



July 10, 2023

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

Re: Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the public at grade crossing by the installation of new railroad warning devices and crossing surface where Center Street (T-343) crosses the track of East Penn Railroad LLC, DOT Number 517 668 X, in New Garden Township, Chester County *all in accordance with the Federal Grade Crossing Program* 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.

Sincerely,

A handwritten signature in black ink that reads "Abiy Abebe(AA)". The signature is written in a cursive style and is positioned above a horizontal line.

Abiy Abebe  
District Grade Crossing Administrator 1  
Engineering District 6-0  
Department of Transportation

Attachments 1

cc: Parties of Record

Mark Chappell, P.E., Chief, Right-of-Way, Utilities, and Grade Crossing Div, 7<sup>th</sup> Flr, CKB  
Karen L Cummings, Senior Counsel, Office of Chief Counsel, 9<sup>th</sup> Flr, 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 the public at grade crossing by the installation of new warning devices and crossing surface, where Center Street (T-343) crosses the track of East Penn Railroad LLC, DOT Number 517 668 X, in New Garden Township, Chester County *all in accordance with the Federal Grade Crossing Program Grade Crossing Program* and the allocation of cost incidental 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 the public at grade crossing where Center Street crosses tracks of East Penn Railroad, LLC. at DOT Number 517 768 C in New Garden Township, Chester County as described below:

1. The name and address of Applicant are Commonwealth of Pennsylvania, Department of Transportation, Charles H. Davies, P.E., Assistant District Executive-Design, Engineering District 6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525.
  
2. The name and address of attorney for the Applicant is Karen L. Cummings, Senior 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., is filling this application on behalf of New Garden Township as evidenced by Resolution dated January 19, 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  
Right of Way, Utilities, and 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 Center Street by installation of new warning devices and crossing surface. A Location Map and circuit plans are attached as Exhibit “B” and Exhibit “C” respectively.

6. The Applicant is not aware of prior Public Utility Commission orders for this crossing.

7. The average daily traffic for Center Street is unknown.

8. The estimated total cost for the project subject to the application and described above is \$285,734.00. The Applicant anticipates the funding for the project will be 100% federal 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

*/s/ Charles H Davies*

---

Charles H. Davies, P.E.  
Assistant District Executive  
Engineering District 6-0  
Department of Transportation  
7000 Geerdes Boulevard  
King of Prussia, PA 19406-1525  
Phone: (610) 205-6670  
Fax: (610) 205-6903  
Email address [cdavies@pa.gov](mailto:cdavies@pa.gov)

Dated: 7/10/2023

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the public at grade crossing by the installation of new warning devices and crossing surface, where Center Street (T-343) crosses the tracks of East Penn Railroad LLC, DOT Number 517 668 X, in New Garden Township, Chester County *all in accordance with the Federal Grade Crossing Program Grade Crossing Program* and the allocation of cost incidental thereto.

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

**Electronically Filed**

VERIFICATION

I, Abiy Abebe, Grade Crossing Administrator 1, 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: 7/11/2023

Abiyabebe(AA)  
Abiy Abebe  
Grade Crossing Administrator 1

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the public at grade crossing by the installation of new warning devices and crossing surface, where Center Street (T-343) crosses the tracks of East Penn Railroad LLC, DOT Number 517 668 X, in New Garden Township, Chester County *all in accordance with the Federal Grade Crossing Program Grade Crossing Program* and the allocation of cost incidental 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 upon the participants listed below, in accordance with the requirements of 52 Pa. Code §1.54, by first class mail, postage prepaid:

Alfred Sauer, President  
East Penn Railroad, LLC  
505 South Broad Street  
Kennett Square, PA 19348  
[asauer@regional-rail.com](mailto:asauer@regional-rail.com)

Brian O'Leary, AICP Executive Director  
Chester County Planning Commission  
601 Westtown Road #270  
PO Box 2747  
West Chester, PA 19380-0990  
[boleary@chesco.org](mailto:boleary@chesco.org)

John Granger, Interim Manager  
New Garden Township  
299 Starr Road  
Landenberg, PA 19350  
[jgranger@newgarden.org](mailto:jgranger@newgarden.org)

Chris Atkinson, Highway Engineer  
Verizon Pennsylvania, LLC  
1050 Virginia Drive  
Fort Washington, PA 19034  
[chris.j.atkinson@verizon.com](mailto:chris.j.atkinson@verizon.com)

Richard Pierone, Assistant General Manager  
Newtown Artesian Water Company  
201 North Lincoln Avenue  
Newtown, PA 18940  
[Richard.Pierone@NewtownWater.com](mailto:Richard.Pierone@NewtownWater.com)

Pete Dettling, Program Manager  
PECO Energy Company  
1050 West Swedesford Road  
Berwyn, PA 19312  
[Charles.Dettling@exeloncorp.com](mailto:Charles.Dettling@exeloncorp.com)

Mike Kimberly, Construction Coordinator  
Comcast Cable Communications  
190 Shoemaker Road  
Pottstown, PA 19464  
[mike\\_kimberly@cable.comcast.com](mailto:mike_kimberly@cable.comcast.com)

Elias Bakhsh, Project Manager  
Aqua Pennsylvania, Inc.  
762 W Lancaster Avenue  
Bryn Mawr, PA 19010  
[Ebakhsh@aquaamerica.com](mailto:Ebakhsh@aquaamerica.com)

Keith Johnston, Construction Supv  
Chester Water Authority  
415 Welsh Street  
PO Box 467  
Chester PA 19013  
[kmjohnston@chesterwater.com](mailto:kmjohnston@chesterwater.com)

Clive Campbell, Network Engineer  
Frontier Communications  
208 East State Street  
PO Box 118  
Quarryville, PA 17566-0096  
[clive.a.campbell@ftr.com](mailto:clive.a.campbell@ftr.com)

Perry Jackson, Field Operations Manager  
Everstream Solutions, LLC  
111 S Independence Mall E Suite 608  
Philadelphia, PA 19106  
[pjackson@everstream.net](mailto:pjackson@everstream.net)

Mark Parker, Engineering Manager  
Eastern Shore Natural Gas Company  
500 Energy Lane Suite 200  
Dover, DE 19901  
[mcparker@esng.com](mailto:mcparker@esng.com)

Tim Mullins, Right-of-Way Manager  
Colonial Pipeline Company  
696 Mantua Grove Road  
West Deptford, NJ 08066  
[tmullins@colpipe.com](mailto:tmullins@colpipe.com)

Lauren Levitt, Supervisor Network Construction  
Crown Castle Fiber  
3200 Horizon Drive, Suite 150  
King of Prussia, PA 19406  
[Lauren.Levitt@crowncastle.com](mailto:Lauren.Levitt@crowncastle.com)

Benson Goodwyn, Senior Land Representative  
Williams Gas PipeLine-Transco  
99 Farber Road  
Princeton, NJ 08540  
[benson.goodwyn@williams.com](mailto:benson.goodwyn@williams.com)

Dated this 11TH Day of July, 2023

Abiyabebe(AA)  
Abiy Abebe

NEW GARDEN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA  
RESOLUTION NO. 384

A RESOLUTION AUTHORIZING PENNDOT TO REQUEST RAILROAD  
CROSSING UPGRADES AT REESE STREET AND CENTER STREET FROM THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

WHEREAS, Reese Street (T-445) is a public roadway under the jurisdiction of New Garden Township; and

WHEREAS, Center Street (T-343) is a public roadway under the jurisdiction of New Garden Township; and

WHEREAS, a railroad operates through New Garden Township, which railroad maintains crossings over Reese Street (T-445) and Center Street (T-343); and

WHEREAS, in order for the improvements to Reese Street (T-445) and Center Street (T-343) to be made pertaining to the railroad crossing, such improvements must be submitted to the Pennsylvania Public Utility Commission ("PUC") by and through the Pennsylvania Department of Transportation ("PennDOT");

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of New Garden Township, as follows:

1. PennDOT is authorized on behalf and for the Board of Supervisors to request approval of the PUC to install appropriate warning devices at the railroad crossings at Reese Street (T-445) and Center Street (T-343) in New Garden Township
2. PennDOT is authorized on behalf, and for the Board of Supervisors to issue Notice-to-Proceed letters to the railroad for construction at the railroad crossings at Reese Street (T-445) and Center Street (T-343) in New Garden Township.

RESOLVED, this 19<sup>th</sup> day of January, 2021, in a public meeting duly noticed and assembled.

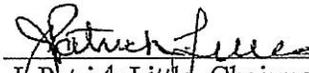
ADOPTED, this 19<sup>th</sup> day of January 2021.

ATTEST:

  
Kathryn Parlier, Secretary

NEW GARDEN TOWNSHIP  
BOARD OF SUPERVISORS

BY:

  
J. Patrick Little, Chairman

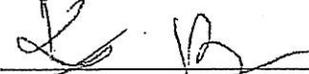
BY:

  
Michael Loftus, Vice Chair

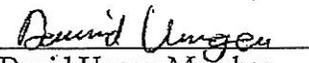
BY:

  
Stephen Allaband, Member

BY:

  
Kristie Brodowski, Member

BY:

  
David Unger, Member



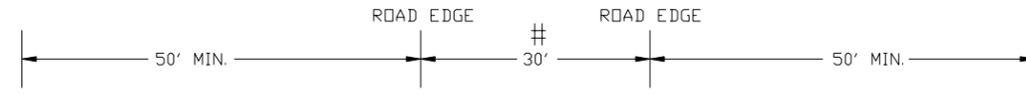
WEST ←

→ EAST



START 440'  
30 SECS. @ 10 MPH

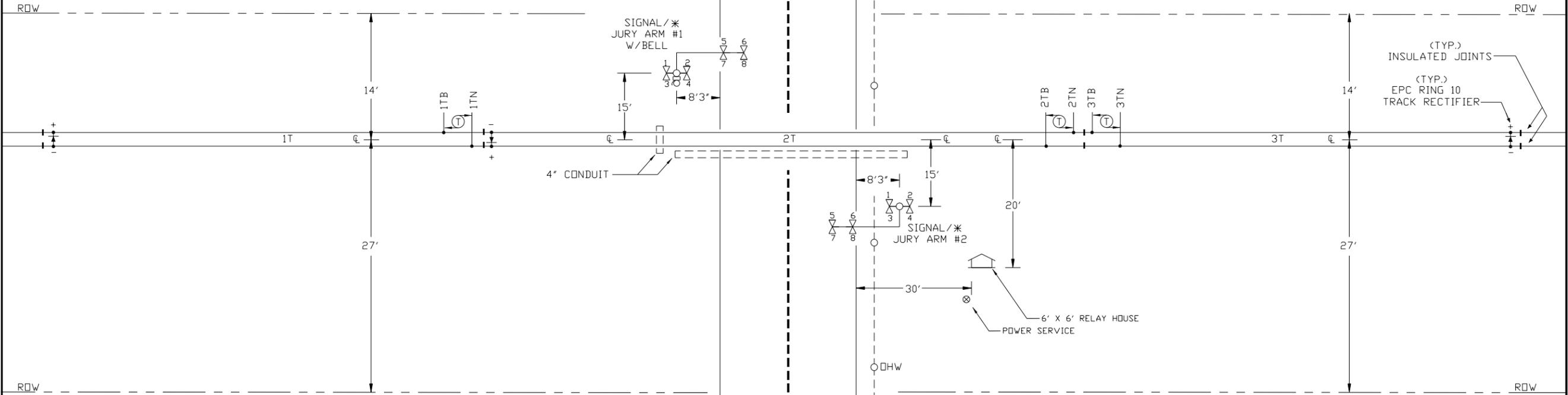
START 440'  
30 SECS. @ 10 MPH



CENTER STREET

DRIVEWAY

POST OFFICE  
PARKING



NOTES:

1. MATERIAL & INSTALLATION TO BE IN ACCORDANCE WITH MUTCD, STATE AND RAILROAD STANDARDS.
2. ALL DIMENSIONS ARE APPROXIMATE AND MAY VARY DUE TO ACTUAL FIELD CONDITIONS.
3. ALL FLASHING LIGHT SIGNALS TO BE LIGHT EMITTING DIODE (LED)
4. (T) DENOTES TWIST PAIR.

# - FIELD TO VERIFY ALL MEASUREMENTS  
\* - GATE READY

CABLE RUN TABULATION

HOUSE TO SIGNAL #1	- 5/C #6 UG CABLE
(GATE READY)	- 7/C #14 UG CABLE
HOUSE TO SIGNAL #2	- 5/C #6 UG CABLE
(GATE READY)	- 7/C #14 UG CABLE
HOUSE TO AC SERVICE	- 3/C #9 UG CABLE
HOUSE TO 1TN & 1TB	- 2/C #6 TW. PAIR UG CABLE
HOUSE TO 2TN & 2TB	- 2/C #6 TW. PAIR UG CABLE
HOUSE TO 3TN & 3TB	- 2/C #6 TW. PAIR UG CABLE

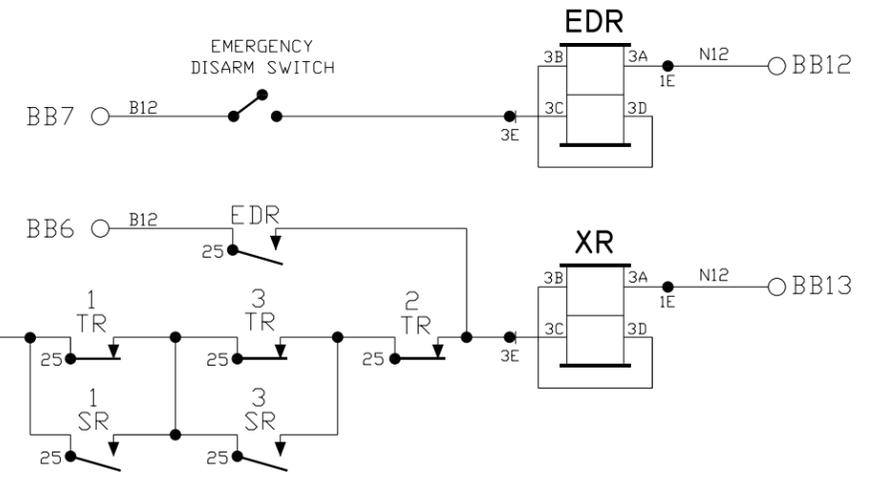
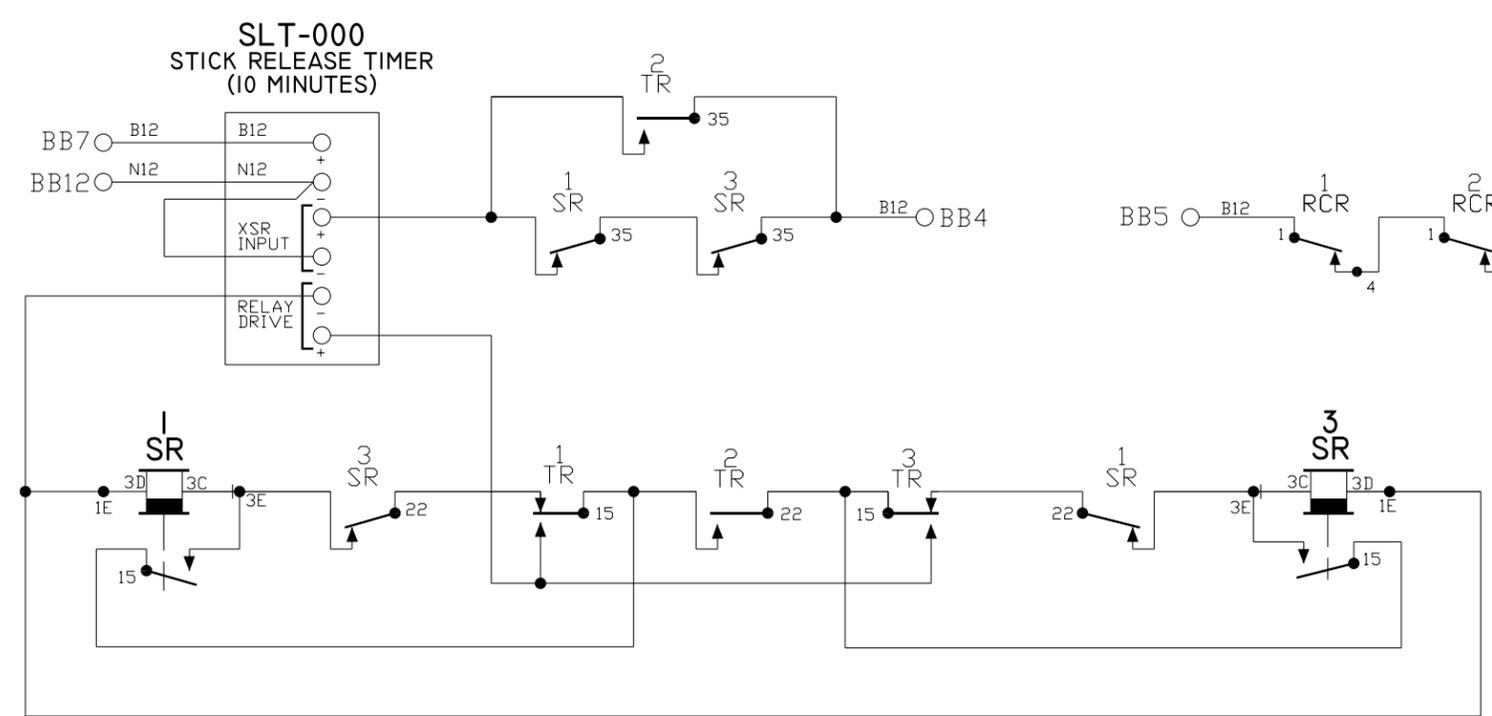
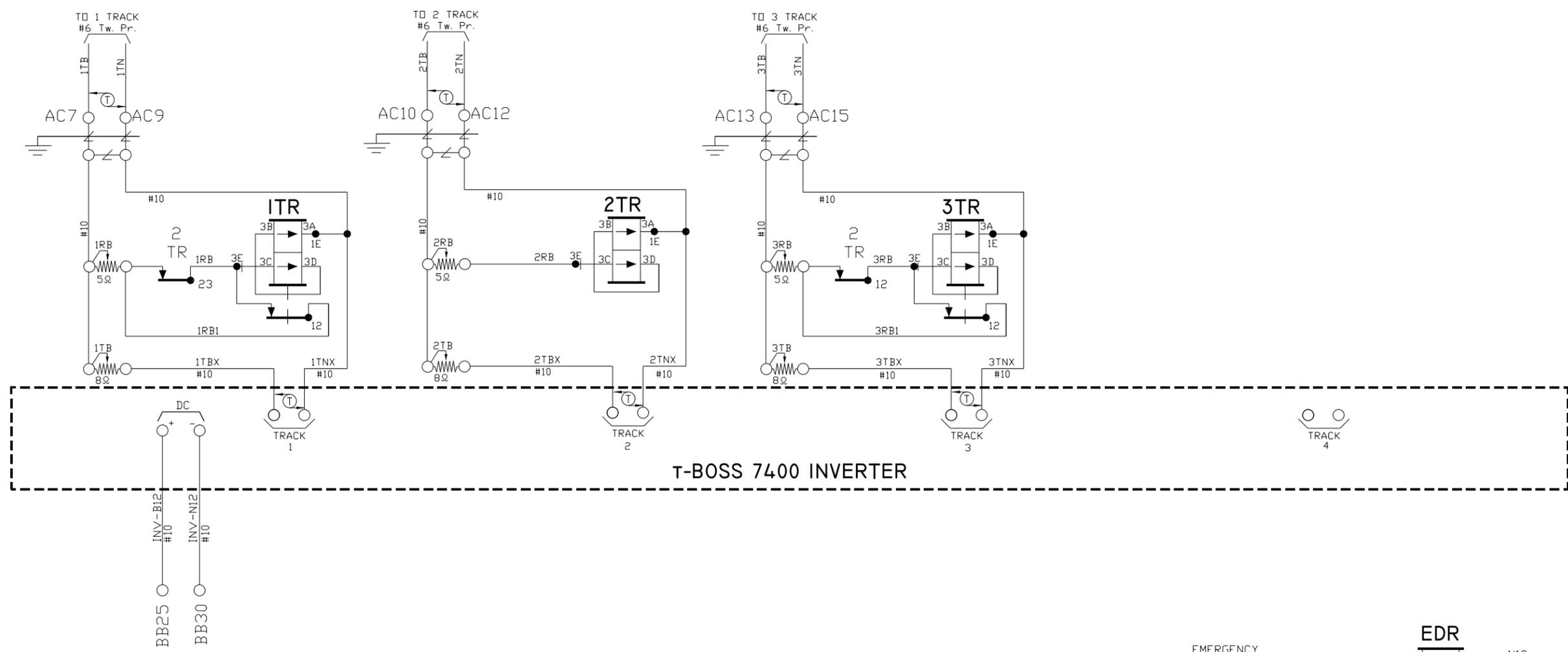
Exhibit C  
Page 1 of 6

SHEET 1 OF 6

AS WIRED XX/XX/XXXX AS INSTALLED XX/XX/XXXX

**DIAMONDBACK SIGNAL**  
 (410) 795-9601  
 5965 EXCHANGE DRIVE  
 SUITE "D"  
 SYKESVILLE, MD  
 21784

<b>EAST PENN RAILROAD RAILROAD CROSSING WARNING DEVICES</b>	
SCALE: NONE	APPROVED BY:
DATE: 6/7/2023	DRAWN BY: NST
<b>CENTER STREET - DOT # 517 668X MP. 35.98 TOUGHKENAMON, CHESTER COUNTY, PA</b>	
TRACK & CABLE PLAN	DRAWING NUMBER

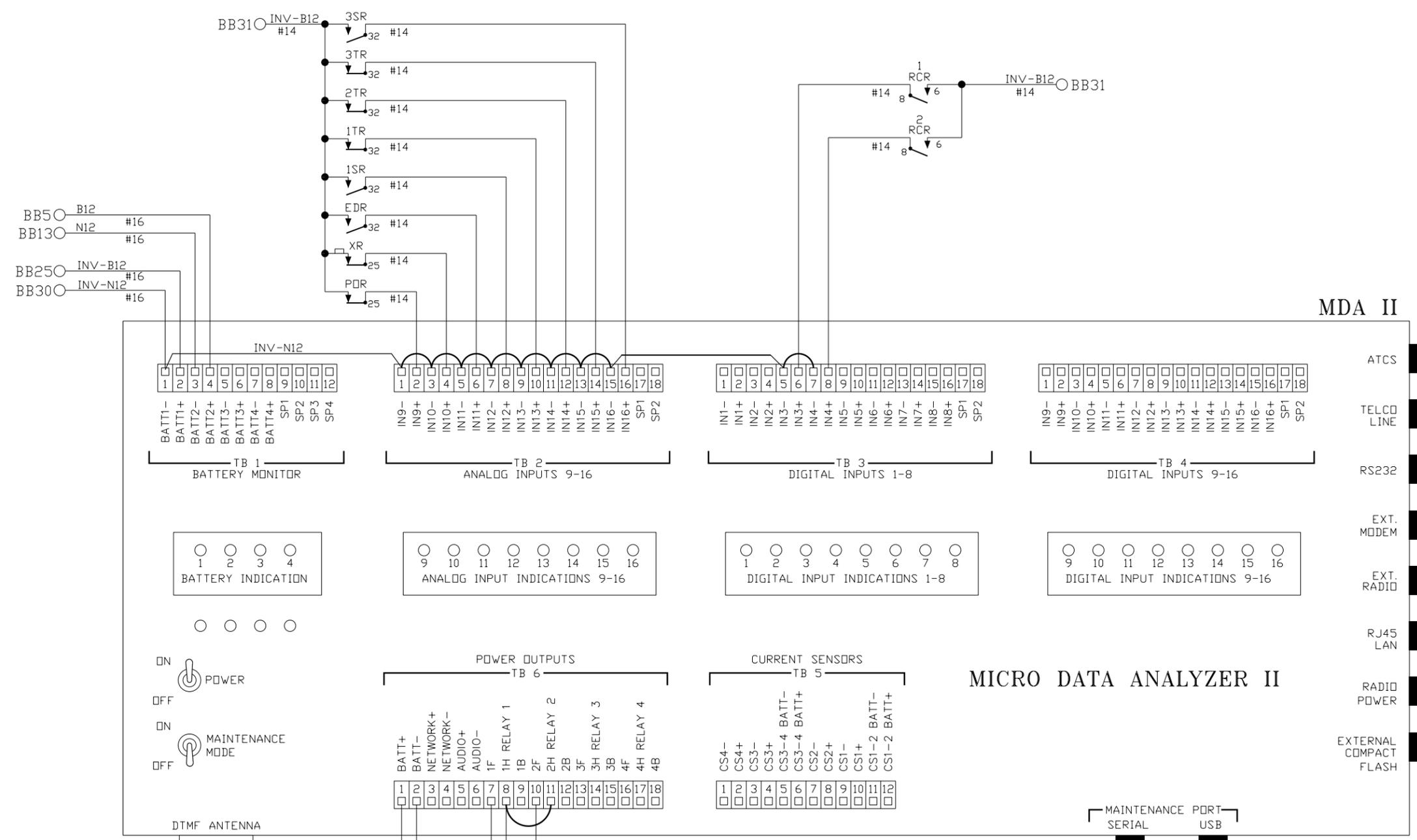


- NOTES:
1. ALL WIRE THIS SHEET IS #14 AWG FLEX UNLESS OTHERWISE NOTED.
  2.  $\text{T}$  DENOTES TWISTED PAIR.

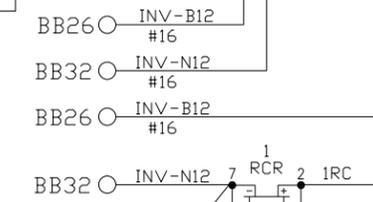
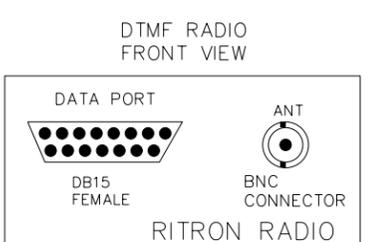
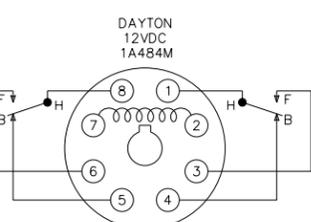
11TH

Exhibit C  
Page 2 of 6

<b>DIAMONDBACK SIGNAL</b> (410) 795-9601 5965 EXCHANGE DRIVE SUITE "D" SYKESVILLE, MD 21784		AS WIRED XX/XX/XXXX      AS INSTALLED XX/XX/XXXX	
		<b>EAST PENN RAILROAD RAILROAD CROSSING WARNING DEVICES</b>	
SCALE: NONE	APPROVED BY:	DRAWN BY: NST	
DATE: 6/7/2023		REVISED:	
CENTER STREET - DOT # 517 668X MP. 35.98 TOUGHKENAMON, CHESTER COUNTY, PA		DRAWING NUMBER	
CIRCUIT PLAN "A"			



ROOF MOUNT  
VHF ANTENNA



DTMF CODE	FUNCTION
668*	ACTIVATE RELAY 1 WITH NO TIMER
668#	DEACTIVATE RELAY 1
1668*	ACTIVATE RELAY 2 WITH TIMER
1668#	DEACTIVATE RELAY 2

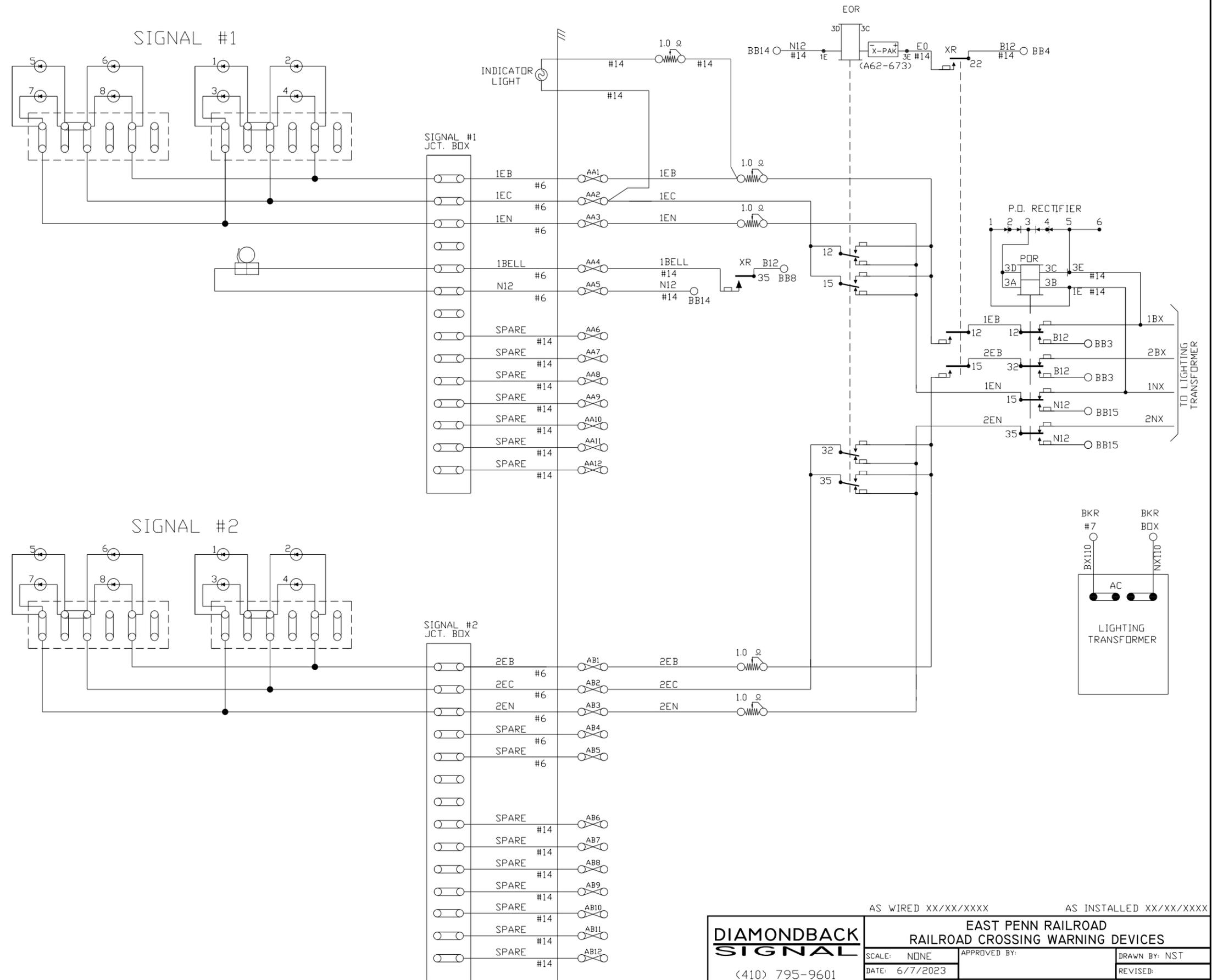
NOTES:  
 1. ALL WIRE THIS SHEET #10 UNLESS OTHERWISE NOTED.  
 2. DENOTES TWISTED PAIR.

**DIAMONDBACK SIGNAL**  
 (410) 795-9601  
 5965 EXCHANGE DRIVE  
 SUITE "D"  
 SYKESVILLE, MD 21784

AS WIRED XX/XX/XXXX AS INSTALLED XX/XX/XXXX

**EAST PENN RAILROAD  
RAILROAD CROSSING WARNING DEVICES**

SCALE: NONE	APPROVED BY:	DRAWN BY: NST
DATE: 6/7/2023		REVISED:
CENTER STREET - DOT # 517 668X MP. 35.98 TOUGHKENAMON, CHESTER COUNTY, PA		
CIRCUIT PLAN "B"		DRAWING NUMBER

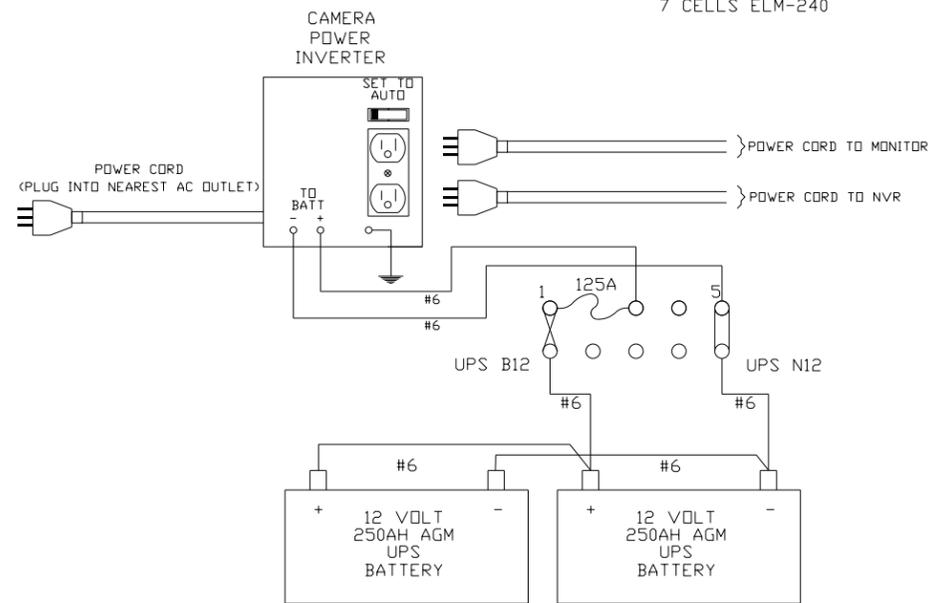
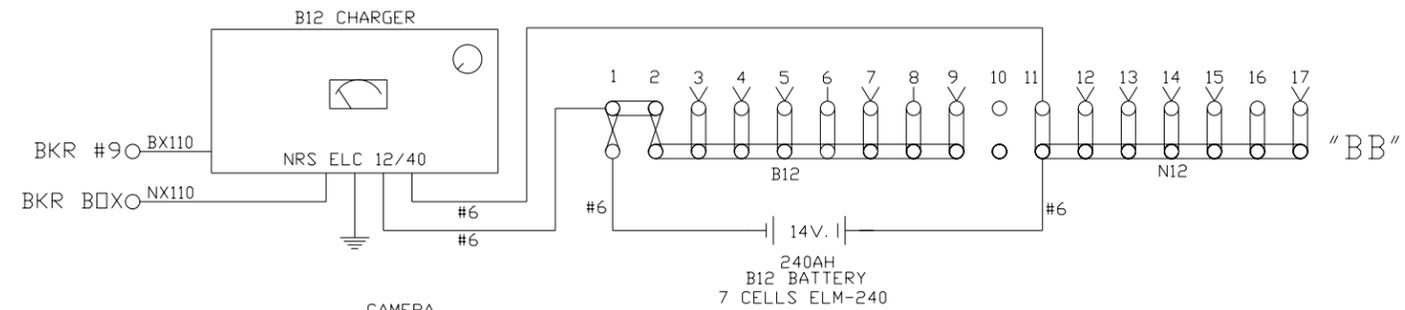
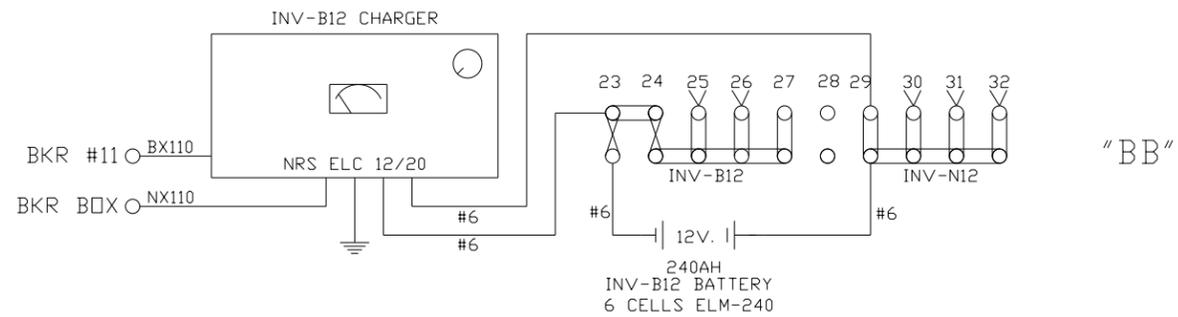


NOTES:  
 1. ALL WIRE THIS SHEET IS #10 AWG. FLEX UNLESS OTHERWISE NOTED.  
 2. FLASHER RELAY W/X-PAK (A62-673)

Exhibit C  
 Page 4 of 6

SHEET 4 OF 6

<b>DIAMONDBACK SIGNAL</b> (410) 795-9601 5965 EXCHANGE DRIVE SUITE "D" SYKESVILLE, MD 21784	AS WIRED XX/XX/XXXX		AS INSTALLED XX/XX/XXXX	
	<b>EAST PENN RAILROAD          RAILROAD CROSSING WARNING DEVICES</b>			
	SCALE: NONE	APPROVED BY:	DRAWN BY: NST	
	DATE: 6/7/2023	REVISOR:	REVISED:	
CENTER STREET - DOT # 517 668X MP. 35.98 TOUGHKENAMON, CHESTER COUNTY, PA			DRAWING NUMBER	
CIRCUIT PLAN "C"				



ERICD EPD 120/240 VENT FAN THERMOSTAT

**BREAKER BOX**

LIGHTS & OUTLET	1	2	MAIN
FAN	3	4	
HOUSE HEATER	5	6	GEN
LG. TRANS.	7	8	
B12 CHARGER	9	10	NOT USED
INV-B12 CHARGER	11	12	NOT USED
PO LIGHTS	13	14	NOT USED
NOT USED	15	16	NOT USED

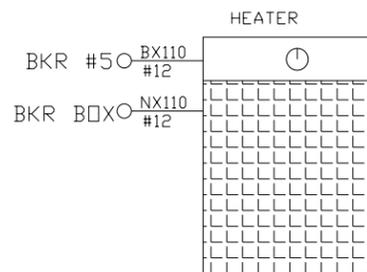
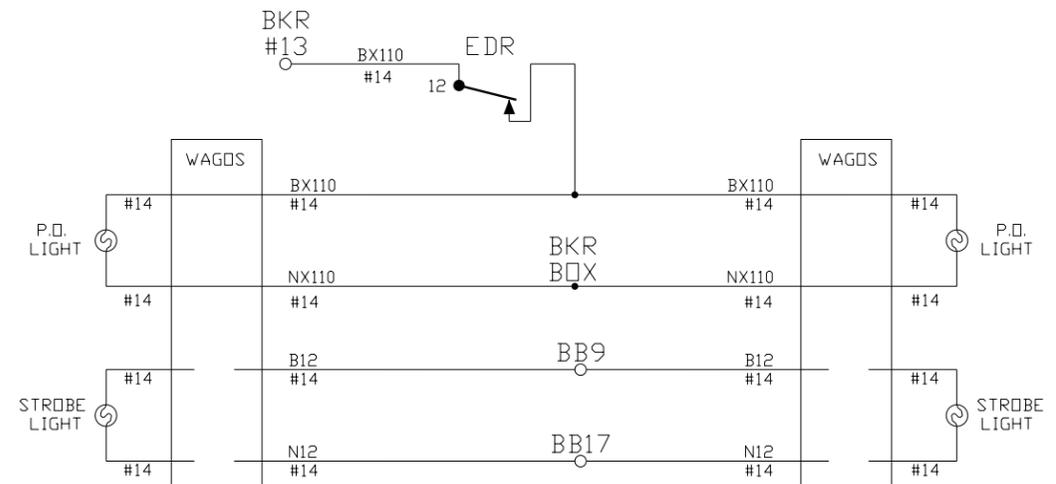
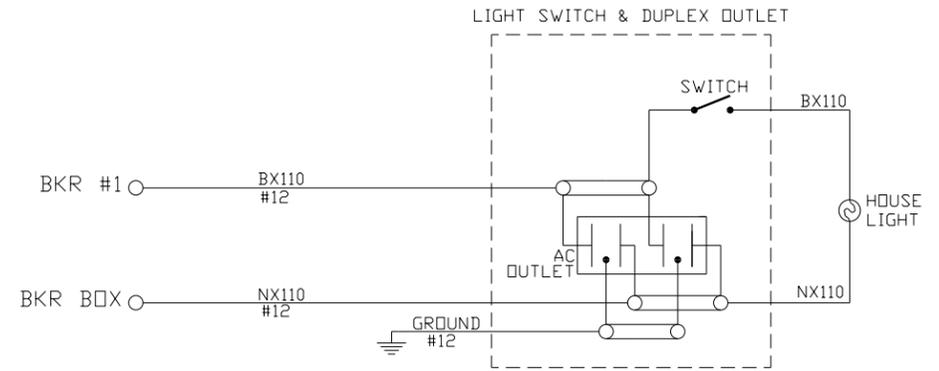
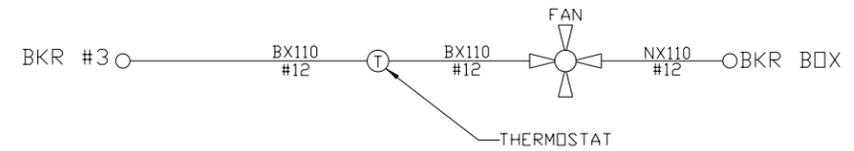


Exhibit C  
Page 5 of 6



NOTE:  
ALL WIRE THIS SHEET IS #10 AWG FLEX  
UNLESS OTHERWISE NOTED.

AS WIRED XX/XX/XXXX AS INSTALLED XX/XX/XXXX

<b>DIAMONDBACK SIGNAL</b> (410) 795-9601 5965 EXCHANGE DRIVE SUITE "D" SYKESVILLE, MD 21784	<b>EAST PENN RAILROAD RAILROAD CROSSING WARNING DEVICES</b>	
	SCALE: NONE DATE: 6/7/2023	APPROVED BY:
CENTER STREET - DOT # 517 668X MP. 35.98 TOUGHKENAMON, CHESTER COUNTY, PA		DRAWING NUMBER
CIRCUIT PLAN "D"		

