canopy were addressed and set forth in the May 6 Secretarial Letter.
3. Under paragraph 14 of the May 6 Secretarial Letter, BPRR is to complete the project construction on or before September 30, 2022.
4. BPRR has duly entered into an agreement with a contractor to complete the work. However, due to supply chain issues outside the control of BPRR and its contractor as explained

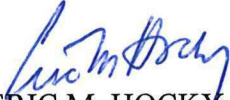
in the letter attached hereto as Exhibit A (redacted to remove confidential pricing information), the contractor will not be able to acquire the necessary anchor bolts in time to complete the construction before the September 30, 2022 deadline.

5. Section 1.15(a) of the Commission's regulations, 52 Pa. Code §1.15(a) provides that the Commission, presiding officer or other authorized person, may extend the time period prescribed for good cause upon motion made before the expiration of the period originally prescribed.

6. As set forth above, BPRR has set forth good cause for the proposed delay for the completion of the work beyond the original deadline established by the May 6 Secretarial Letter, and believes that it would be reasonable, appropriate and in the public interest for the Commission to grant a two-month extension of the original deadline until November 30, 2022.

WHEREFORE, Buffalo & Pittsburgh Railroad, Inc. requests that the Commission grant this motion and extend until November 30, 2022, the time within which BPRR is to complete the sidewalk protection installation work as described in the May 6 Secretarial Letter.

Respectfully submitted,


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Attorneys for
Buffalo & Pittsburgh Railroad, Inc.

Dated: July 20, 2022

EXHIBIT A



B&P RR 5th Street Overpass Bridge Roof Repair

PDF - 111 KB



THORNBURY INC

700 Calico Road
West Sunbury, PA 16061
thornburyinc@zoominternet.net

PH: 724-637-3321
FX: 724-637-3751

July 5, 2022

Shawn Baer
Director of Structures
Genesee & Wyoming
Northern Region, East District

RE: Elwood City
5th Street Roof Repair

Mr. Baer,

Our price to place a roof under the 5th street sidewalk is lump sum [REDACTED] Please note the anchor bolts are [REDACTED] each and will take 10 to 12 weeks to produce.

Thank you



Abby Thornbury
Thornbury, Inc.

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

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(Fifth Street) crosses, below grade, the :	
tracks of Buffalo & Pittsburgh Railroad Inc.,:	
located in the Borough of Ellwood City, :	
Lawrence County :	
_____ :	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document by email on the parties of record in accordance with the requirements of Section 1.54 (relating to service by a participant):

Edward Leymarie, Jr.
Borough of Ellwood City – Solicitor
Leymarie Clark Long, P.C.
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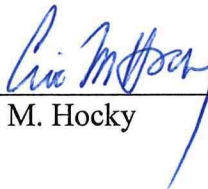
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Eric M. Hocky

Dated: July 20, 2022