



**COMMONWEALTH OF PENNSYLVANIA**  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET  
HARRISBURG, PENNSYLVANIA 17120  
February 15, 2023

IN REPLY PLEASE  
REFER TO OUR FILE

C-2022-3033527

**Via Eservice and Email**  
**TO ALL PARTIES OF RECORD**

Donna Carson  
v.

Norfolk Southern Railway  
Lititz Borough  
Lancaster County  
Commonwealth of Pennsylvania Department of Transportation

To Whom It May Concern:

By Secretarial Letter, dated July 6, 2022, the Commission sent notice to all parties of record of a complaint filed involving the crossing along SR 0501 (Broad Street) in the Borough of Lititz (DOT 591 620 T).

On August 4, 2022, a field investigation and conference was arranged by a Commission staff engineer and held at the site of the public crossing. Representatives of the Complainant, Borough of Lititz, Lancaster County, Norfolk Southern Railway Company (NS), and the Pennsylvania Department of Transportation (Department) were in attendance.

At the field conference, it was noted that SR 0501 (Broad Street) is two lane, two directional bituminous paved roadway that approaches and traverses through an at-grade single track highway/railroad public crossing (DOT 591 620 T) equipped with flashing light signals.

The at-grade asphalt crossing surface was in poor condition and in need of repair. Temporary patching had been completed in December of 2021 but was not sufficient to create a smooth crossing surface at the time of the complaint. R15-1 crossbuck and (W10-1) railroad advanced warning signs were in place prior to the highway/railroad crossing surface.

To satisfy and resolve the complaint, NS agreed to replace the crossing surface in-kind with a new asphalt and rail seal crossing surface, outlined in detail the Commissions Secretarial Letter, under this same docket number, served on September 7, 2022.

On February 1, 2023, a Commission staff engineer arranged and conducted a final inspection of the work completed at the site of the highway/railroad public crossing. Representatives of the Borough of Lititz, NS and the Pennsylvania Department of Transportation (Department) and the Complainant were in attendance.

At the final inspection it was noted that all physical work had been completed as agreed upon to repair the public highway/railroad crossing (DOT 591 620 T).

Upon discussion at the final inspection, it was determined that the Complainant was satisfied with all work completed to resolve the complaint. The Complainant agreed that the docket should be closed, and the formal complaint be dismissed.

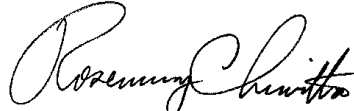
The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that since the complaint has been satisfied, the case be "CLOSED."

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 e-filing with the Secretary of the Commission by opening an e-filing 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 Chiavetta  
Secretary