



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 Reese Street (T-445) crosses the track of East Penn Railroad LLC, DOT Number 517 768 C, 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,

Abiyabebe(AA)

Abiy Abebe

District Grade Crossing Administrator 1

Engineering District 6-0

Department of Transportation

Attachments

cc: Parties of Record

Mark Chappell, P.E., Chief, Right-of-Way, Utilities, and Grade Crossing Div, 7th Flr, CKB

Karen L Cummings, Senior Counsel, Office of Chief Counsel, 9th Flr, CKB

William M. Sinick P.E., Supervisor, Rail Safety Engineering Section PUC, 3rd 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 Reese Street (T-445) crosses the track of East Penn Railroad LLC, DOT Number 517 768 C, 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

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

5. The Applicant is seeking approval to alter Reese 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 Reese Street is unknown.

8. The estimated total cost for the project subject to the application and described above is \$277,016.00. 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

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 Reese Street (T-445) crosses the tracks of East Penn Railroad LLC, DOT Number 517 768 C, 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 Reese Street (T-445) crosses the tracks of East Penn Railroad LLC, DOT Number 517 768 C, 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

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

John Granger, Interim Manager
New Garden Township
299 Starr Road
Landenberg, PA 19350
jgranger@newgarden.org

Chris Atkinson, Highway Engineer
Verizon Pennsylvania, LLC
1050 Virginia Drive
Fort Washington, PA 19034
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

Pete Dettling, Program Manager
PECO Energy Company
1050 West Swedesford Road
Berwyn, PA 19312
Charles.Dettling@exeloncorp.com

Mike Kimberly, Construction Coordinator
Comcast Cable Communications
190 Shoemaker Road
Pottstown, PA 19464
mike_kimberly@cable.comcast.com

Elias Bakhsh, Project Manager
Aqua Pennsylvania, Inc.
762 W Lancaster Avenue
Bryn Mawr, PA 19010
Ebakhsh@aquaamerica.com

Keith Johnston, Construction Supv
Chester Water Authority
415 Welsh Street
PO Box 467
Chester PA 19013
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

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

Mark Parker, Engineering Manager
Eastern Shore Natural Gas Company
500 Energy Lane Suite 200
Dover, DE 19901
mcparker@esng.com

Tim Mullins, Right-of-Way Manager
Colonial Pipeline Company
696 Mantua Grove Road
West Deptford, NJ 08066
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

Benson Goodwyn, Senior Land Representative
Williams Gas PipeLine-Transco
99 Farber Road
Princeton, NJ 08540
benson.goodwyn@williams.com

Dated this 11TH Day of July, 2023

Abiyabebe(A.A)
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");

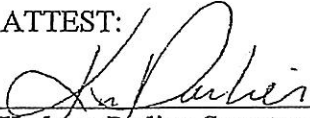
NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of New Garden Township, as follows:

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 19th day of January, 2021, in a public meeting duly noticed and assembled.

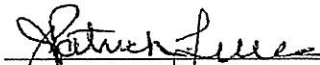
ADOPTED, this 19th day of January 2021.

ATTEST:

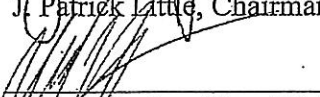

Kathryn Parlier, Secretary

NEW GARDEN TOWNSHIP
BOARD OF SUPERVISORS

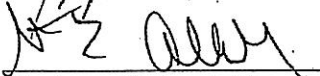
BY:


J. Patrick Little, Chairman

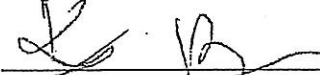
BY:


Michael Loftus, Vice Chair

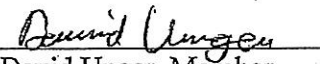
BY:


Stephen Allaband, Member

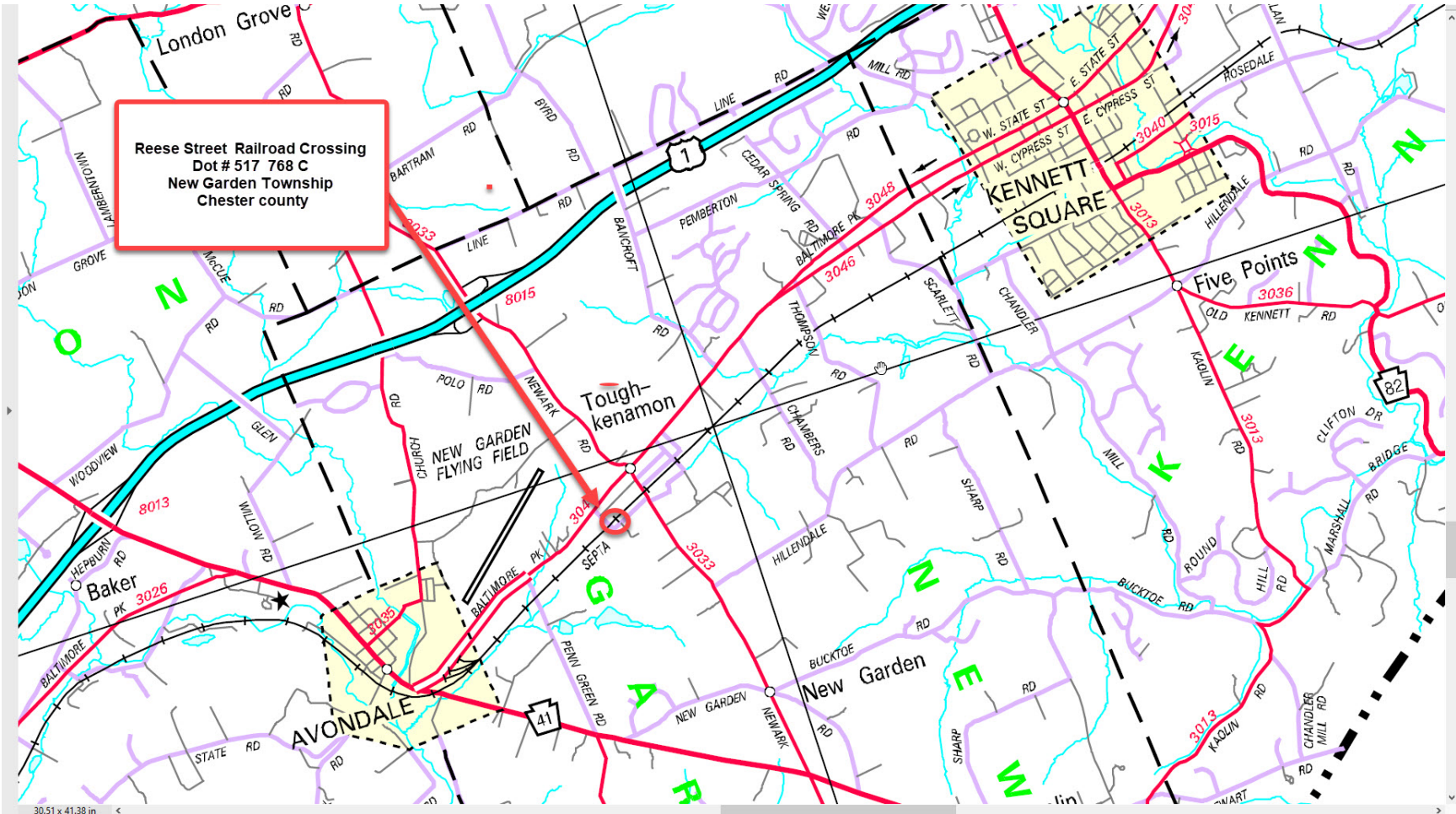
BY:


Kristie Brodowski, Member

BY:

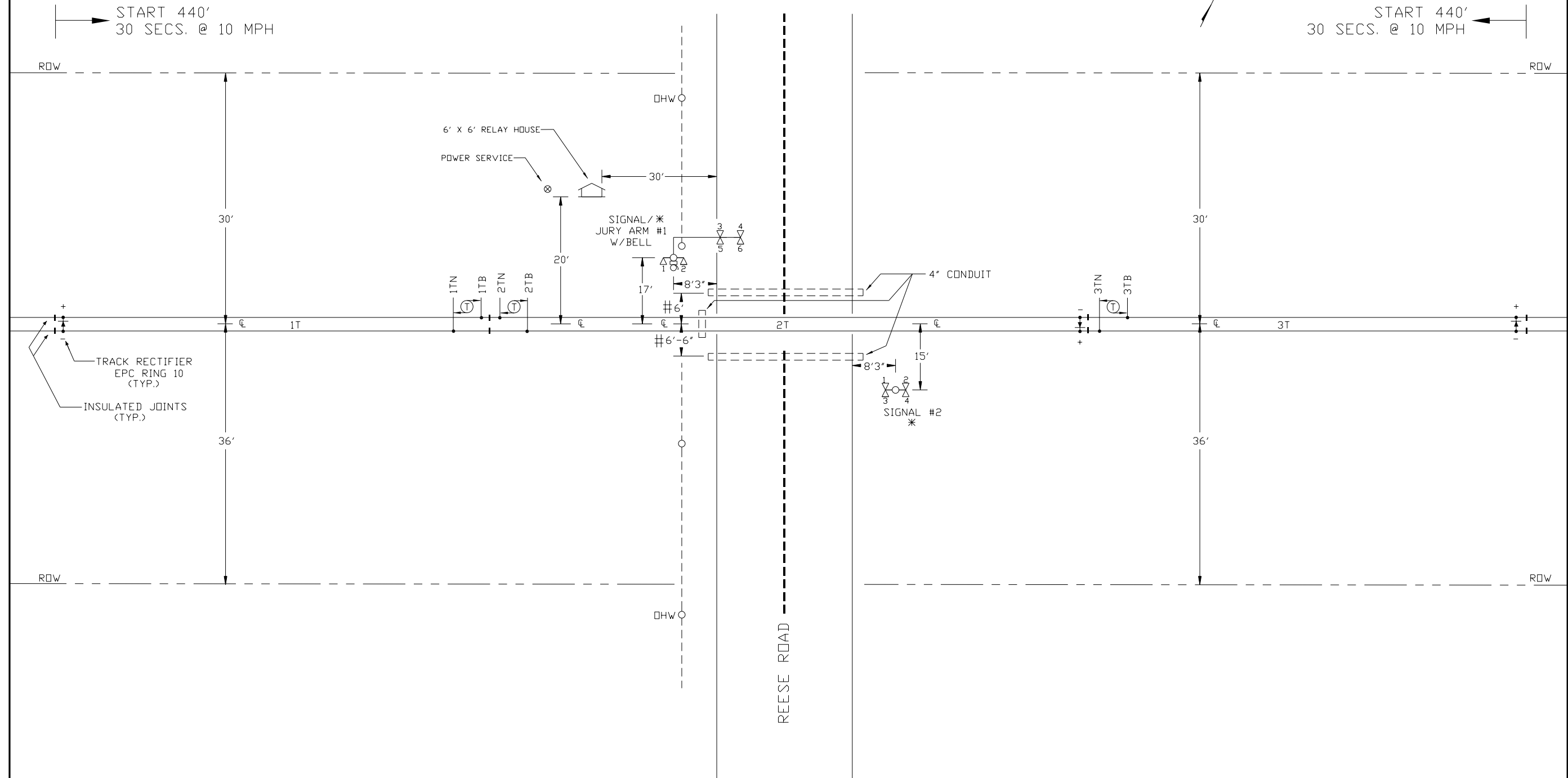

David Unger, Member

Location Map



WEST ←

→ EAST



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

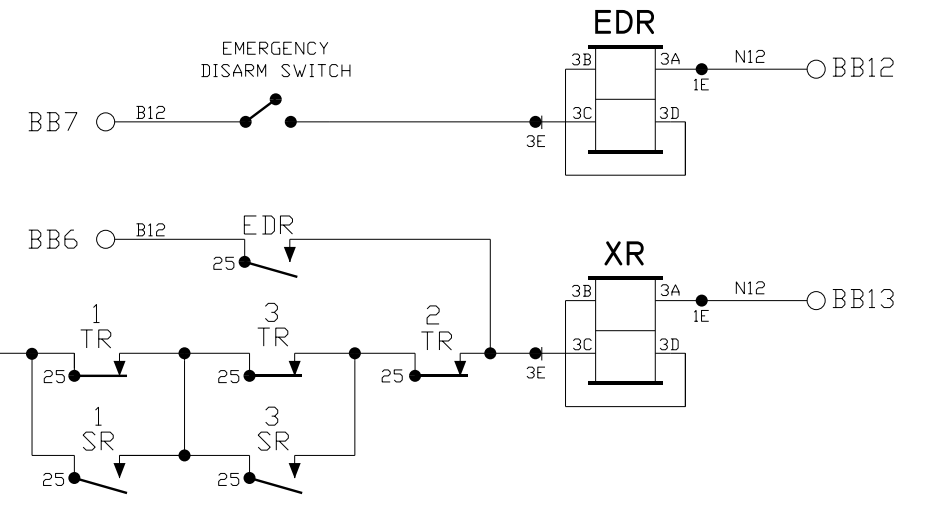
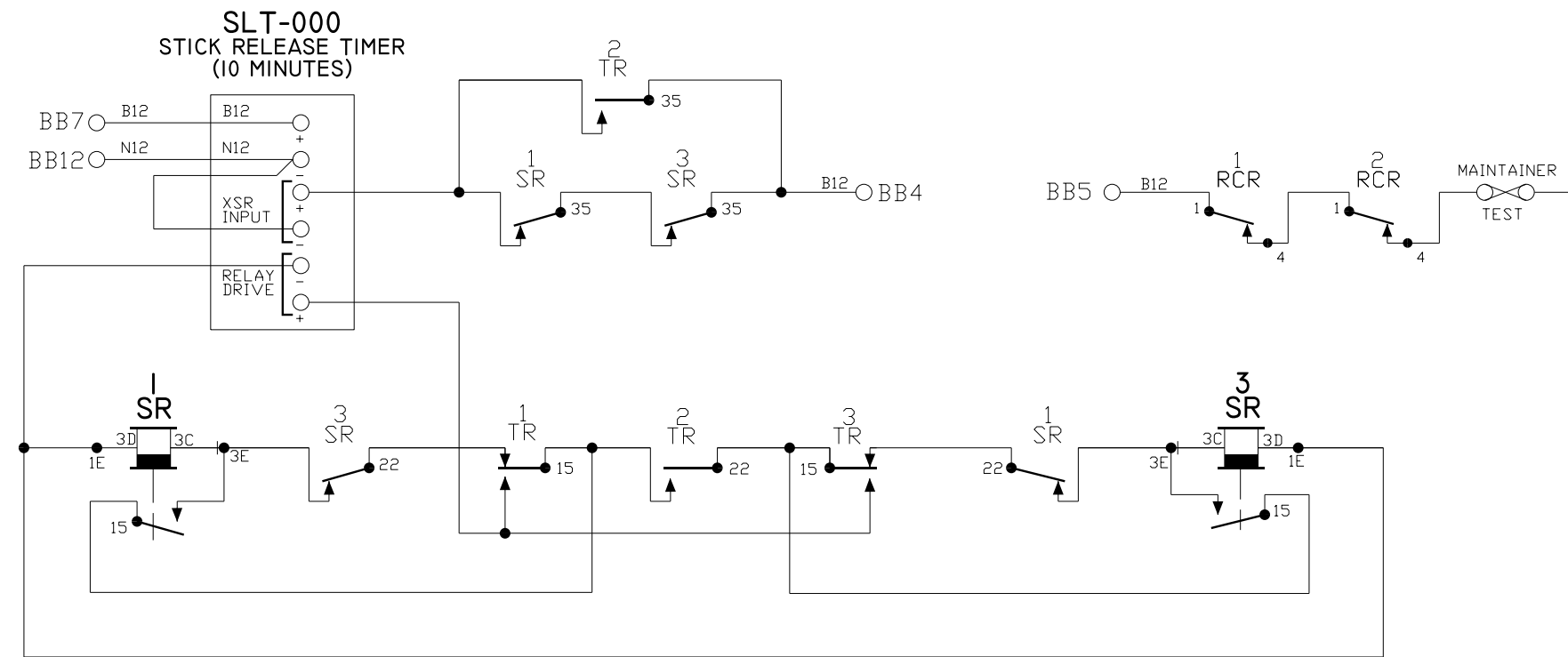
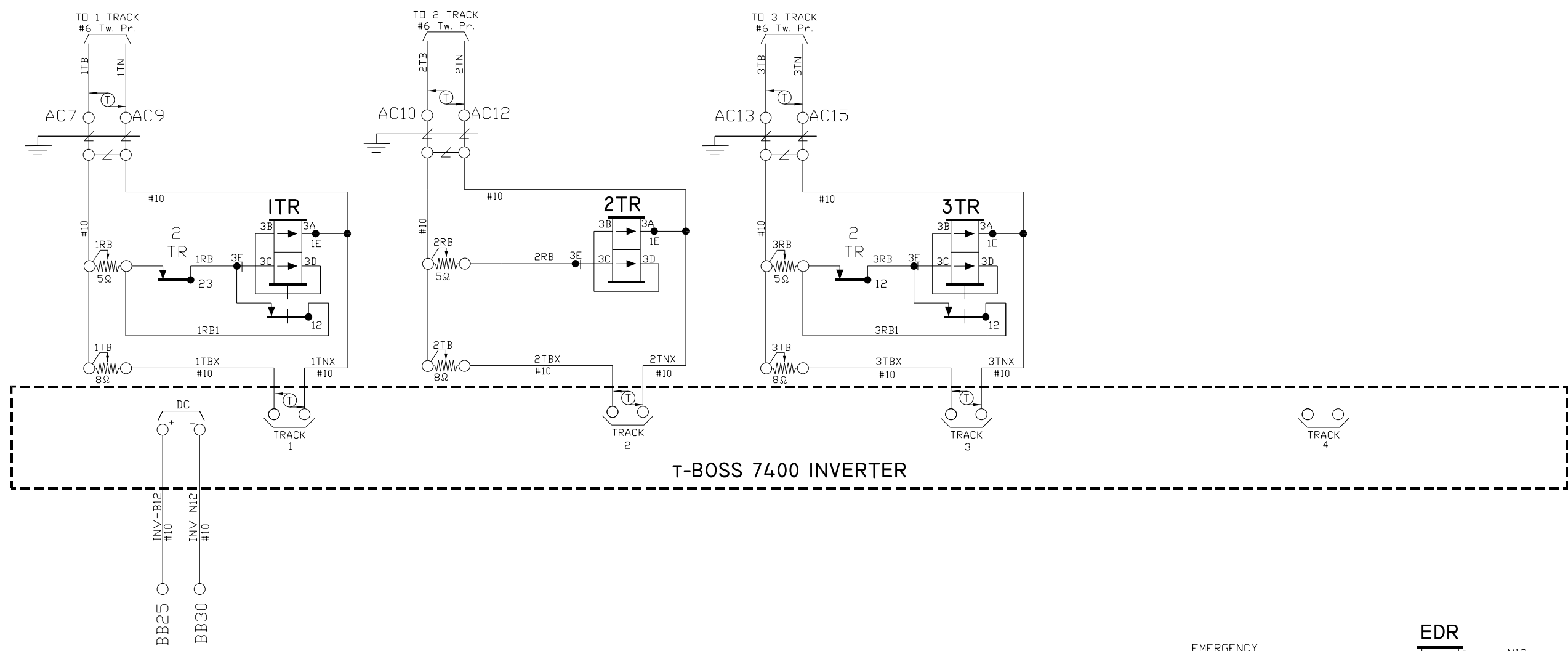
HOUSE TO SIGNAL #1 - 5/C #6 UG CABLE
 (GATE READY) - 7/C #14 UG CABLE
 HOUSE TO SIGNAL #2 - 5/C #6 UG CABLE
 (GATE READY) - 7/C #14 UG CABLE
 HOUSE TO AC SERVICE - 3/C #9 UG CABLE
 HOUSE TO 1TN & 1TB - 2/C #6 TW. PAIR UG CABLE
 HOUSE TO 2TN & 2TB - 2/C #6 TW. PAIR UG CABLE
 HOUSE TO 3TN & 3TB - 2/C #6 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	EAST PENN RAILROAD RAILROAD CROSSING WARNING DEVICES	
	SCALE: NONE DATE: 6/7/2023	APPROVED BY:
REESE ROAD - DOT # 517 768C MP. 36.40 AVONDALE, CHESTER COUNTY, PA		
TRACK & CABLE PLAN		DRAWING NUMBER

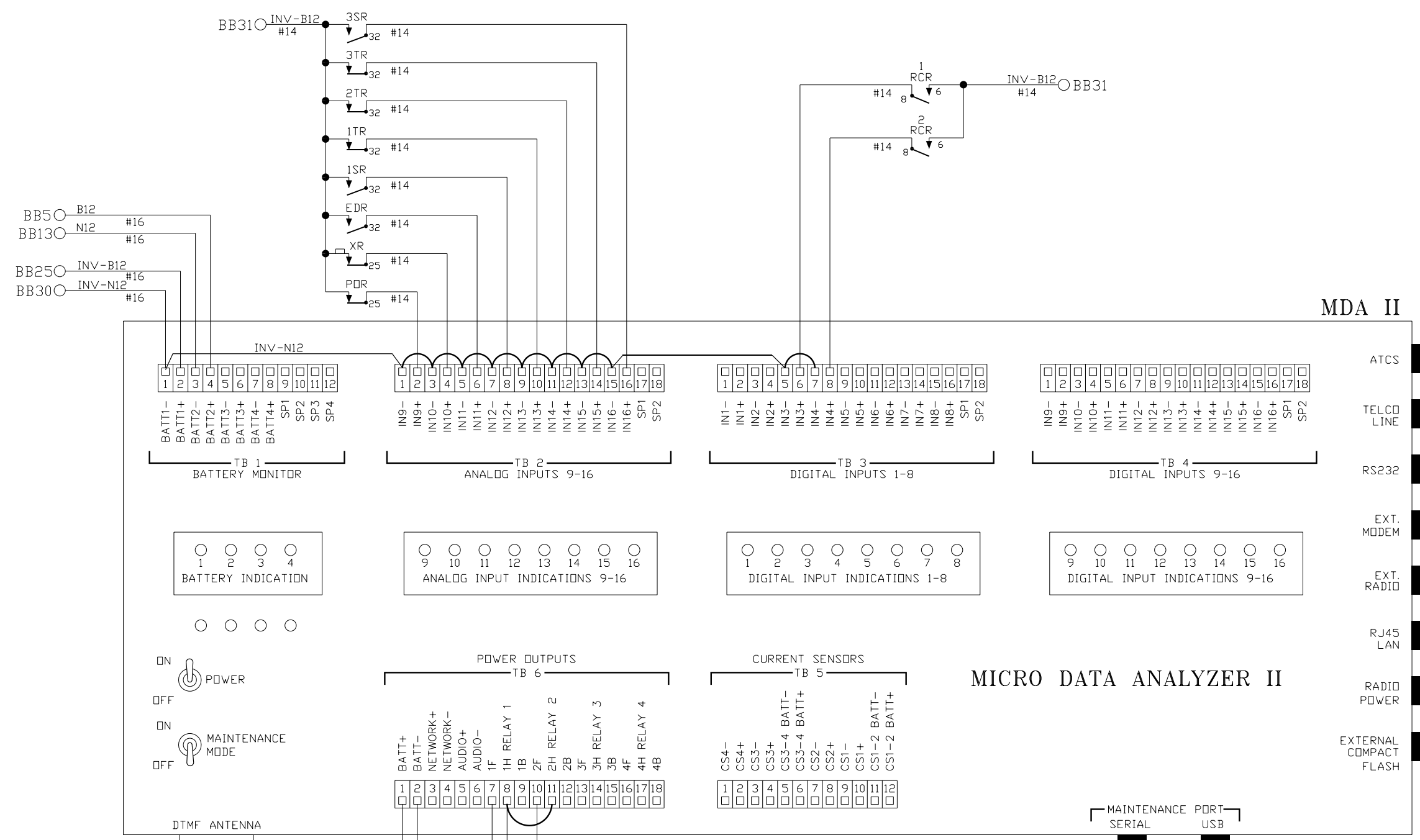


- NOTES:
1. ALL WIRE THIS SHEET IS #14 AWG FLEX UNLESS OTHERWISE NOTED.
 2. T DENOTES TWISTED PAIR.

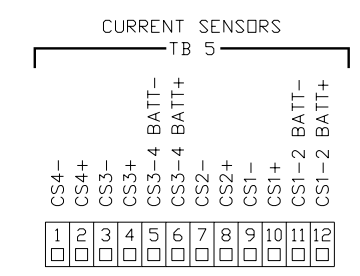
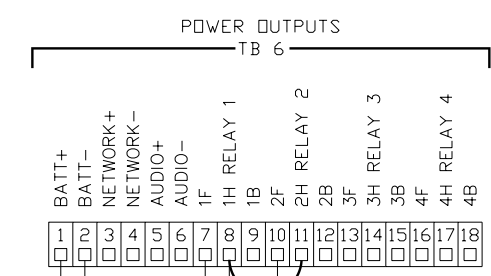
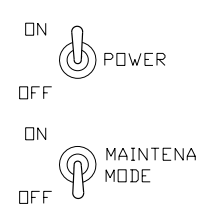
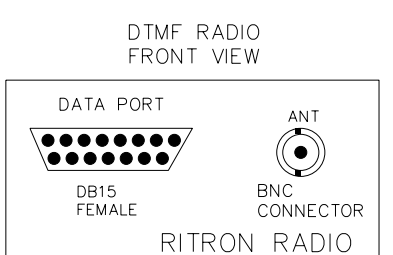
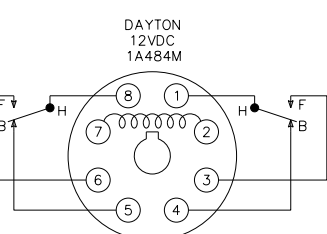
AS WIRED XX/XX/XXXX AS INSTALLED XX/XX/XXXX

DIAMONDBACK SIGNAL	EAST PENN RAILROAD RAILROAD CROSSING WARNING DEVICES	
	SCALE: NONE	APPROVED BY:
(410) 795-9601	DATE: 6/7/2023	DRAWN BY: NST
5965 EXCHANGE DRIVE	REESE ROAD - DOT # 517 768C MP. 36.40	
SUITE "D"	AVONDALE, CHESTER COUNTY, PA	
SYKESVILLE, MD 21784	DRAWING NUMBER	
CIRCUIT PLAN "A"		

Exhibit C
Page 2 of 6



ROOF MOUNT
VHF ANTENNA



DTMF CODE	FUNCTION
768*	ACTIVATE RELAY 1 WITH NO TIMER
768#	DEACTIVATE RELAY 1
1768*	ACTIVATE RELAY 2 WITH TIMER
1768#	DEACTIVATE RELAY 2

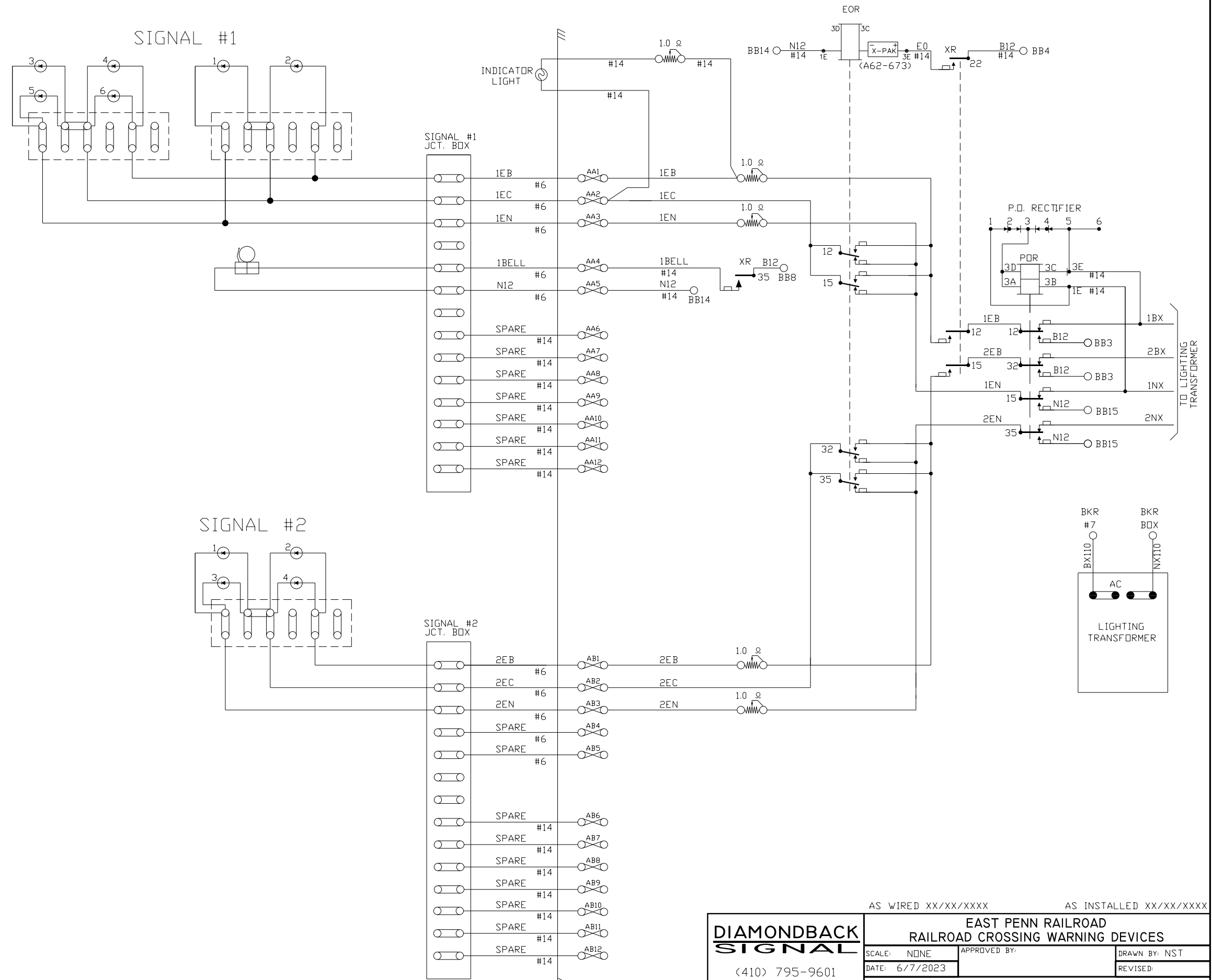
- NOTES:
1. ALL WIRE THIS SHEET #10 UNLESS OTHERWISE NOTED.
 2. DENOTES TWISTED PAIR.

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:
REESE ROAD - DOT # 517 768C MP. 36.40 AVONDALE, CHESTER COUNTY, PA		
CIRCUIT PLAN "B"		DRAWING NUMBER

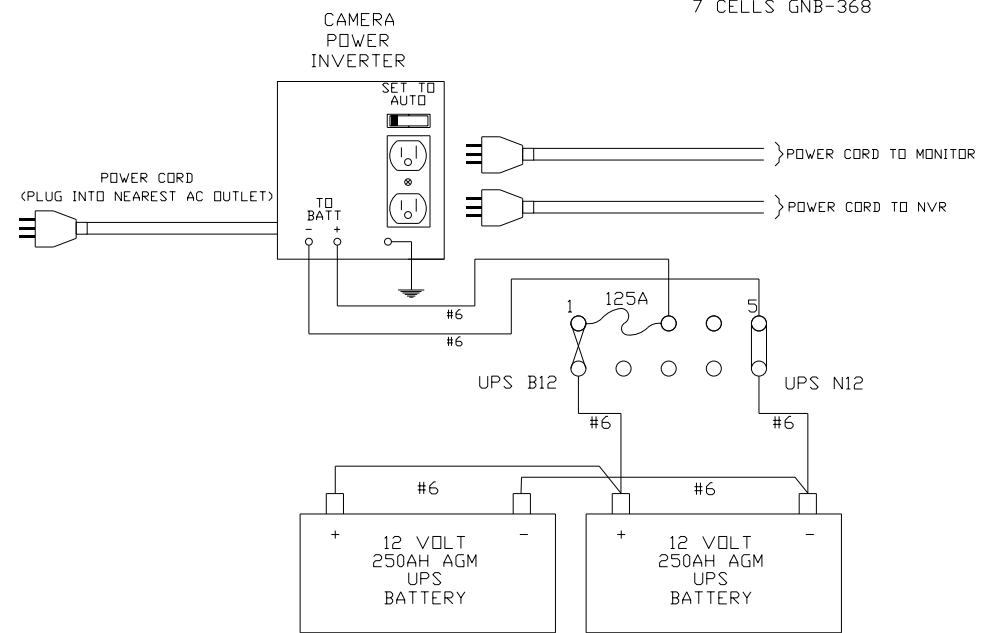
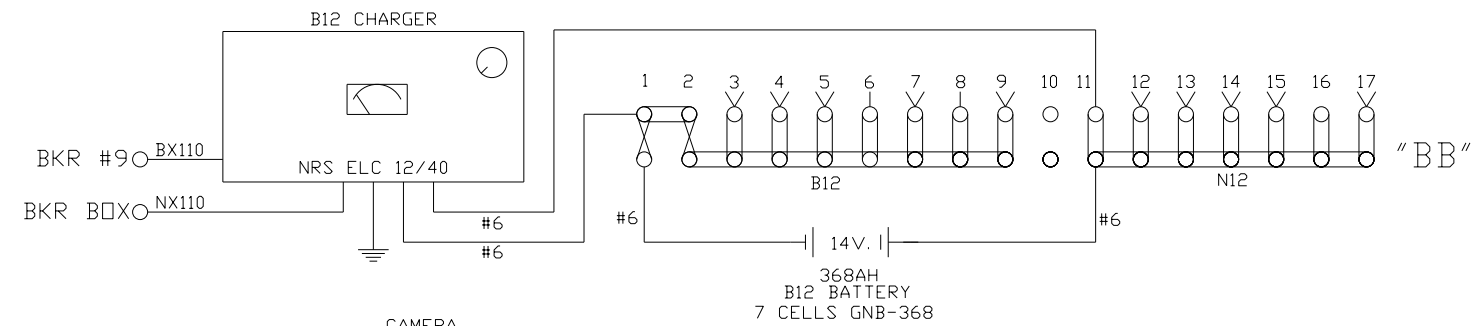
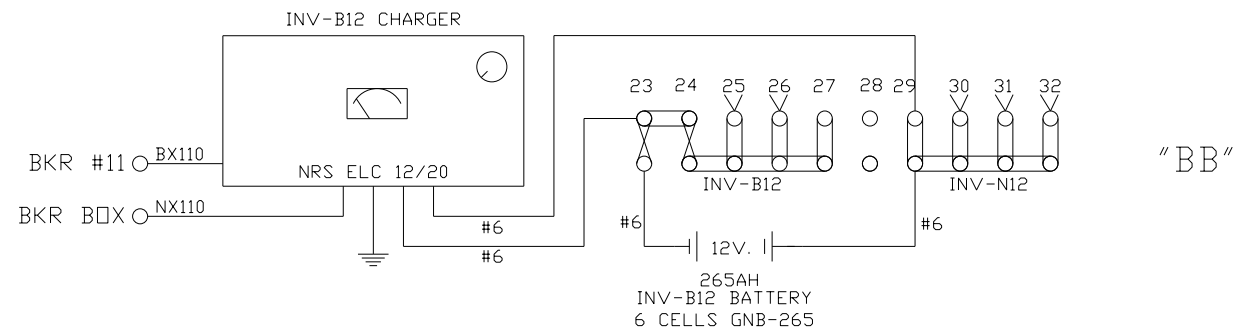


NOTES:
 1. ALL WIRE THIS SHEET IS #10 AWG. FLEX UNLESS OTHERWISE NOTED.
 2. FLASHER RELAY W/X-PAK (A62-673)

Exhibit C
 Page 4 of 6

SHEET 4 OF 6

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	REVISIONS:		
REESE ROAD - DOT # 517 768C MP. 36.40 AVONDALE, CHESTER COUNTY, PA				
CIRCUIT PLAN "C"			DRAWING NUMBER	



ERICO 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

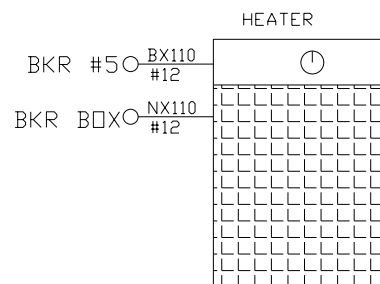
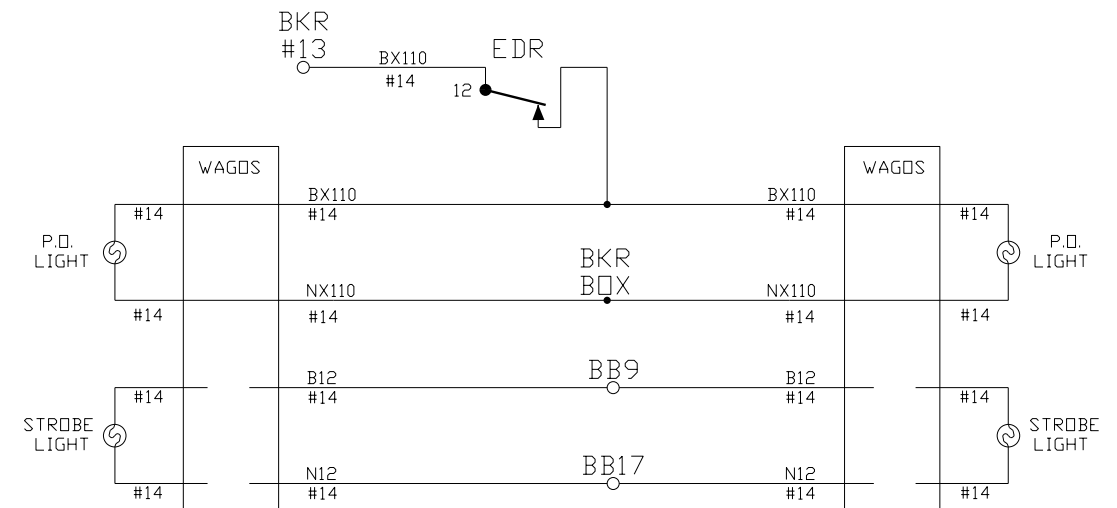
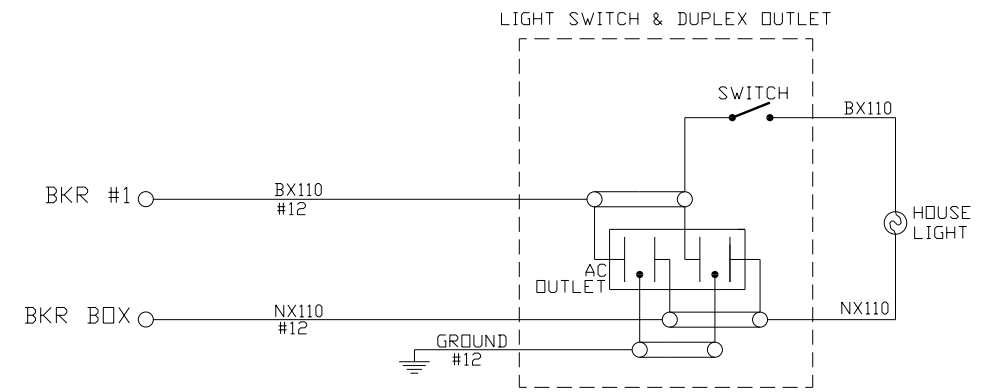
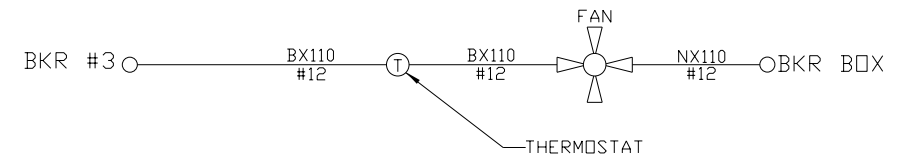


Exhibit C
Page 5 of 6



NOTE:

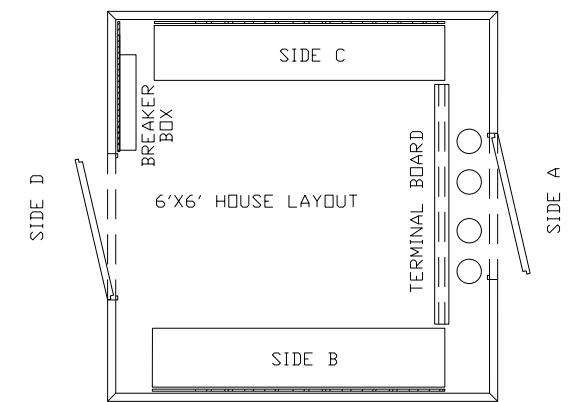
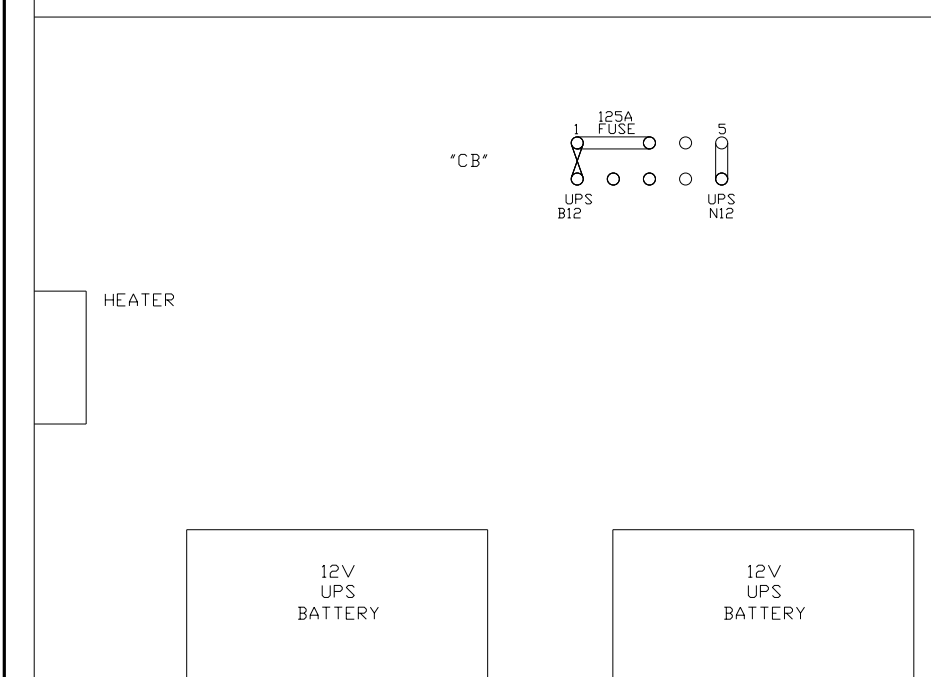
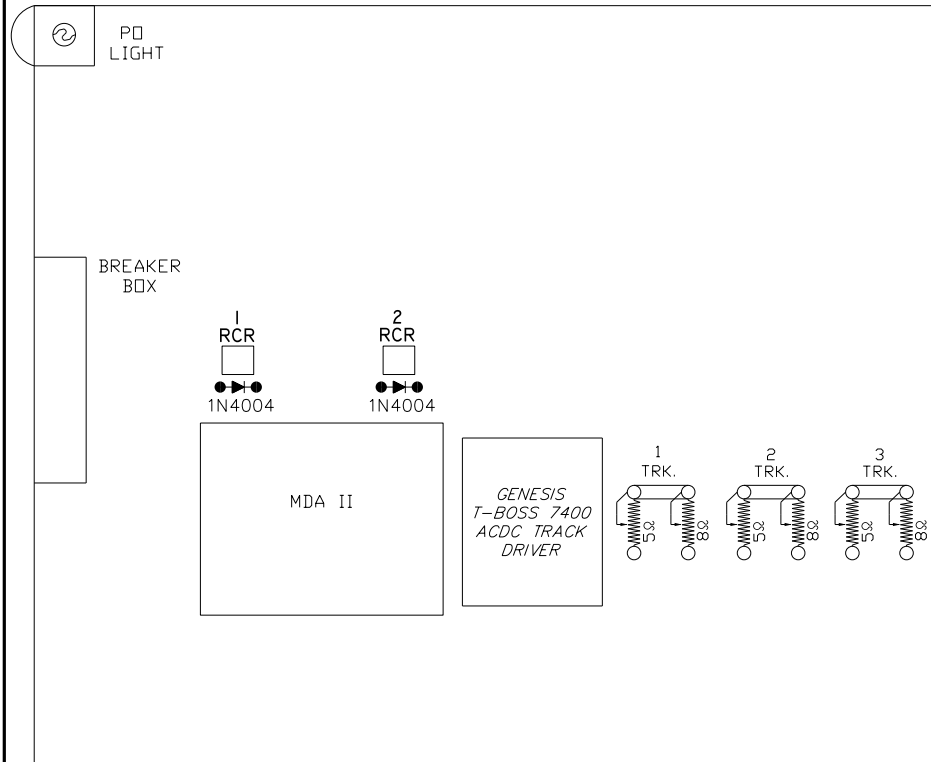
ALL WIRE THIS SHEET IS #10 AWG FLEX UNLESS OTHERWISE NOTED.

AS WIRED XX/XX/XXXX

AS INSTALLED XX/XX/XXXX

DIAMONDBACK SIGNAL (410) 795-9601 5965 EXCHANGE DRIVE SUITE "D" SYKESVILLE, MD 21784	EAST PENN RAILROAD RAILROAD CROSSING WARNING DEVICES	
	SCALE: NONE DATE: 6/7/2023	APPROVED BY:
REESE ROAD - DOT # 517 768C MP. 36.40 AVONDALE, CHESTER COUNTY, PA		
CIRCUIT PLAN "D"		DRAWING NUMBER

SIDE "C"

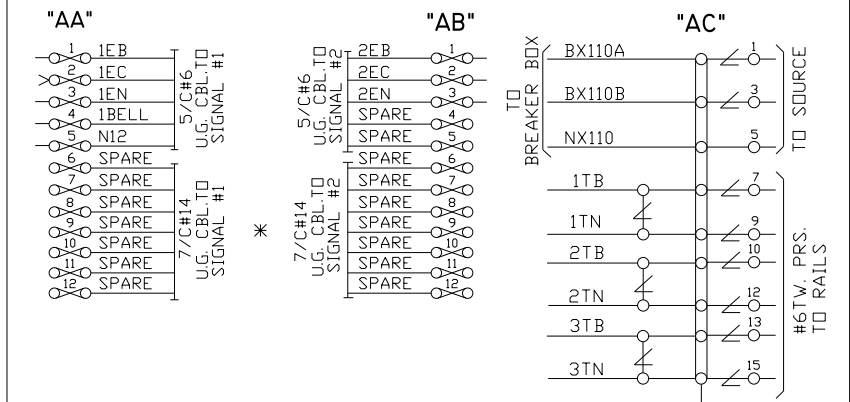
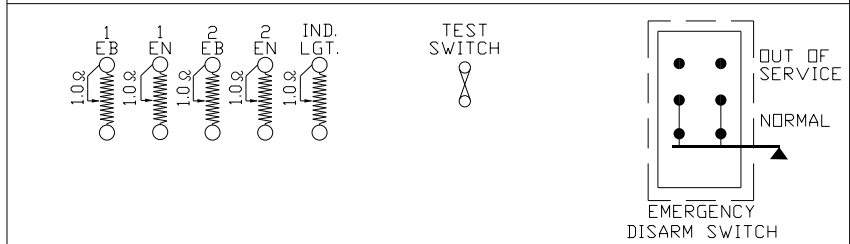


SIDE "A"

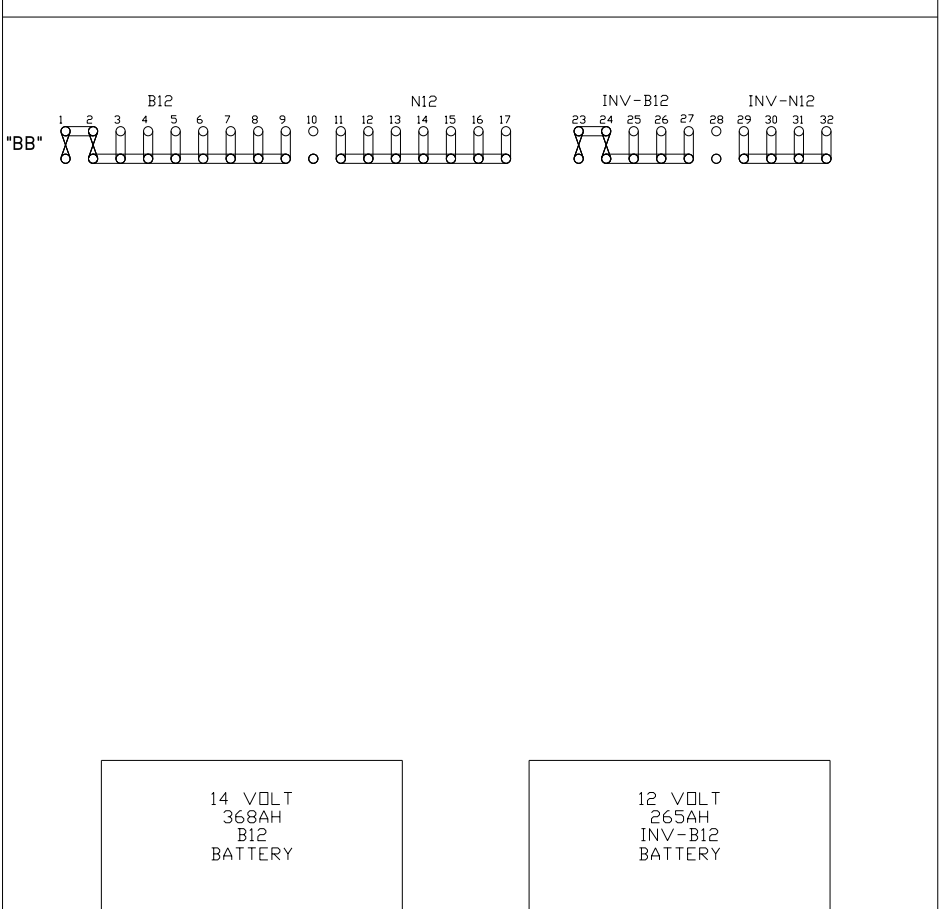
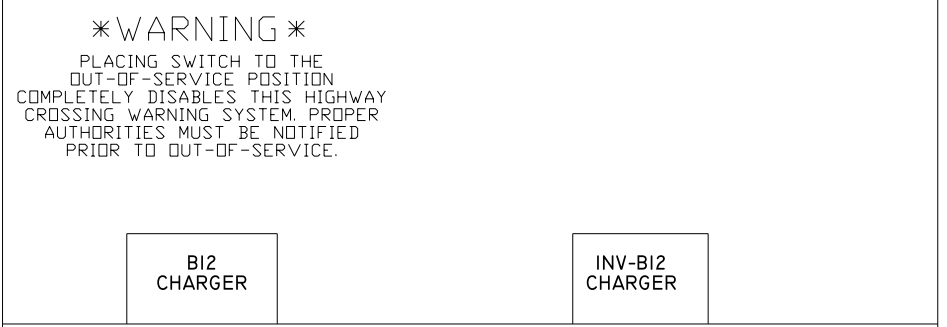
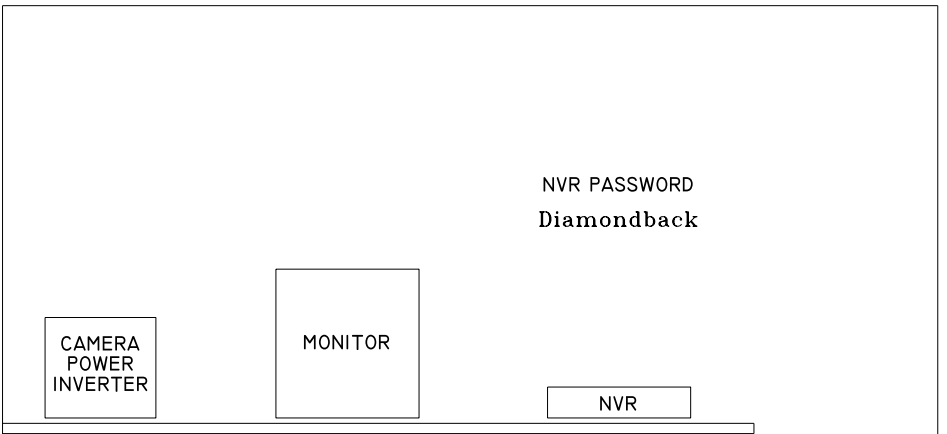
PD LIGHT

LIGHT TRANS.	* POR		* EOR		* GPXR		* XR		* XGPR		* EDR	
	12	15	12	15	12	15	12	15	12	15	12	15
	FB	FB	FB	FB	FB	FB	FB	FB	FB	FB	FB	FB
	22	22	32	32	22	22	22	22	32	32	22	22
	25	25	35	35	23	23	23	23	35	35	25	25
	F	F	F	F	F	F	F	F	F	F	F	F
	32	32	32	32	25	25	25	25	32	32	32	32
	35	35	35	35	32	32	32	32	35	35	35	35
	B	B	B	B	B	B	B	B	B	B	B	B
	A62-406	A62-673	A62-310	A62-310	A62-360	A62-262						

1 SR	1 TR	2 TR	3 TR	3 SR	SLT-000 STICK RELEASE TIMER (10 MIN)
12	12	12	12	12	F
15	15	15	15	15	FB
22	22	22	22	22	B
23	23	23	23	23	F
25	25	25	25	25	F
32	32	32	32	32	F
35	35	35	35	35	B
A62-357	A62-120	A62-120	A62-120	A62-357	



SIDE "B"



* - GATE READY

Exhibit C
Page 6 of 6

SHEET 6 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

**EAST PENN RAILROAD
RAILROAD CROSSING WARNING DEVICES**

SCALE: NONE	APPROVED BY:	DRAWN BY: NST
DATE: 6/7/2023		REVISED:
REESE ROAD - DOT # 517 768C MP. 36.40 AVONDALE, CHESTER COUNTY, PA		
RELAY HOUSE LAYOUT		DRAWING NUMBER