

July 4, 2023,

E-Filed on 07/04/2023

**The Secretary of the Commission
PA Public Utility Commission
400 North Street
Harrisburg, PA 17120**

**Subject: Proposed installation of a Fiber Optics wire line by over
lashing an existing cable at the Buffalo & Pittsburgh Railroad,
Inc. (BPRR) corridor within the public right of way limits of
Redwood Street near Weedville, Elk County, Pennsylvania.**

**USDOT # 528238T – Redwood Street
Weedville, Elk County, PA
Milepost 84.880, Main Line
Northern Division, Laurel Subdivision**

**Lat: 41.271521
Long: -78.489844**

1. Applicant Name: Windstream D & E, Inc.
4001 North Rodney Parham Road
Little Rock, AR 72212
2. Applicant Attorney: Mr. Dan King
4001 North Rodney Parham Road
Little Rock, AR 72212
Daniel.King@windstream.com
office: 812-759-7973
cell: 812-480-4786
3. Our purpose in contacting you is to provide notice that Windstream D & E, Inc. (“Windstream”) will be accessing the public right of way at Redwood Street near Weedville, Elk County, Pennsylvania for the purpose of extending its communications network. Windstream’s work will be in the public right of way, which we understand crosses the railroad corridor.

4. Attached is a copy of the proposed plan, cross-section, and specifications of this project. This installation will be an aerial Fiber Optics cable installation.
5. Our customer believes this installation conforms to all federal, state, county, and city laws applicable at this time. This installation will not have any impact on existing utilities and/or municipalities located within the project area. A copy of the Certificate of Windstream's General Liability Insurance is available upon request. In response to any request for purchase of Railroad Protective Liability (RPL) request, our customer will provide the same or better coverage than that provided by RPL insurance, and which meets all legal requirements for insurance at public crossings.
6. The estimated cost of this installation is less than \$10,000.00 USD and will be paid for with private funding provided by the applicant.
7. This installation is required due to customer growth and system integrity.
8. Verification attached to this submission.

Wherefore, applicant prays your Honorable Commission to approve the application.

Thank you for your assistance in reviewing Windstream's planned installation at this location. I look forward to working with you as Eagle 1 Resources, LLC provides consultant management services to our customers. If you need to discuss this matter further, please contact me at the telephone numbers listed below.

Sincerely,



David L. Thomas
Managing Member
Eagle 1 Resources, LLC
1815 Keystone Drive
Auburn, AL. 36830

Office **334.209.0508**
Mobile **334.546.8166**

E-mail dthomas@eagle1resources.com
Web www.eagle1resources.com

cc: Mr. Albert Prah
 Analyst II- Permitting Team
 Windstream D & E, Inc.
 4001 North Rodney Parham
 Little Rock, AR 72212

Albert.Prah@windstream.com
Office: 501-748-4760

The following parties have been served notice of this proposed installation:

Pennsylvania Department of Transportation
Dan Leonard / Donald Smith
ROW & Utility Division, Bureau of Design
P.O. Box 3362
Harrisburg, PA 17105-3362

danleonard@pa.gov
dojsmith@pa.gov

Office of Chief Counsel
Karen L. Cummings
Senior Assistant Counsel
PennDOT
P.O. 8212
Harrisburg, PA 17105-8212

kcummings@pa.gov

Donna Killingsworth, MBA
Sr. Manager Utilities
Buffalo & Pittsburgh Railroad, Inc.
Genesee & Wyoming Railroad Services Inc.
Real Estate Department
13901 Sutton Park Dr., S., Suite 160
Jacksonville, FL 32224

donna.killingsworth@gwrr.com

Joe Dagher
President / Chairperson
Elk County
300 Center Street
Ridgway PA 15853

jcdagher@countyofelkpa.com
Telephone # 814.776.1161

Charles Douglas Ruffo
President / Chairperson
Benzette TWP
105 School House Road
Benzette PA 15821

bentwp@yahoo.com
Telephone # 814.787.8811

First energy is the pole owner.

Windstream has received permission to attach to these poles.

First Energy
Keith Gardner
Distribution Tech IV-Design Svcs
First Energy / Penelec
311 Industrial Park Road
Johnstown, PA 15904
kgardner@firstenergycorp.com
Telephone: 814-269-6678

Subject: Proposed installation of a Fiber Optics wire line by over lashing an existing cable at the Buffalo & Pittsburgh Railroad, Inc. (BPRR) corridor within the public right of way limits of Redwood Street near Weedville, Elk County, Pennsylvania.

**USDOT # 528238T – Redwood Street
Weedville, Elk County, PA
Milepost 84.880, Main Line
Northern Division, Laurel Subdivision**

**Lat: 41.271521
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1.36. Verification.

(a) Applications, petitions, formal complaints, motions and answers thereto containing an averment of fact not appearing of record in the action or containing a denial of fact shall be personally verified by a party thereto or by an authorized officer of the party if a corporation or association. Verification means a signed written statement of fact supported by oath or affirmation or made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities). If verification is required, notarization is not necessary.

(b) The Verification form should comply substantially with the following:

VERIFICATION

I, Albert Prah, hereby state that the facts above set forth are true and correct (or 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: 7-1-23

Albert Prah
(Signature)

U. S. DOT CROSSING INVENTORY FORM

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION

OMB No. 2130-0017

Instructions for the initial reporting of the following types of new or previously unreported crossings: For public highway-rail grade crossings, complete the entire inventory Form. For private highway-rail grade crossings, complete the Header, Parts I and II, and the Submission Information section. For public pathway grade crossings (including pedestrian station grade crossings), complete the Header, Parts I and II, and the Submission Information section. For Private pathway grade crossings, complete the Header, Parts I and II, and the Submission Information section. For grade-separated highway-rail or pathway crossings (including pedestrian station crossings), complete the Header, Part I, and the Submission Information section. For changes to existing data, complete the Header, Part I Items 1-3, and the Submission Information section, in addition to the updated data fields. Note: For private crossings only, Part I Item 20 and Part III Item 2.K. are required unless otherwise noted. An asterisk * denotes an optional field.

A. Revision Date (MM/DD/YYYY) 01 / 16 / 2022	B. Reporting Agency <input checked="" type="checkbox"/> Railroad <input type="checkbox"/> Transit <input type="checkbox"/> State <input type="checkbox"/> Other	C. Reason for Update (Select only one) <input checked="" type="checkbox"/> Change in Data <input type="checkbox"/> Re-Open <input type="checkbox"/> New Crossing <input type="checkbox"/> Date Change Only <input type="checkbox"/> Closed <input type="checkbox"/> Change in Primary Operating RR <input type="checkbox"/> No Train Traffic <input type="checkbox"/> Quiet Zone Update <input type="checkbox"/> Admin. Correction	D. DOT Crossing Inventory Number 528238T
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Part I: Location and Classification Information

1. Primary Operating Railroad Buffalo & Pittsburgh Railroad, Incorporated [BPRR]		2. State PENNSYLVANIA		3. County ELK	
4. City / Municipality <input type="checkbox"/> In <input checked="" type="checkbox"/> Near WEEDVILLE		5. Street/Road Name & Block Number Redwood Street (Street/Road Name) * (Block Number)		6. Highway Type & No. T 410	
7. Do Other Railroads Operate a Separate Track at Crossing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Specify RR			8. Do Other Railroads Operate Over Your Track at Crossing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Specify RR		
9. Railroad Division or Region <input type="checkbox"/> None NORTHERN		10. Railroad Subdivision or District <input type="checkbox"/> None LAUREL		11. Branch or Line Name <input type="checkbox"/> None MAIN LINE	
12. RR Milepost 0084.880 (prefix) (nnnn.nnn) (suffix)		13. Line Segment * 212324		14. Nearest RR Timetable Station * DRIFTWOOD	
15. Parent RR (if applicable) <input checked="" type="checkbox"/> N/A		16. Crossing Owner (if applicable) <input checked="" type="checkbox"/> N/A		17. Crossing Type <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	
18. Crossing Purpose <input checked="" type="checkbox"/> Highway <input type="checkbox"/> Pathway, Ped. <input type="checkbox"/> Station, Ped.		19. Crossing Position <input checked="" type="checkbox"/> At Grade <input type="checkbox"/> RR Under <input type="checkbox"/> RR Over		20. Public Access (if Private Crossing) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21. Type of Train <input checked="" type="checkbox"/> Freight <input type="checkbox"/> Intercity Passenger <input type="checkbox"/> Commuter		<input type="checkbox"/> Transit <input type="checkbox"/> Shared Use Transit <input type="checkbox"/> Tourist/Other		22. Average Passenger Train Count Per Day <input checked="" type="checkbox"/> Less Than One Per Day <input type="checkbox"/> Number Per Day	
23. Type of Land Use <input type="checkbox"/> Open Space <input type="checkbox"/> Farm <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional <input type="checkbox"/> Recreational <input type="checkbox"/> RR Yard					
24. Is there an Adjacent Crossing with a Separate Number? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Provide Crossing Number			25. Quiet Zone (FRA provided) <input checked="" type="checkbox"/> No <input type="checkbox"/> 24 Hr <input type="checkbox"/> Partial <input type="checkbox"/> Chicago Excused Date Established		
26. HSR Corridor ID <input checked="" type="checkbox"/> N/A		27. Latitude in decimal degrees (WGS84 std: nn.nnnnnnn) 41.2715200		28. Longitude in decimal degrees (WGS84 std: -nnn.nnnnnnn) -78.4900500	
29. Lat/Long Source <input checked="" type="checkbox"/> Actual <input type="checkbox"/> Estimated		30.A. Railroad Use *			
30.B. Railroad Use *		31.A. State Use *			
30.C. Railroad Use *		31.B. State Use * PS			
30.D. Railroad Use *		31.C. State Use *			
32.A. Narrative (Railroad Use) *		31.D. State Use *			
32.B. Narrative (State Use) *		32.A. Narrative (Railroad Use) *			
33. Emergency Notification Telephone No. (posted) 866-527-3499		34. Railroad Contact (Telephone No.) 866-527-3499		35. State Contact (Telephone No.) 717-772-3079	

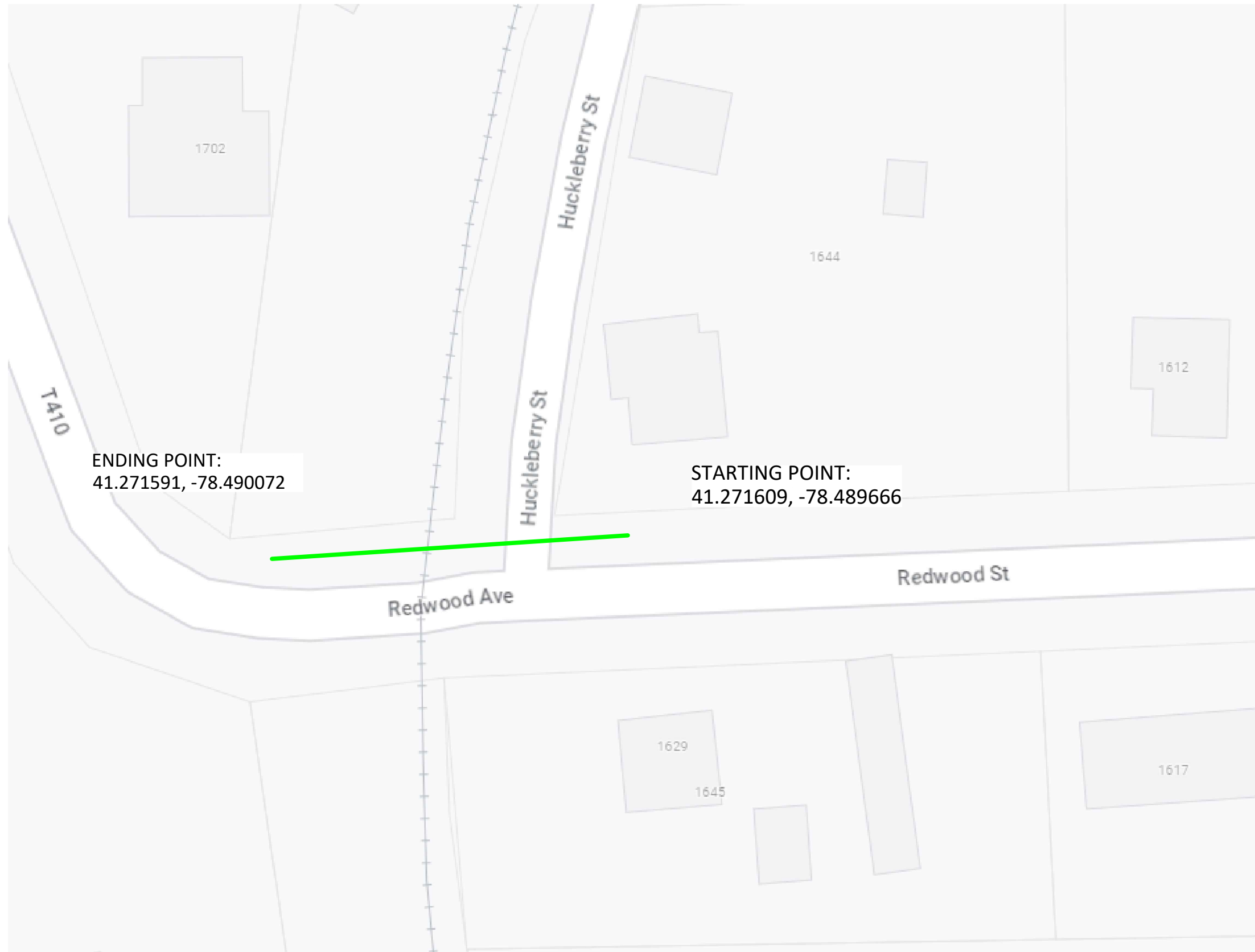
Part II: Railroad Information

1. Estimated Number of Daily Train Movements				
1.A. Total Day Thru Trains (6 AM to 6 PM) 1	1.B. Total Night Thru Trains (6 PM to 6 AM) 1	1.C. Total Switching Trains 2	1.D. Total Transit Trains 0	1.E. Check if Less Than One Movement Per Day <input type="checkbox"/> How many trains per week? _____
2. Year of Train Count Data (YYYY) 2021		3. Speed of Train at Crossing 3.A. Maximum Timetable Speed (mph) 30 3.B. Typical Speed Range Over Crossing (mph) From 30 to 30		
4. Type and Count of Tracks Main 1 Siding 1 Yard 0 Transit 0 Industry 0				
5. Train Detection (Main Track only) <input type="checkbox"/> Constant Warning Time <input type="checkbox"/> Motion Detection <input checked="" type="checkbox"/> AFO <input type="checkbox"/> PTC <input type="checkbox"/> DC <input type="checkbox"/> Other <input type="checkbox"/> None				
6. Is Track Signaled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		7.A. Event Recorder <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		7.B. Remote Health Monitoring <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

U. S. DOT CROSSING INVENTORY FORM

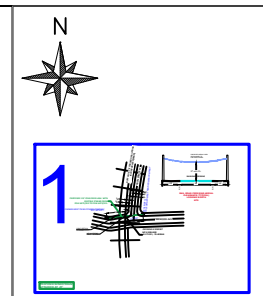
A. Revision Date (MM/DD/YYYY) 01/16/2022		PAGE 2		D. Crossing Inventory Number (7 char.) 5282381	
Part III: Highway or Pathway Traffic Control Device Information					
1. Are there Signs or Signals? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		2. Types of Passive Traffic Control Devices associated with the Crossing			
2.A. Crossbuck Assemblies (count) 2		2.B. STOP Signs (R1-1) (count) 0	2.C. YIELD Signs (R1-2) (count) 0	2.D. Advance Warning Signs (Check all that apply; include count) <input checked="" type="checkbox"/> None <input type="checkbox"/> W10-1 0 <input type="checkbox"/> W10-3 0 <input type="checkbox"/> W10-11 0 <input type="checkbox"/> W10-2 0 <input type="checkbox"/> W10-4 0 <input type="checkbox"/> W10-12 0	
2.E. Low Ground Clearance Sign (W10-5) <input type="checkbox"/> Yes (count _____) <input checked="" type="checkbox"/> No		2.F. Pavement Markings <input type="checkbox"/> Stop Lines <input type="checkbox"/> Dynamic Envelope <input type="checkbox"/> RR Xing Symbols <input checked="" type="checkbox"/> None		2.G. Channelization Devices/Medians <input type="checkbox"/> All Approaches <input type="checkbox"/> Median <input type="checkbox"/> One Approach <input checked="" type="checkbox"/> None	2.H. EXEMPT Sign (R15-3) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.I. ENS Sign (I-13) Displayed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		2.J. Other MUTCD Signs <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Specify Type _____ Count 0 Specify Type _____ Count 0 Specify Type _____ Count _____		2.K. Private Crossing Signs (if private) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2.L. LED Enhanced Signs (List types)
3. Types of Train Activated Warning Devices at the Grade Crossing (specify count of each device for all that apply)					
3.A. Gate Arms (count) Roadway 0 Pedestrian _____	3.B. Gate Configuration <input type="checkbox"/> 2 Quad <input type="checkbox"/> Full (Barrier) Resistance <input type="checkbox"/> 3 Quad <input type="checkbox"/> Median Gates <input type="checkbox"/> 4 Quad	3.C. Cantilevered (or Bridged) Flashing Light Structures (count) Over Traffic Lane 0 <input type="checkbox"/> Incandescent Not Over Traffic Lane 0 <input type="checkbox"/> LED		3.D. Mast Mounted Flashing Lights (count of masts) 2 <input type="checkbox"/> Incandescent <input checked="" type="checkbox"/> LED <input checked="" type="checkbox"/> Back Lights Included <input type="checkbox"/> Side Lights Included	3.E. Total Count of Flashing Light Pairs 5
3.F. Installation Date of Current Active Warning Devices: (MM/YYYY) ____/____/____ <input checked="" type="checkbox"/> Not Required		3.G. Wayside Horn <input type="checkbox"/> Yes Installed on (MM/YYYY) ____/____/____ <input checked="" type="checkbox"/> No		3.H. Highway Traffic Signals Controlling Crossing <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3.I. Bells (count) 1
3.J. Non-Train Active Warning <input type="checkbox"/> Flagging/Flagman <input type="checkbox"/> Manually Operated Signals <input type="checkbox"/> Watchman <input type="checkbox"/> Floodlighting <input checked="" type="checkbox"/> None				3.K. Other Flashing Lights or Warning Devices Count 0 Specify type _____	
4.A. Does nearby Hwy Intersection have Traffic Signals? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	4.B. Hwy Traffic Signal Interconnection <input checked="" type="checkbox"/> Not Interconnected <input type="checkbox"/> For Traffic Signals <input type="checkbox"/> For Warning Signs	4.C. Hwy Traffic Signal Preemption <input type="checkbox"/> Simultaneous <input type="checkbox"/> Advance	5. Highway Traffic Pre-Signals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Storage Distance * _____ Stop Line Distance * _____	6. Highway Monitoring Devices (Check all that apply) <input type="checkbox"/> Yes - Photo/Video Recording <input type="checkbox"/> Yes - Vehicle Presence Detection <input checked="" type="checkbox"/> None	
Part IV: Physical Characteristics					
1. Traffic Lanes Crossing Railroad Number of Lanes 2 <input type="checkbox"/> One-way Traffic <input checked="" type="checkbox"/> Two-way Traffic <input type="checkbox"/> Divided Traffic		2. Is Roadway/Pathway Paved? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	3. Does Track Run Down a Street? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	4. Is Crossing Illuminated? (Street lights within approx. 50 feet from nearest rail) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Crossing Surface (on Main Track, multiple types allowed) Installation Date * (MM/YYYY) ____/____/____ Width * 9 Length * 23 <input type="checkbox"/> 1 Timber <input checked="" type="checkbox"/> 2 Asphalt <input type="checkbox"/> 3 Asphalt and Timber <input type="checkbox"/> 4 Concrete <input type="checkbox"/> 5 Concrete and Rubber <input type="checkbox"/> 6 Rubber <input type="checkbox"/> 7 Metal <input type="checkbox"/> 8 Unconsolidated <input type="checkbox"/> 9 Composite <input type="checkbox"/> 10 Other (specify) _____					
6. Intersecting Roadway within 500 feet? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Approximate Distance (feet) _____		7. Smallest Crossing Angle <input type="checkbox"/> 0° - 29° <input type="checkbox"/> 30° - 59° <input type="checkbox"/> 60° - 90°		8. Is Commercial Power Available? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Part V: Public Highway Information					
1. Highway System <input type="checkbox"/> (01) Interstate Highway System <input type="checkbox"/> (02) Other Nat Hwy System (NHS) <input type="checkbox"/> (03) Federal AID, Not NHS <input checked="" type="checkbox"/> (08) Non-Federal AID		2. Functional Classification of Road at Crossing <input checked="" type="checkbox"/> (0) Rural <input type="checkbox"/> (1) Urban <input type="checkbox"/> (1) Interstate <input type="checkbox"/> (5) Major Collector <input type="checkbox"/> (2) Other Freeways and Expressways <input type="checkbox"/> (3) Other Principal Arterial <input type="checkbox"/> (6) Minor Collector <input type="checkbox"/> (4) Minor Arterial <input checked="" type="checkbox"/> (7) Local		3. Is Crossing on State Highway System? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	4. Highway Speed Limit 25 _____ MPH <input checked="" type="checkbox"/> Posted <input type="checkbox"/> Statutory
5. Linear Referencing System (LRS Route ID) *					
6. LRS Milepost *					
7. Annual Average Daily Traffic (AADT) Year 2009 AADT 000144		8. Estimated Percent Trucks 1 _____ %	9. Regularly Used by School Buses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Average Number per Day 0		10. Emergency Services Route <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Submission Information - This information is used for administrative purposes and is not available on the public website.					
Submitted by _____ Organization _____ Phone _____ Date _____					
Public reporting burden for this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. According to the Paperwork Reduction Act of 1995, a federal agency may not conduct or sponsor, and a person is not required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for information collection is 2130-0017. Send comments regarding this burden estimate or any other aspect of this collection, including for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave. SE, MS-25 Washington, DC 20590.					

Windstream LOCATION MAP REDWOOD AVE



ENDING POINT:
41.271591, -78.490072

STARTING POINT:
41.271609, -78.489666



LEGEND

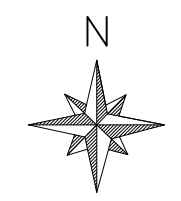
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- AERIAL OVERLASH
- SW
- EOP
- SIDEWALK
- EOP
- POLE
- POWER POLE
- JOINT Pole
- HYDRO Pole
- PED
- BORE PIT
- MANHOLE
- HANDHOLE



DATE CREATED: 6/15/23

DATE REVISED:

DRAWN BY: RAMTeCH



SCALE: NTS

COMPANY:
Windstream

SYSTEM:
WEEDVILLE, PA

PROJECT NUMBER:
708332147

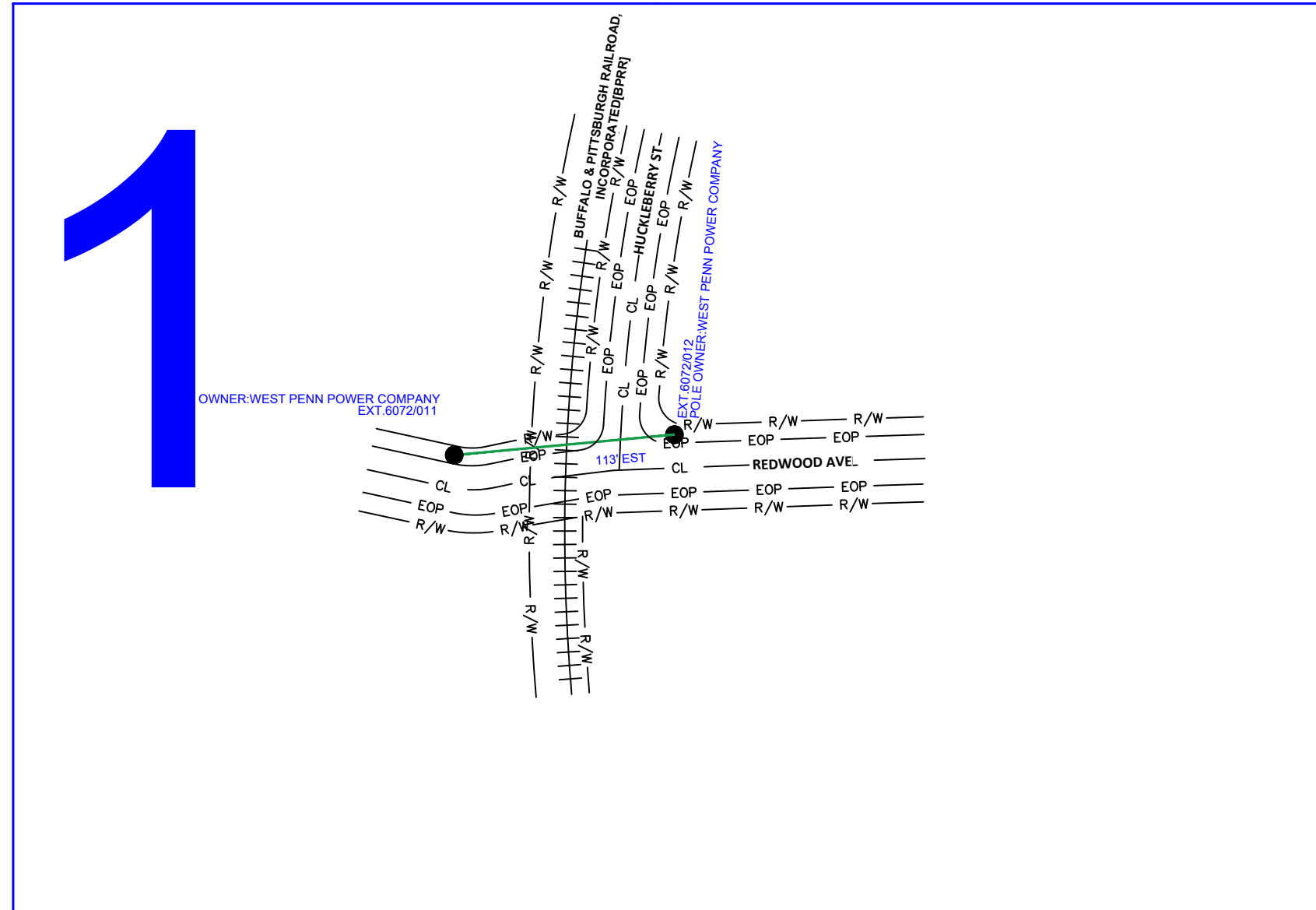
DESCRIPTION:
FTTP GPON PERMIT

MAP:
LOCATION MAP

RAMTeCH

BUFFALO & PITTSBURGH RAILROAD, INCORPORATED[BPRR]

RR PERMIT REDWOOD AVE



LEGEND

- PROPOSED CONDUIT
- AERIAL OVERLASH
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PROJECT NUMBER:
708332147

DESCRIPTION:
FTTP GPON PERMIT

MAP:
KEY MAP

RAMTeCH

