



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

IN REPLY PLEASE
REFER TO OUR FILE

August 2, 2023

A-2023-3040993

TO ALL PARTIES OF RECORD

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter two (2) public at grade crossings by the installation of new active warning devices where State Route 0036 (Main Street) in Chest Township (DOT 506 101 M) and State Route 0219 (Main Street) in Bell Township (DOT 527 113 P) cross the tracks of R. J. Corman Railroad Company/Pennsylvania Lines Inc. located in Clearfield County, all in accordance with the Federal Grade Crossing Program and the allocation of costs incident thereto.

To Whom It May Concern:

This matter is before us by reason of an application filed with the Commission on May 31, 2023, by Pennsylvania Department of Transportation (Department) seeking Commission approval to alter two (2) public at grade crossings by the installation of new active warning devices where State Route (SR) 0036 (Main Street) in Chest Township (DOT 506 101 M) and SR 0219 (Main Street) in Bell Township (DOT 527 113 P) cross the tracks of R. J. Corman Railroad Company/Pennsylvania Lines Inc. (R. J. Corman) located in Clearfield County.

A field investigation and conference was arranged by a Commission staff engineer and held on July 11, 2023 at the sites of the subject crossings. Representatives of the Department and R. J. Corman attended the field conference. Although notified by letter dated June 8, 2023 sent by electronic mail, there were no representatives of Clearfield County, Bell Township, Chest Township, Penelec, Verizon or United Electric in attendance.

At the public crossing DOT 506 101 M, SR 0036 (Main Street) crosses at grade, one (1) track of R. J. Corman. SR 0036 (Main Street) is a two-way asphalt paved roadway with one (1) lane in each direction, generally oriented north-south. The approach roadways in both directions transition from a horizontal curve to a tangent section at the crossing, with the transitions occurring at approximate 440-feet in the northbound direction and 730-feet in the southbound direction from the tracks. Trees overhanging the roadway in the northbound direction around the transition area block visibility of the crossing and its warning facilities. The posted speed limit is 45 miles per hour and the average daily traffic is 1,965 vehicles per day with 12 percent trucks. The single railroad track is oriented generally east-west with a skew to the roadway. The crossing surface consists of an asphalt and rubber rail seal crossing surface in good condition. R. J. Corman noted approximately three (3) trains per week with speeds of up to 25 miles per hour at this crossing. The existing warning devices at the crossing consist of mast-mounted automatically operated flashing light warning signals on both approaches. Crossbuck (R15-1) signs, Emergency Notification (I-13) signs, railroad pavement markings and stop lines are present on both approaches to the crossing. A Grade Crossing Advance Warning (W10-1) sign was present on the northbound approach to the crossing but was missing from the southbound approach.

All members of the diagnostic team discussed the crossing at the field investigation and conference and determined that the existing warning devices at the public crossing DOT 506 101 M will be replaced with mast-mounted gate-ready automatically operated LED flashing light warning signals with a bell, including all new circuitry. The existing circuitry cabinet enclosure in the south-east quadrant will be replaced with a bungalow. Due to the proximity of Chest Creek and a history of flood events, the new bungalow will be raised in elevation to prevent circuitry malfunction in the event of flooding. Tree trimming will be performed by R. J. Corman at the sole cost and expense of the Department to increase visibility. The missing W10-1 sign on the southbound approach will be replaced by the Department's maintenance forces at their sole cost and expense.

At the public crossing DOT 527 113 P, SR 0219 (Main Street) crosses at grade, one (1) track of R. J. Corman. SR 0219 (Main Street) is a two-way asphalt paved roadway with one (1) lane in each direction, generally oriented north-south. The railroad tracks are also generally oriented north-south and heavily skewed to the roadway, with the crossing located in a horizontal and vertical roadway curve section. The horizontal and vertical curvature of the roadway alignment restricts visibility to the crossing in the northbound direction. The posted speed limit is 35 miles per hour in the southbound direction and transitions to 45 miles immediately after the railroad crossing. The average daily traffic is 1,682 vehicles per day with 14 percent trucks. The crossing surface consists of a concrete panel high-type crossing surface in good condition. R. J. Corman noted approximately three (3) trains per week with speeds of up to 25 miles per hour at this crossing. The existing warning devices at the crossing consists of mast-mounted automatically operated flashing light warning signals on both approaches. Crossbuck (R15-1) signs, Emergency Notification (I-13) signs, railroad pavement markings and Grade Crossing Advance Warning (W10-1) signs are present on both approaches to the crossing. Stop lines were missing on both approaches to the crossing.

All members of the diagnostic team discussed the crossing at the field investigation and conference and determined that the existing warning devices at the public crossing DOT 527 113 P will be replaced with cantilevered automatically operated LED flashing light warning signals with a bell, including all new circuitry. The existing circuitry cabinet enclosure in the north-west quadrant will be replaced with a bungalow. R. J. Corman will remove two (2) unused utility poles in its right-of-way that appear to be within the clear zone of the roadway, at their sole cost and expense. The missing stop lines on each highway approach roadway to the crossing will be restored by the Department's maintenance forces, at their sole cost and expense.

R. J. Corman agrees to prepare and submit complete detailed situation and circuitry plans for the new warning devices for the subject crossings to each party in interest for review and to this Commission for approval, at the sole cost and expense of the Department.

R. J. Corman agrees to furnish all materials and perform all work to upgrade the active warning devices and any ancillary features thereof, at the sole cost and expense of the Department. R. J. Corman agrees to maintain its new facilities and any other railroad facility the crossings at their sole cost and expense.

The Department agrees to maintain its highway facilities on the approaches to and at the subject crossings at its sole cost and expense.

It will not be necessary for the Commission to appropriate any property to accommodate the improvement. Relocation of non-carrier public utilities is not expected. Non-carrier public utilities will relocate their facilities at their initial cost and expense, if required.

The project to upgrade the active warning devices will be funded through the Federal Highway Grade Crossing Safety Program disbursed through the Department with an estimated project cost of \$790,359.00.

The Commission hereby establishes its jurisdictional limits at the subject crossing as the area within the confines of the railroad right-of-way and the highway right-of-way.

Upon full consideration of the matters involved and inasmuch as no objection has been filed with the Commission and no party in attendance at the field conference objected to the proposed improvements as discussed, we find that a Secretarial Letter can be issued approving the application without a formal hearing.

The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that the alteration of the crossings is necessary and proper for the service, accommodation, convenience or safety of the public.

The application of Pennsylvania Department of Transportation is approved as herein directed:

1. The caption of the subject proceeding is hereby revised as shown herein.
2. The public at grade crossings where State Route 0036 (Main Street) in Chest Township (DOT 506 101 M) and State Route 0219 (Main Street) in Bell Township (DOT 527 113 P) cross the tracks of R. J. Corman Railroad Company/Pennsylvania Lines Inc. located in Clearfield County be altered as herein directed.
3. R. J. Corman Railroad Company/Pennsylvania Lines Inc., at the sole cost and expense of the Pennsylvania Department of Transportation, and prior to the start of construction, prepare and submit a situation and circuitry plan for the subject crossings to all parties for review and to the Commission for approval.
4. R. J. Corman Railroad Company/Pennsylvania Lines Inc. provide at least ten (10) days advance notice of the start of work to alter the crossings to each party involved in this proceeding.
5. R. J. Corman Railroad Company/Pennsylvania Lines Inc., at the sole cost and expense of Pennsylvania Department of Transportation, furnish all material and do all work necessary to alter the public crossing (DOT 506 101 M), by replacing the existing warning devices with mast-mounted gate-ready automatically operated LED flashing light warning signals with a bell, including all new circuitry, a new bungalow and any ancillary features thereof all constructed in accordance with Part 8 of the Manual on Uniform Traffic Control Devices, the approved plan and this Secretarial Letter.

6. R. J. Corman Railroad Company/Pennsylvania Lines Inc., at the sole cost and expense of Pennsylvania Department of Transportation, furnish all material and do all work to perform any tree trimming within the highway right-of-way as deemed necessary by the Pennsylvania Department of Transportation to improve the sight distance to the public crossing (DOT 506 101 M).

7. Pennsylvania Department of Transportation, at its sole cost and expense, install a Grade Crossing Advance Warning (W10-1) sign on the southbound approach to the public crossing (DOT 506 101 M), all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter.

8. R. J. Corman Railroad Company/Pennsylvania Lines Inc., at the sole cost and expense of Pennsylvania Department of Transportation, furnish all material and do all work necessary to alter the public crossing (DOT 527 113 P), by replacing the existing warning devices with cantilevered automatically operated LED flashing light warning signals with a bell, including all new circuitry, a new bungalow and any ancillary features thereof all constructed in accordance with Part 8 of the Manual on Uniform Traffic Control Devices, the approved plan and this Secretarial Letter.

9. R. J. Corman Railroad Company/Pennsylvania Lines Inc., at its sole cost and expense, furnish all material and do all work necessary to remove two (2) unused utility poles in its right-of-way within the clear zone of the roadway at the public crossing (DOT 527 113 P).

10. Pennsylvania Department of Transportation, at its sole cost and expense, install stop lines on both approaches to the public crossing (DOT 527 113 P), all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter.

11. R. J. Corman Railroad Company/Pennsylvania Lines Inc., at the sole cost and expense of Pennsylvania Department of Transportation, furnish any watchmen, flagmen, inspectors and/or engineering services that may be deemed necessary to protect the railroad's operations or facilities during the time the facilities are being installed.

12. R. J. Corman Railroad Company/Pennsylvania Lines Inc., at the sole cost and expense of Pennsylvania Department of Transportation, furnish all material and do all work necessary to establish and maintain any detours or traffic control that may be necessary to properly and safely accommodate vehicular, pedestrian and railroad traffic during the time the crossings are being altered.

13. Any relocation of, changes in and/or removal of any adjacent structures, equipment or facilities of any non-carrier public utility or municipal authority, which may be required as incidental to the alteration of the crossings be made by said public utility or municipal authority at its initial cost, and in such a manner as will not interfere with the alteration of the crossings; and such relocated or altered facilities thereafter be maintained by said public utility or municipal authority at its sole cost and expense.

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

15. R. J. Corman Railroad Company/Pennsylvania Lines Inc., at the sole cost and expense of Pennsylvania Department of Transportation, furnish all material and perform all work necessary to complete the remainder of the project and any other ancillary features of the project, generally in accordance with the approved plans and this Secretarial Letter.

16. R. J. Corman Railroad Company/Pennsylvania Lines Inc., pay all compensation for damages, if any, due to the owners of property taken, injured or destroyed by reason of the alteration of the crossings in accordance with this Secretarial Letter.

17. All work necessary to alter the crossings be completed in a manner satisfactory to this Commission on or before December 31, 2024, and that on or before said date, Pennsylvania Department of Transportation report in writing to this Commission the date of actual completion of the work.

18. All costs which are to be reimbursed by the Department of Transportation consistent with this letter shall be reimbursed pursuant to the provisions of 23 C.F.R. Parts 140 and 646. The aforesaid Federal reimbursement shall not supersede, delay or in any manner, postpone the effect of any paragraph contained in this or any related Secretarial Letter or Order.

19. Upon completion of the alteration of the public crossing (DOT 506 101 M), R. J. Corman Railroad Company/Pennsylvania Lines Inc., at its sole cost and expense, furnish all material and do all work necessary thereafter to maintain its railroad facilities at the subject crossing, including the active warning devices, and all appurtenant equipment and maintain at all times in a smooth and satisfactory condition the crossing surface located between the rails and for a distance of twenty-four (24) inches beyond the outermost rails, all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter, and provide Pennsylvania Department of Transportation . at least ten (10) business days advance notice when performing any work that may affect their facilities, as directed by this paragraph.

20. Upon completion of the alteration of the public crossing (DOT 506 101 M), Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and do all work necessary thereafter to maintain its highway approach roadways to the subject crossing to points twenty-four (24) inches beyond each outside rail and in addition, maintain the grade crossing advance warning signs, stop lines and pavement markings, if required, all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter, and provide R. J. Corman Railroad Company/Pennsylvania Lines Inc. at least ten (10) business days advance notice when performing any work that may affect their facilities, as directed by this paragraph.

21. Upon completion of the alteration of the public crossing (DOT 527 113 P), R. J. Corman Railroad Company/Pennsylvania Lines Inc., at its sole cost and expense, furnish all material and do all work necessary thereafter to maintain its railroad facilities at the subject crossing, including the active warning devices, and all appurtenant equipment and maintain at all times in a smooth and satisfactory condition of the concrete high-type crossing surface, all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter, and provide Pennsylvania Department of Transportation at least ten (10) business days advance notice when performing any work that may affect their facilities, as directed by this paragraph.

22. Upon completion of the alteration of the public crossing (DOT 527 113 P), Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and do all work necessary thereafter to maintain its highway approach roadways to the subject crossing up to the concrete high-type crossing surface and in addition, maintain the grade crossing advance warning signs, stop lines and pavement markings, if required, all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter, and provide R. J. Corman Railroad Company/Pennsylvania Lines Inc. at least ten (10) business days advance notice when performing any work that may affect their facilities, as directed by this paragraph.

23. Upon completion of the alteration of the subject crossings, 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 alteration.

24. Upon completion of the work herein directed, and upon written request from any party of record, this proceeding be scheduled for a hearing at a time and place to be determined by the Commission, for the purpose of taking testimony upon the final allocation of any remaining costs incurred by the non-carrier utility companies and 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,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is written in a cursive style with a large initial "R".

Rosemary Chiavetta
Secretary