



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

IN REPLY PLEASE
REFER TO OUR FILE
A-2022-3036626

March 23, 2023

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 one (1) public at-grade crossing (DOT 918 324 S) by the installation of Z Gates at the multi-use trail along East Bayfront Parkway (State Route 4034) and alter two (2) public at-grade crossings (DOT's 524 337 C, and 524 335 N) by installing pedestrian crossing improvements and altering the pre-emption and timing where East 8th Street and East 10th Street cross the track of CSX Transportation Inc., in the City of Erie, Erie County, and the allocation of costs incident thereto.

To Whom It May Concern:

On February 27, 2023, Pennsylvania Department of Transportation (Department) submitted final construction plans, traffic signals plans and traffic control plans to alter a public at-grade crossing (DOT 918 324 S) by the installation of Z Gates at the multi-use trail along East Bayfront Parkway (State Route 4034) and to alter two (2) public at-grade crossings (DOT's 524 337 C, and 524 335 N) by installing pedestrian crossing improvements and altering the pre-emption and timing where East 8th Street and East 10th Street cross the track of CSX Transportation Inc., in the City of Erie, Erie County. The plans are in accordance with Numbered Paragraphs 3 and 4 of the Commission's Secretarial Letter dated, February 24, 2023, in the above-captioned proceeding.

The final construction plans are entitled "COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION DRAWINGS FOR CONSTRUCTION OF STATE ROUTE 4034 SECTION S00 IN ERIE COUNTY," consisting of twenty-seven (27) sheets. The final traffic signal plans are entitled "S.R. 0290/S.R. 4034 (BAYFRONT CONNECTOR) AND S.R. 0050 (EAST 12TH STREET)," consisting of twenty (20) sheets. The final traffic control plans are entitled "TRAFFIC CONTROL PLANS," consisting of thirty-nine (39) sheets.

The Department avers that each party to the proceeding was sent a copy of the final construction plans and traffic signal plans with railroad preemption for review. The

Department E-filed the plans with the Commission. None of the parties have advised this Commission that it objects to approval of the plans.

Please be advised that the plans have been certified as the correct plans and are hereby approved.

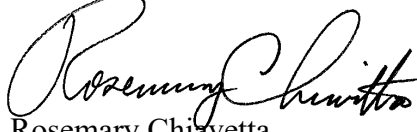
The Parties are reminded that failure to comply with this or any Order or Secretarial Letter in this proceeding may result in an enforcement action seeking civil penalties and/or other sanctions pursuant to 66 Pa. C.S. § 3301.

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 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