

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

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| 1. <u>REPORT DATE:</u> June 1, 1982 | : | 2. <u>BUREAU AGENDA NO.</u> JUN-82-TR-202* |
| 3. <u>BUREAU:</u> Rail Transportation | : | |
| 4. <u>SECTION(S):</u> | : | 5. <u>PUBLIC MEETING DATE:</u> June 25, 1982 |
| 6. <u>APPROVED BY:</u> Director: Peteritas 3-5941 Supervisor: | : | |
| 7. <u>MONITOR:</u> Johnson | : | |
| 8. <u>PERSON IN CHARGE:</u> Fleisher 7-5936 | : | |
| 9. <u>DOCKET NO:</u> C-00018838 | : | |
| 10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines) (b) Short summary of history & facts, documents & briefs (c) Recommendation | | |

(a) PENNSYLVANIA PUBLIC UTILITY COMMISSION

V.

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION, CITY OF COATESVILLE, COUNTY OF CHESTER, AMTRAK, ET AL.

(b) Investigation instituted by Commission on November 17, 1969. Initial hearing held on September 23, 1970. Initial order adopted January 10, 1972, abolished crossing and directed superstructure to be removed. Petition filed by City of Coatesville on November 15, 1973, request rehearing on matter of abolition of crossing. Hearing held on City's petition on January 11, 1974. Further hearings held on September 19, 1974 and January 16, 1975. Second order adopted October 21, 1975, directed City to prepare plans for reconstruction of the bridge. City submitted completed plans on August 20, 1976. Further hearing held on April 28, 1977. Order adopted May 23, 1978, directed City to reconstruct the bridge. Petition filed by City on February 26, 1981, requested rescission of the order adopted May 23, 1978 and reinstatement of the order adopted January 10, 1972. Hearing held on petition on October 5, 1981. Order adopted February 5, 1982, directed the crossing be abolished and directed Amtrak to demolish the bridge within sixty (60) days. Motion filed by Amtrak on May 13, 1982, requesting an extension of time until December 1, 1982, to

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| 11. <u>MOTION BY:</u> Commissioner Johnson | Commissioner Chm. Shanaman - Yes |
| | Commissioner Taliaferro - Yes |
| <u>SECONDED:</u> Commissioner Cawley | Commissioner Jones - Yes |

CONTENT OF MOTION: Staff recommendation adopted.

**DOCUMENT
FOLDER**

DOCKETED
JUL 8 1982

complete the demolition.

(c) The Bureau of Rail Transportation recommends that the Commission grant the motion filed by Amtrak to the extent that an extension of time is granted but limit the extension to September 15, 1982.

DRF:llr

July 6, 1982

C-00018838

Alexander Endy, Solicitor
City of Coatesville
53 South First Avenue
Coatesville, PA 19320

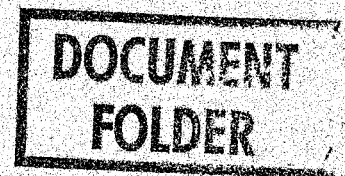
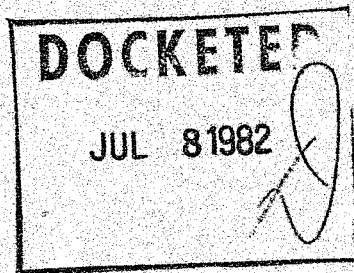
Pennsylvania Public Utility Commission
v.
Pennsylvania Department of Transportation,
City of Coatesville, County of Chester,
Penn Central Corporation, National Rail-
road Passenger Corporation and Consolida
ated Rail Corporation

Dear Sir:

This is to advise you that an order has been adopted by the Commission in public meeting on June 25, 1982, in the above entitled proceeding.

A copy of this order has been enclosed for your records.

Very truly yours,



Jerry Rich, Secretary

tw
Encl.
Cert. Mail

Refer to similar letter list dated August 28, 1981.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held June 25, 1982

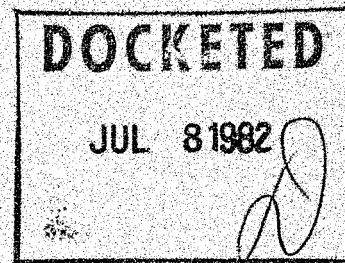
Commissioners Present:

Susan M. Shanaman, Chairman
Michael Johnson
James H. Cawley
Linda C. Taliaferro
Clifford L. Jones

Pennsylvania Public Utility Commission

C-00018838

v.
Pennsylvania Department of Transportation,
City of Coatesville, County of Chester, Penn
Central Corporation, National Railroad
Passenger Corporation and Consolidated Rail
Corporation.



ORDER

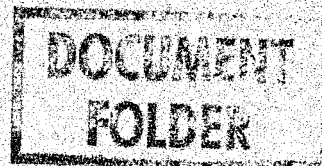
BY THE COMMISSION:

This matter is before us upon the motion of National Railroad Passenger Corporation, filed May 13, 1982, seeking additional time to comply with the order adopted February 5, 1982 and entered March 2, 1982. That order, in Paragraph 7, directed that the corporation remove the superstructure and a portion of the substructure within sixty (60) days from the date the order was entered.

The motion states that due to time required to procure capital funds and other pressing commitments requiring first priority in the deployment of materials and work forces, the time schedule contained in the referenced order cannot be met by the corporation. It also states that the bridge is in no immediate danger of collapsing onto the railroad right-of-way. Substantial barricades are in place effectively barring all highway traffic from using the bridge. The corporation maintains that no other risk or hazard will be created by the granting of its motion.

Proof of service of a copy of the instant motion upon each party in interest has been received. None of the parties has advised that it has any objection to the granting of the motion as presented or desires to be heard in this matter.

Upon full consideration of the matters involved, we find that although the bridge is apparently in no immediate danger of collapse



and is barricaded so that no highway traffic is permitted to use it, the continued existence of this structure, which is not being maintained, poses a potential danger to the operations of the railroad below. We believe that the bridge should be removed as soon as possible to eliminate this potential danger and to eliminate any potential nuisance caused by its continued existence. We will therefore only grant an extension of time to complete the work to September 15, 1982, instead of December 1, 1982, as requested in the motion; THEREFORE,

IT IS ORDERED:

A. That the motion filed by National Railroad Passenger Corporation on May 13, 1982, be and is hereby granted, to the extent consistent herein and, in all other respects, is hereby denied.

B. That Paragraph Nos. 7 and 8 of the order adopted February 5, 1982, which reads as follows:

"7. That National Railroad Passenger Corporation, at its initial cost and expense, and within sixty (60) days from the date this order is entered, furnish all material and perform all work necessary to remove the superstructure and the substructure of the bridge to a minimum distance of one foot below a plane which slopes upward at an angle of one vertical to one and one-half horizontal in a direction away from the railroad tracks from a point at the face of the abutments at the existing ground line.

"8. That City of Coatesville, at its sole cost and expense, and within sixty (60) days from the date this order is entered, furnish all material and perform all work necessary to install permanent-type barricades at a proper location on each side of the crossing herein ordered abolished."

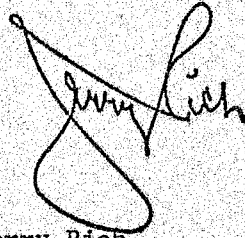
be and is hereby modified to read as follows:

7. That National Railroad Passenger Corporation, at its initial cost and expense, on or before September 15, 1982, furnish all material and perform all work necessary to remove the superstructure and the substructure of the subject bridge to a minimum distance of one foot below a plane which slopes upward at an angle of one vertical to one and one-half horizontal in a direction away from the railroad tracks from a point at the face of the abutments at the existing ground line; and submit monthly reports indicating its progress toward completion of this work.

8. That City of Coatesville, at its sole cost and expense, on or before September 15, 1982, furnish all material and perform all work necessary to install permanent-type barricades at a proper location on each side of the crossing herein ordered abolished.

C. That in all respects not inconsistent herewith, our order adopted February 5, 1982, remain in full force and effect.

BY THE COMMISSION,

A handwritten signature in cursive script, appearing to read "Jerry Rich", written over a large, stylized, looped flourish.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: June 25, 1982

ORDER ENTERED: JUL - 6 1982