



November 3, 2022

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

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter one (1) public at-grade crossing by the installation of Z Gates at the multi-use trail along State Route 4034 and two (2) public at-grade crossings by altering the pre-emption and timing where 8th Street and 10th Street cross the track of CSX Transportation Inc. (DOT Numbers 918 324 S, 524 337 C, and 524 335N) in the City of Erie, Erie County, and the allocation of costs incident thereto.

Dear Secretary Chiavetta:

Enclosed for filing, please find the Application of the Department of Transportation.

A copy of this Application and Exhibits has been served upon the parties in the Certificate of Service to the Application by email.

Sincerely,

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Jeanette Uhl  
Highway Design Manager  
Engineering District 1-0  
Department of Transportation

Attachments

cc: Parties of Record  
Mark J. Chappell, P.E., Chief, Right-of-Way, Utilities & Grade Crossing Division, 7<sup>th</sup> Floor, CKB  
Karen L. Cummings, Senior Assistant Counsel, Office of Chief Counsel, 9<sup>th</sup> Floor, CKB  
William M. Sinick, P.E., Supervisor, Rail Safety Engineering Section, PUC, 3<sup>rd</sup> Floor, CKB

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter one (1) public at-grade crossing by the installation of Z Gates at the multi-use trail along State Route 4034 and two (2) public at-grade crossings by altering the pre-emption and timing where 8<sup>th</sup> Street and 10<sup>th</sup> Street cross the track of CSX Transportation Inc. (DOT Numbers 918 324 S, 524 337 C, and 524 335N) in the City of Erie, Erie County, and the allocation of costs incident thereto

Application  
Docket No. \_\_\_\_\_

**Electronically Filed**

APPLICATION OF THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF  
TRANSPORTATION

Applicant, Commonwealth of Pennsylvania, Department of Transportation, files this Application pursuant to the provisions of 66 Pa.C.S § 2702 and 52 Pa. Code § 5.13 for the alteration of one (1) public at-grade crossing by the installation of Z Gates at the multi-use trail along SR 4034 and two (2) public at-grade crossings by altering the pre-emption and timing where 8<sup>th</sup> Street and 10<sup>th</sup> Street cross at-grade, the track of CSX Transportation Inc. (DOT Numbers 918 324 S, 524 337 C, and 524 335N) in the City of Erie, Erie County,, Erie County as described below:

1. The name and address of Applicant are Commonwealth of Pennsylvania, Department of Transportation, Thomas J. McClelland, P.E., Assistant District Executive, Engineering District 1-0, 255 Elm Street, Oil City, PA 16301.
  
2. The name and address of attorney for the Applicant are Karen L Cummings, Senior Assistant Counsel, Commonwealth of Pennsylvania, Department of Transportation, Office of Chief Counsel, PO Box 8212, Harrisburg, PA 17105-8212.

3. The Applicant is an agency of Commonwealth of Pennsylvania, organized and existing under the Administrative Code of 1929, 71 P.S. § 511, et seq. and generally 36 P.S. § 670 - 401 et seq., filing this Application on its behalf and on behalf of City of Erie as evidenced by the letter dated February 22, 2021, which is attached hereto and marked as Exhibit “A”.

4. The names and addresses of the persons, parties and entities concerned in, or affected by the proposed construction, to the best of the Applicant’s knowledge, are shown in the certificate of service. In addition to those served, the Applicant requests that the following also receive service of all documents in this matter:

Mark J. Chappell P.E., Chief  
Utilities, Right of Way & Grade Crossing  
Division  
Pennsylvania Department of Transportation  
PO Box 3362  
Harrisburg, PA 17105-3362  
[MARCHAPPEL@pa.gov](mailto:MARCHAPPEL@pa.gov)

Karen L. Cummings,  
Counsel for the Applicant  
Office of Chief Counsel  
Pennsylvania Department of Transportation  
PO Box 8212  
Harrisburg, PA 17105-8212  
[KCUMMINGS@pa.gov](mailto:KCUMMINGS@pa.gov)

5. The Applicant is seeking approval to alter one (1) public at-grade crossing by the installation of Z Gates at the multi-use trail along State Route 4034 and two (2) public at-grade crossings by altering the pre-emption and timing at 8<sup>th</sup> and 10<sup>th</sup> Streets. A Location Map is attached hereto and marked as Exhibit “B”.

6. The Applicant is aware of prior Public Utility Commission orders for these crossings at Docket Number: A-00116344

7. The average daily traffic for the following crossings are:

A. SR 4034 (DOT No. 918 324S) is 15,969 vehicles with 4% truck

B. 8<sup>th</sup> Street (DOT No. 524 337C) is 2,505 vehicles with 1% trucks.

C. 10<sup>th</sup> Street (DOT No.524 335N) is 5,153 vehicles with 2% trucks.

8. The estimated total cost for the project subject to the application and described above is \$250,000,00. The Applicant anticipates that the funding for the project will be 80% federal funds and 20% state funds.

9. This project is necessary and proper for the safety and convenience of the public.

10. A conference of all parties of interest should be held to discuss the proposed project

Wherefore, Applicant respectfully requests that the Public Utility Commission approve this Application.

Respectfully Submitted,

Thomas J. McClelland, P.E.  
Assistant District Executive  
Engineering District 1-0  
Department of Transportation  
255 Elm Street  
Oil City, PA 16301  
Phone: (814) 678-7081  
Fax: (814) 678-7030  
THMCCLELLA@pa.gov

Dated: \_\_\_\_\_

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter one (1) public at-grade crossing by the installation of Z Gates at the multi-use trail along State Route 4034 and two (2) public at-grade crossings by altering the pre-emption and timing where 8<sup>th</sup> Street and 10<sup>th</sup> Street cross the track(s) of CSX Transportation Inc. (DOT Numbers 918 324 S, 524 337 C, and 524 335N) in the City of Erie, Erie County, and the allocation of costs incident thereto.

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VERIFICATION

I, Jeanette Uhl, Highway Design Manager, Commonwealth of Pennsylvania, Department of Transportation, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect to be able to prove the same at a hearing held in this matter. 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: \_\_\_\_\_

\_\_\_\_\_  
Jeanette Uhl  
Highway Design Manager  
Engineering District 1-0

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter one (1) public at-grade crossing by the installation of Z Gates at the multi-use trail along State Route 4034 and two (2) public at-grade crossings by altering the pre-emption and timing where 8<sup>th</sup> Street and 10<sup>th</sup> Street cross the track of CSX Transportation Inc. (DOT Numbers 918 324 S, 524 337 C, and 524 335N) in the City of Erie, Erie County, and the allocation of costs incident thereto.

Application

Docket No. \_\_\_\_\_

**Electronically Filed**

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document, filed electronically through the Commission's e-filing system, upon the participants listed below, in accordance with the requirements of 52 Pa. Code § 1.54, by first class mail, postage prepaid.

Derek Mihaly, Project Manager II  
CSC Transportation  
4 Neshaminy Interplex  
Suite 205  
Trevose, PA 190053  
[derek\\_mihaly@csx.com](mailto:derek_mihaly@csx.com)

Daniel Banister  
Charter Communications Cable  
Television  
2904 State Road  
Ashtabula, OH 44004  
[Daniel.Banister@charter.com](mailto:Daniel.Banister@charter.com)

Brian Shank, Chairperson  
Erie County, County Commissioners  
Erie County Courthouse, Room 114  
140 West 6th Street  
Erie, PA 16501  
[bshank@eriecountypa.gov](mailto:bshank@eriecountypa.gov)

Jason Sayers, Assistant City Engineer  
Erie City Bureau of Sewer  
626 State Street. Room 400  
Erie, PA 16501  
[JSayers@erie.pa.us](mailto:JSayers@erie.pa.us)

Liz Allen  
Erie City Council President / Chairperson  
104 Municipal Building  
626 State Street  
Erie, PA 16501  
[lallen@erie.pa.us](mailto:lallen@erie.pa.us)

Craig Palmer, P.E  
Erie Water Works  
240 West 12th Street  
Erie, PA 16501  
[cpalmer@eriewaterworks.org](mailto:cpalmer@eriewaterworks.org)

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Velocity Net Communications, Inc.  
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[Mat.kacprowicz@velocitynetwork.net](mailto:Mat.kacprowicz@velocitynetwork.net)

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20 East 10th Street  
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[Eric.rodrigues@verizon.com](mailto:Eric.rodrigues@verizon.com)

Chris Beyer  
Pennsylvania Electric Company  
5404 Evans Rd  
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Erie, Pa 16508  
814-868-8737

Jason Fleek  
National Fuel Gas Distribution Corp  
1100 State Street  
P.O. Box 2081  
Erie, PA 16512  
[fleekj@natfuel.com](mailto:fleekj@natfuel.com)

Timothy Sennett  
Erie Sewer Authority  
120 West 10th Street  
Erie, PA 16501  
[tsennett@kmgslaw.com](mailto:tsennett@kmgslaw.com)

Dated this \_\_\_\_\_ Day of \_\_\_\_\_

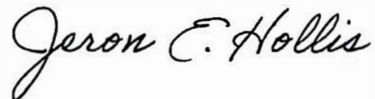
\_\_\_\_\_  
Jeanette Uhl  
Highway Design Manager  
814.678.7084  
juhl@pa.gov



February 22, 2021  
Erie County  
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As a result of this action, the Municipality will receive a copy of the application that will be made by the Department to the PUC, which will then be followed by a letter from the PUC advising of a subsequent field conference at the crossing. Should there be any questions with regards to this matter, please contact Jeron Hollis at 814.678.7380

Sincerely,

A handwritten signature in cursive script that reads "Jeron E. Hollis".

Jeron E. Hollis,  
District Grade Crossing Engineer  
Engineering District 1-0  
Department of Transportation

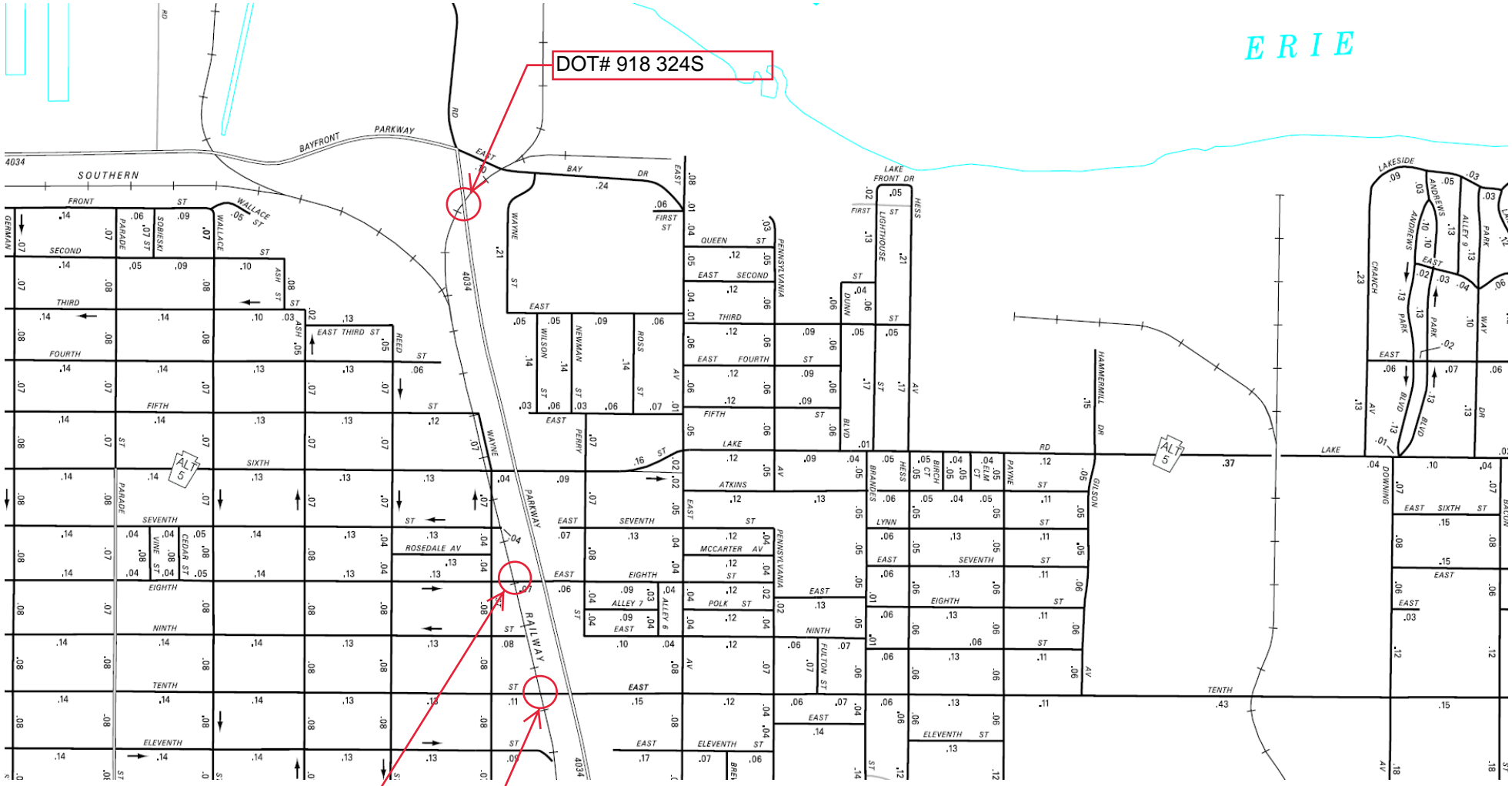
Erie County

DOT No. 918 324S, 524 337C, 524 335N

CSX Transportation Inc.

DOT# 918 324S

ERIE



DOT# 524 337C

DOT # 524 335N

Exhibit "B"

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