

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Complaint Docket No. 18838

PENNSYLVANIA PUBLIC UTILITY COMMISSION

v.
DEPARTMENT OF HIGHWAYS OF THE COMMONWEALTH OF PENNSYLVANIA,
CITY OF COATESVILLE, COUNTY OF CHESTER and PENN CENTRAL
TRANSPORTATION COMPANY

INVESTIGATION UPON COMMISSION MOTION

BY THE COMMISSION, NOVEMBER 17, 1969:

Pennsylvania Public Utility Commission is in receipt of information, by reason of a report submitted as directed by Investigation Docket No. 97 issued October 28, 1968, that the bridge carrying State Highway Route 15122 (Graham Avenue) over and above the tracks of Penn Central Transportation Company, in City of Coatesville, Chester County, may be in an unsafe condition for highway and railroad traffic, due to the general condition of the structure.

A field inspection reveals that the structure has deteriorated to the point where it is now posted for a five ton maximum load limit, that loads in excess of the posted limit are using the crossing, and that extensive rehabilitation of the structure may be warranted.

It appears that a full and complete investigation should be made to determine whether the existing railroad-highway crossing, above grade, may safely accommodate the class and volume of highway, pedestrian and railroad traffic at this location, and whether the prevention of accidents and the promotion of the safety of the public may require the alteration, relocation, abolition and/or reconstruction of the involved crossing; THEREFORE,

IT IS ORDERED:

That an investigation be and is hereby instituted by Pennsylvania Public Utility Commission on its own motion and under the provisions of the Public Utility Law for the purpose of determining whether the above-described crossing, above grade, is dangerous or

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ORIGINAL CERTIFIED
TO COMMONWEALTH COURT.

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inadequate in its present condition to accommodate safely the class and volume of highway, pedestrian and railroad traffic currently traversing the crossing; and for the purpose of determining the nature and extent of any required alteration, reconstruction and/or abolition of the crossing, and further, for the purpose of determining the party or parties that should be required to perform work and bear the cost thereof; and the party or parties that should be required to maintain the crossing upon completion of any improvement found to be necessary.

2. That Department of Highways of the Commonwealth of Pennsylvania, City of Coatesville, County of Chester and Penn Central Transportation Company, respondents, are hereby severally ordered to file answers to the following interrogatories within 30 days after service hereof:

- (a) Does the prevention of accidents and promotion of the safety of the public require changes in the type, location, reconstruction, maintenance, or abolition of the existing crossing, above grade, and the highway approaches thereto.
- (b) What is the responsibility of respondents with respect to the construction and maintenance of the existing railroad-highway crossing, above grade, and the highway approaches thereto.
- (c) Which respondent and/or respondents should perform the actual work of completing such corrective measures as may be found necessary at the crossing, above grade, and the highway approaches thereto.
- (d) How should the cost and expense of completing any corrective measures that may be found necessary and ordered by the Commission, be allocated between the respondents, including future maintenance.

3. That, upon receipt of answers hereto, this case be set down for hearing, upon due notice of the time and place thereof to the respondents, to receive testimony on the matters and things involved.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

(signed) George I. Bloom
Chairman

ATTEST:

Secretary

Commissioner O'Hara being absent did not participate in the vote on the order.