



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

IN REPLY PLEASE
REFER TO OUR FILE

May 16, 2023

A-2022-3036865

TO ALL PARTIES OF RECORD

Application of the Pennsylvania Turnpike Commission (PTC) for approval to replace an above grade public crossing (DOT 858 975 M) by the construction of a single-span steel girder bridge where SR 2045 (Pittsburgh-McKeesport Blvd.) crosses, above grade, two (2) tracks of Transtar, LLC, operated thereon by Union Railroad Company, LLC (URR); PTC will fund the bridge replacement, but Pennsylvania Department of Transportation will own and maintain the new bridge located in the Borough of Dravosburg, Allegheny County.

To Whom It May Concern:

By application filed with the Commission on November 7, 2022, the Pennsylvania Turnpike Commission (PTC) seeks Commission approval to replace the existing State Route (SR) 2045 (Pittsburgh-McKeesport Boulevard) bridge that crosses, above grade, two (2) tracks of Transtar, LLC, operated thereon by the Union Railroad Company, LLC (URR) (DOT 858 975 M) located in the Borough of Dravosburg, Allegheny County.

An adjacent trolley/roadway bridge crosses (DOT 853 128 B), above grade, the tracks of Transtar, LLC, operated thereon by Union Railroad Company LLC, approximately fifty-five-feet (55') southwest of the centerline of the existing SR 2045 bridge. PTC proposes to eliminate the trolley bridge and abolish the public crossing (DOT 853 128 B) as part of the construction project by the removal of the entire superstructure, substructure, abutments and wingwalls to two-feet below final grade for the adjacent trolley bridge. Access provided to facilities and properties that currently utilize the trolley bridge will be rerouted via a new permanent access roadway from SR 2045, north of the URR tracks.

The SR 2045 bridge replacement project is necessary for roadway realignment and to accommodate increased traffic associated with the construction of PTC's Mon-Fayette Expressway project which involves extending SR 0043 by construction of a new 4-lane limited-access toll road from the existing terminus at SR 0051 to Interstate I-376 in Monroeville.

The current configuration of SR 2045 Pittsburgh-McKeesport Boulevard Bridge was completed in 1956 by Allegheny County when a three-span bridge was connected and widened a previously constructed single-span bridge there. The perpendicular span over the URR is 39'-10 3/4" long and comprised of adjacent prestressed concrete box beams skewed 17.5-degrees to normal. The bridge currently provides four 12'- 0" traffic lanes and a sidewalk on each side. The existing minimum vertical clearance from top of rail is 26'- 2". The existing minimum horizontal clearance from centerline of track to existing Pier 1 is 15'- 10 1/2".

The proposed SR 2045 Pittsburgh-McKeesport Boulevard Bridge will be a single-span, steel plate multi-girder structure, 126'- 0" long. The proposed out-to-out width is 73'- 4 1/2" providing three 12'- 0" traffic lanes, one 14'-0" traffic lane, one 12'- 0" turning lane and an 8'- 0" shoulder and two (2) 1'-8 1/4" barriers. The bridge type, size & location plans, approved by Pennsylvania Department of Transportation, do not include sidewalks or roadway lighting. The proposed bridge will provide horizontal and vertical clearances that exceed the Commission minimum clearances in 52 Pa Code Chapter 33. The proposed minimum vertical (overhead) clearance from top of rail is 24'-10". The proposed minimum horizontal clearance exceeds the Commission's minimum required horizontal (side) clearance. PTC avers the average daily traffic is currently 21,100 (2025) with a projected average daily traffic in calendar year 2045 to be 27,500 with 5.8 percent trucks northbound and 8.4 percent trucks southbound. The vertical alignment of the proposed bridge consists of a 9.73 percent ascending grade south to north.

The project will be performed in stages to allow continuous flow of traffic with lane restrictions during the construction period. The PTC agrees to prepare, implement, and maintain a traffic control plan for the duration of the project at its sole cost and expense.

On March 8, 2023, PTC filed an updated application Exhibit C to the Commission and all parties of record for review and consideration. PTC avers that the proposed bridge location is shifted ahead station 10-feet on alignment to improve construction access based upon coordination with the parties thereby requiring a revised Exhibit C containing revised type, size and location plans for the proposed bridge.

Upon receipt of the application, a field investigation and conference was arranged by a Commission staff engineer and held on March 14, 2023 at the site of the crossing. Representatives of Union Railroad Company, Pennsylvania Turnpike Commission, Pennsylvania American Water Company, Markosky Engineering, Navarro & Wright, United States Steel Corporation, Pennoni, HDR, Pittsburgh Regional Transit, Verizon and Pennsylvania Department of Transportation were in attendance. Although notified by letter dated February 28, 2023, sent via electronic mail, there were no representatives from Comcast, DQE Communications, Allegheny County, Duquesne Light Company, Crown Castle, Dravosburg Borough or Peoples Gas Company in attendance.

PTC agrees to construct the project at its sole cost and expense. PTC will reimburse Union Railroad Company the cost for engineering review fees, flagman and maintenance and protection of train traffic during construction. PTC agrees to reimburse the Union Railroad Company for any alterations to their facilities, including constructing any temporary private at-grade crossings necessary to accommodate the construction of the project. PTC agrees to reimburse non-carrier public utilities for alterations to their facilities in private right-of-way. Alterations required to public utilities in public right-of-way will be made by the utility at its initial cost and expense.

At the time of the field conference, it was undetermined if a temporary exemption of the Commission horizontal and vertical clearance requirements would be required for the construction period only to accommodate any containment, shielding and/or work platforms. Accordingly, it will be necessary for the PTC to request such temporary clearance exemptions prior to the start of construction if necessary.

In the application, the PTC requested the Commission appropriate property for the improvement project. At the time of the field conference, the PTC was undecided if it will be necessary for the Commission to appropriate property for construction of the project but will submit right-of-way plans and metes and bounds descriptions at a later date if it is deemed necessary.

The PTC agrees to submit final detailed structural drawings for the proposed project to the Commission for approval and the parties of record for consideration in this proceeding. Accordingly, it will be necessary for the PTC to do so prior to the start of construction.

Upon completion of the construction of the proposed project, the Pennsylvania Department of Transportation agrees to inspect and maintain the new bridge, at its sole cost and expense, including the associated bridge superstructure, substructure, approach roadways and all appurtenant features of the new bridge.

The Commission will assume jurisdiction over those portions of the project along SR 2045 between Highway Station 816+50 and Highway Station 820+00 as shown on the revised proposed bridge type, size, and location plans filed with the Commission on March 8, 2023, as a revised Exhibit C.

The project will be funded solely by the PTC. The estimated cost of construction of the proposed bridge is \$4.13 million.

The applicant has certified that a copy of the application has been served on each party in interest and none have advised that it objects to the issuance of a Secretarial Letter, prior to hearing, approving the application.

Upon full consideration of the matter involved, we determine that it is not necessary to schedule a hearing in this proceeding at this time and that issuance of a Secretarial Letter without hearing is proper since the PTC has agreed to construct the project, at its sole cost and expense, and none of the parties has expressed any objections to the proposal.

Inasmuch as the parties agree with the proposed improvement project and inasmuch as PTC requests a Secretarial Letter as soon as possible to permit initiation of construction of the improvement, the Commission is of the opinion that a Secretarial Letter can be issued approving the application. Upon completion of the project, it may be necessary to schedule a hearing before an administrative law judge to determine the final allocation of costs, if any, incurred by the non-carrier utilities and other matters relevant to this proceeding.

The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that the alteration of public crossing (DOT 858 975 M) and the abolishment of public crossing (DOT 853 128 B) is necessary and proper for the service, accommodation, convenience or safety of the public.

The application is approved as herein directed:

1. The caption of the subject proceeding is hereby revised as shown herein.

2. The application of Pennsylvania Turnpike Commission for approval to alter the public crossing (DOT 858 975 M), by demolition of the existing bridge and construction of a new bridge where State Route 2045 crosses, above grade, two (2) tracks of Transtar, LLC, operated thereon by Union Railroad Company, located in Dravosburg Borough, Allegheny County, be and is hereby approved to the extent provided herein.

3. The public crossing (DOT 853 128 B) where the existing trolley/roadway bridge crosses, above grade, the tracks of Transtar, LLC, operated thereon by Union Railroad Company LLC, approximately fifty-five-feet (55') southwest of the centerline of the existing State Route 2045 bridge be abolished upon acceptable completion of the work described herein.

4. Pennsylvania Turnpike Commission, at its sole cost and expense and prior to the start of construction, prepare and submit to this Commission for approval and to all parties of record for examination, complete detailed construction plans, right-of-way plans and the appropriate property descriptions, if any, that is needed for the proposed crossing alteration project, including highway approaches and the bridge structures.

5. Union Railroad Company, at the sole cost and expense of the Pennsylvania Turnpike Commission, furnish construction engineering and inspection service as required as a result of the proposed work; and furnish and maintain flagmen and watchmen as required to protect its operations during the time work is being performed across, above and adjacent to its tracks.

6. Pennsylvania Turnpike Commission, at its sole cost and expense, furnish all material and perform all work required to construct the proposed crossing project generally in accordance with the approved plans and this Secretarial Letter.

7. Pennsylvania Turnpike Commission, at its sole cost and expense, furnish all material and do all work necessary to establish and maintain any detours or traffic controls that may be required to properly and safely accommodate highway and pedestrian traffic during the time the project is being constructed.

8. Any relocation of, changes in or removal of any adjacent structures, equipment or other facilities of any non-carrier public utility company or municipal authority located within the limits of this Commission's jurisdiction, which may be required as incidental to the execution of the crossing project, be made by said public utility company or municipal authority at its initial cost and expense, and in such manner as will not interfere with the construction of the project.

9. Any relocation of, changes in and/or removal of any adjacent structures, equipment or other facilities of any non-carrier public utility company or municipal authority located beyond the limits of the highway, within the Commission's jurisdiction, which may be required as incidental to the execution of the crossing project, be made by said public utility company or municipal authority, and in such a manner as will not interfere with the construction of the project.

10. Pennsylvania Turnpike Commission, at its sole cost and expense, furnish all material and do all work necessary to complete the remainder of the crossing project, including the installation of all attendant storm drainage facilities and any other ancillary features of the project, all generally in accordance with the approved plans and this Secretarial Letter.

11. All parties involved herein cooperate fully with each other so that during the time the work is being performed, vehicular and pedestrian traffic will not be endangered or unnecessarily inconvenienced, and so that the requirements of each of the parties will be provided for and accommodated insofar as possible.

12. All work necessary to complete the alteration of the subject crossing be done in a manner satisfactory to this Commission on or before December 31, 2027, and that on or before said date, Pennsylvania Turnpike Commission report to this Commission in writing the date of actual completion of the work.

13. Pennsylvania Turnpike Commission, at least thirty (30) days prior to the start of work, notify all parties in interest of the actual date on which work will begin.

14. Pennsylvania Turnpike Commission pay all compensation for damages, if any, due to owners of property taken, injured, or destroyed by reason of the construction of the crossing alteration project in accordance with this Secretarial Letter.

15. This Secretarial Letter is without prejudice to the right of any party to recover part or all of any costs incurred by said party in compliance with the provisions of this Secretarial Letter, in accordance with any lawful agreement between it and any other party.

16. The terms of any agreement established in accordance with this Secretarial Letter shall not preclude the Pennsylvania Public Utility Commission from taking any action necessary to protect the public interest, including but not limited to the reassignment or enforcement of any costs or responsibilities assigned or transferred as a result of this Secretarial Letter.

17. Upon completion of the construction of the proposed project, Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain the new bridge (substructure, superstructure, bridge barriers, roadway pavement) and the remainder of the improvement including the highway approaches, roadway surface, drainage facilities, and any other ancillary features of the bridge structure constructed in accordance with the provisions of this Secretarial Letter.

18. Upon completion of the alteration of the crossings, Union Railroad Company, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its railroad facilities, at the subject crossing, all in accordance with this Secretarial Letter and any other railroad facilities, existing or altered, located within the limits of the project.

19. Upon completion of the construction of the proposed project, each non-carrier public utility company and municipal authority, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its respective facilities, existing or altered, located within the limits of the improvement.

20. Upon completion of the work herein directed, and upon a written request by any party hereto, this proceeding be scheduled for a hearing at a time and a place assigned by this Commission, upon due notice to all parties, to receive evidence relative to the allocation of initial costs incurred, if any, by the non-carrier public utility companies and municipal authorities, and any other matters relevant to this proceeding.

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.

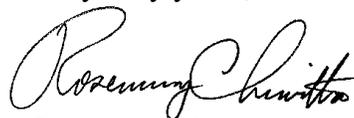
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax or by e-mail. Parties are encouraged to file formal documents by eFiling with the Secretary of the Commission by opening an eFiling account through the Commission's website (the account is free of charge) 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. There are certain filings that cannot be eFiled, such as filings containing confidential or proprietary material. These must be submitted to the Secretary by overnight delivery, priority, or certified mail to allow tracking of your filing.

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 eFiled with the Secretary of the Commission or sent to: Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120, and must be filed 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