

**BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: Application of North Penn Telephone Company for approval of the alteration of the crossings AAR # 249641Y and 249642F by the installation of 24ct Fiber where Larch Street and Capouse Avenue crosses at grade the tracks of Delaware-Lackawanna Railroad located in Scranton in Lackawanna County.

Application
Docket No.

To Pennsylvania Public Utility Commission:

1. The name and address of applicant are North Penn Telephone Company
4145 State Rte 549, Mansfield, PA 16933, contact Ken Urian (Ken.Urian@empireaccess.com)
570.493.0242
2. The name and address of applicant's attorney are Michael J. Roche mroche@hselaw.com
Harter Secrest & Emery LLP 1600 Bausch & Lomb Place, Rochester, NY 14604-2711
3. (This paragraph to contain a general statement of the nature and character of service rendered by the applicant and the corporate right to alter said crossing.)
4. (This paragraph to contain a brief, concise statement of the nature and character of the alteration of the crossing. Reference being made to plans filed as exhibits.)
5. (This paragraph to contain the names of public utilities, municipalities, corporations, or property owners concerned in or affected by the proposed alteration of the crossing. If consent to the proposed alteration has been obtained from any municipality or department of the government of the Commonwealth of Pennsylvania, verified copies of such consent should be filed as exhibits.)
6. (This paragraph to contain an estimate of cost of installing the facilities, a statement as to the parties which will be responsible for installing, maintaining and inspecting the facilities, and from what sources it is proposed to provide such funds.)
7. The alteration is necessary or proper for the following reasons _____

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

Kenneth Urian

(Signature of Applicant)

SEE ADDITIONAL PAGES

§ 1.36. Verification.

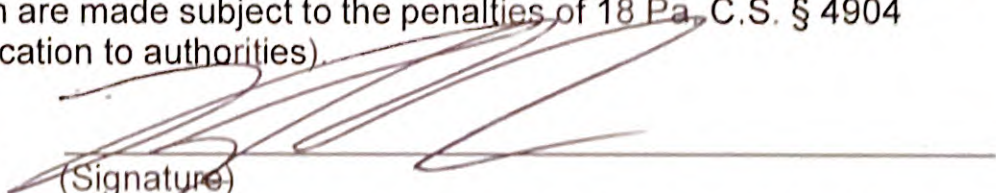
(a) Applications, petitions, formal complaints, motions and answers thereto containing an averment of fact not appearing of record in the action or containing a denial of fact shall be personally verified by a party thereto or by an authorized officer of the party if a corporation or association. Verification 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, Ray Schroeder, 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: 9/22/2023


(Signature)
Consultant for North Penn Long Distance Company

To Pennsylvania Public Utility Commission:

- 1) The name and address of applicant are
North Penn Long Distance Company
- 2) The name and address of applicant's attorney are
Michael J. Roche
Harter Secrest & Emery LLP
1600 Bausch & Lomb Place, Rochester, NY 14604-2711

- 3) This paragraph to contain a general statement of the nature and character of service rendered by the applicant and the corporate right to alter said crossing.

This application is for 24ct Fiber Optic crossing in Scranton, PA. The purpose of this crossing is to provide the population of Scranton with high speed, dependable internet. In a post-Covid world, with more and more people working from home and relying on the internet to stay connected with friends and loved ones, reliable internet is becoming increasingly important in people's personal and professional lives. By crossing the railroad tracks along Larch Street and Capouse Avenue, Empire Access will be able to connect this area to its fiber network and provide its residents with the fastest internet in the Northeast and quality customer service.

- 4) This paragraph to contain a brief, concise statement of the nature and character of the alteration of the crossing. Reference being made to plans filed as exhibits.

This plan proposes 1 strand of 24ct fiber with 1.25" aerial polyethylene innerduct mounted 27' 0" AGL over the track as shown in exhibit A, the RR plans.

- 5) This paragraph to contain the names of public utilities, municipalities, corporations, or property owners concerned in or affected by the proposed alteration of the crossing. If consent to the proposed alteration has been obtained from any municipality or department of the government of the Commonwealth of Pennsylvania, verified copies of such consent should be filed as exhibits.

The organizations who would be affected by the make-ready production and installation of 24ct Overhead Fiber as part of this crossing would be Verizon Pennsylvania Inc Telecom.

- 6) This paragraph to contain an estimate of cost of installing the facilities, a statement as to the parties which will be responsible for installing, maintaining, and inspecting the facilities, and from what sources it is proposed to provide such funds.

Empire Access will be responsible for the cost of maintain, installing and inspecting the facilities as they are the new provider attaching to these poles. The cost-estimate of this crossing is \$4000 and this project will be self-funded and self-installed.

Exhibit A

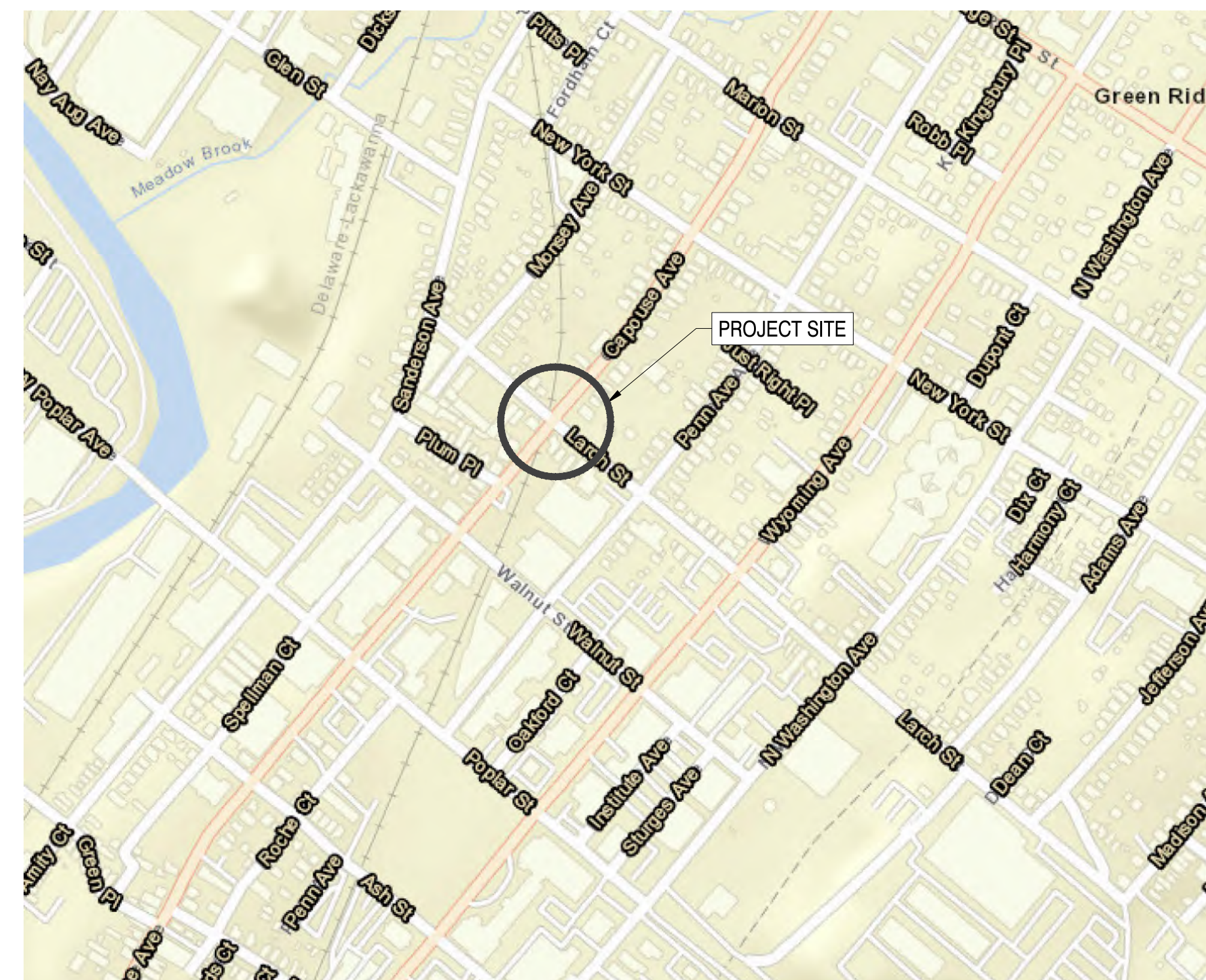
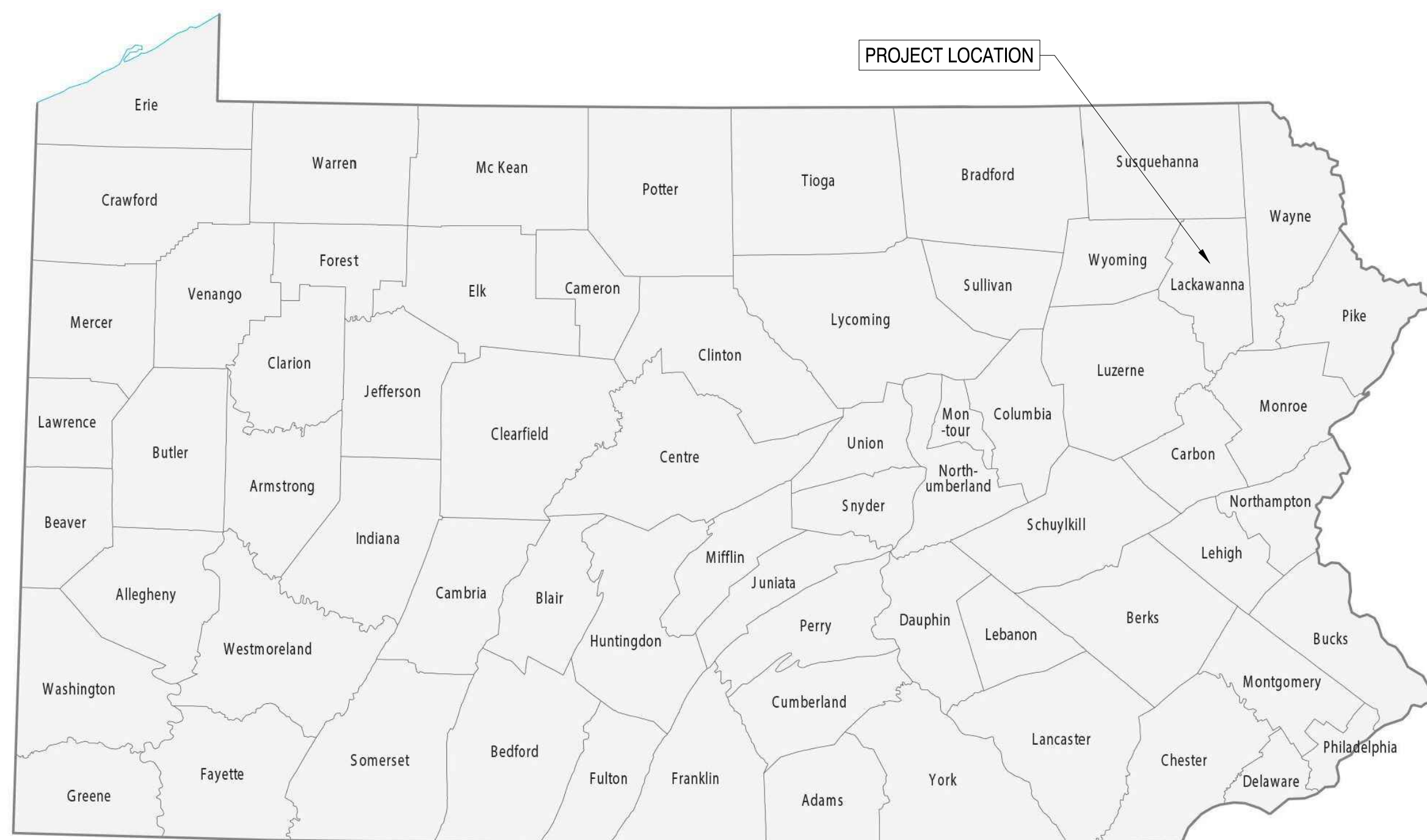
PENNSYLVANIA NORTHEAST REGIONAL RAILROAD AUTHORITY

LARCH STREET RAIL CROSSING

PERMIT PLANS

W75.6531, N41.4233
 W75.6532, N41.4229
 MM: 0001.910 - 0004.400
 SCRANTON, PA
 LACKAWANNA COUNTY

124± LF NEW 24 CT FIBER CABLE ATTACHMENT WITHIN RAILROAD RIGHT-OF-WAY



PROFESSIONAL STAMP:

AIROSMITH PROJECT ID: P-53687

SHEET INDEX

1. COVER
2. C-101 - PLAN AND PROFILE
3. C-501 - CONSTRUCTION DETAILS



PREPARED FOR:



PREPARED BY:

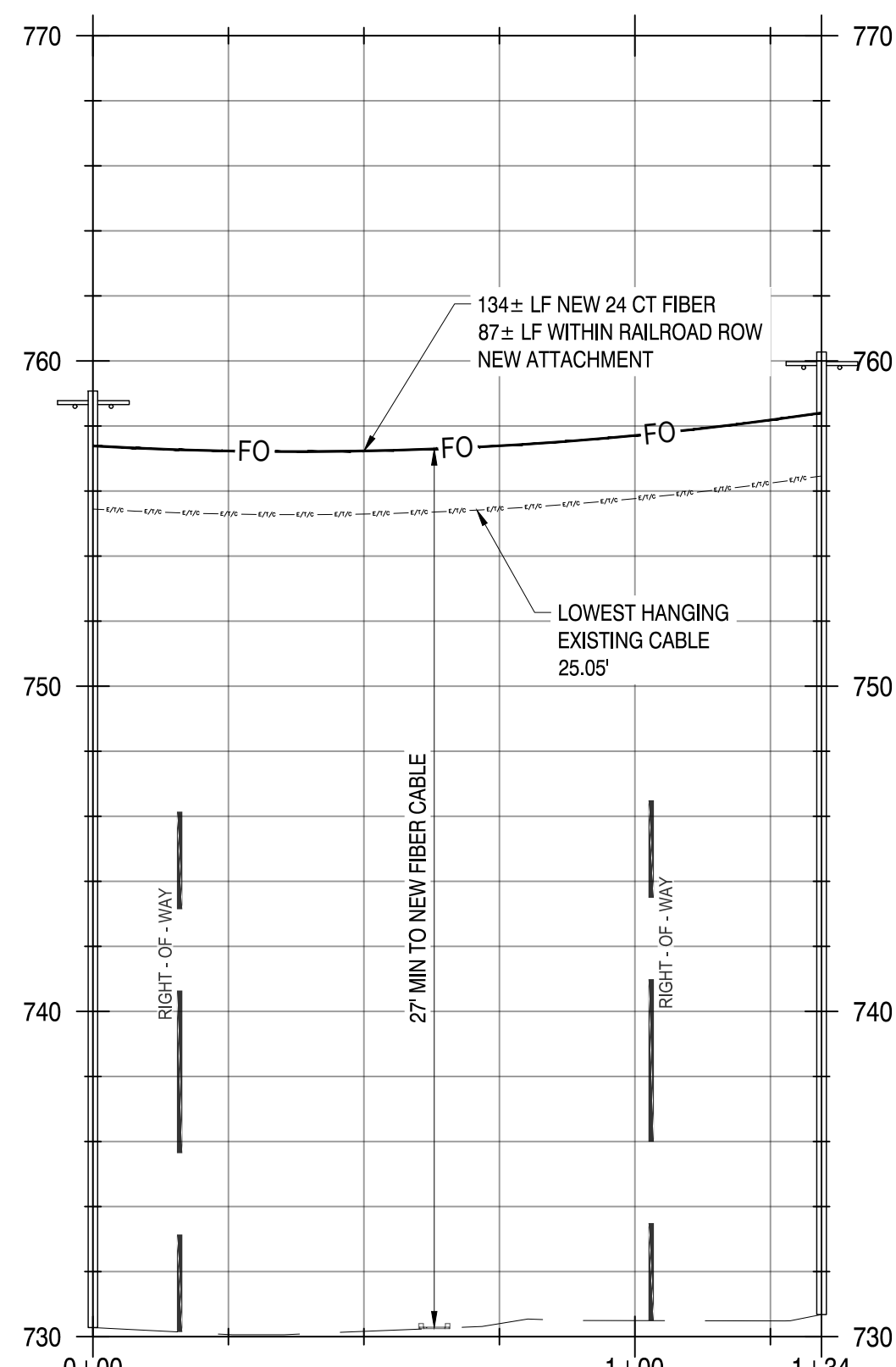
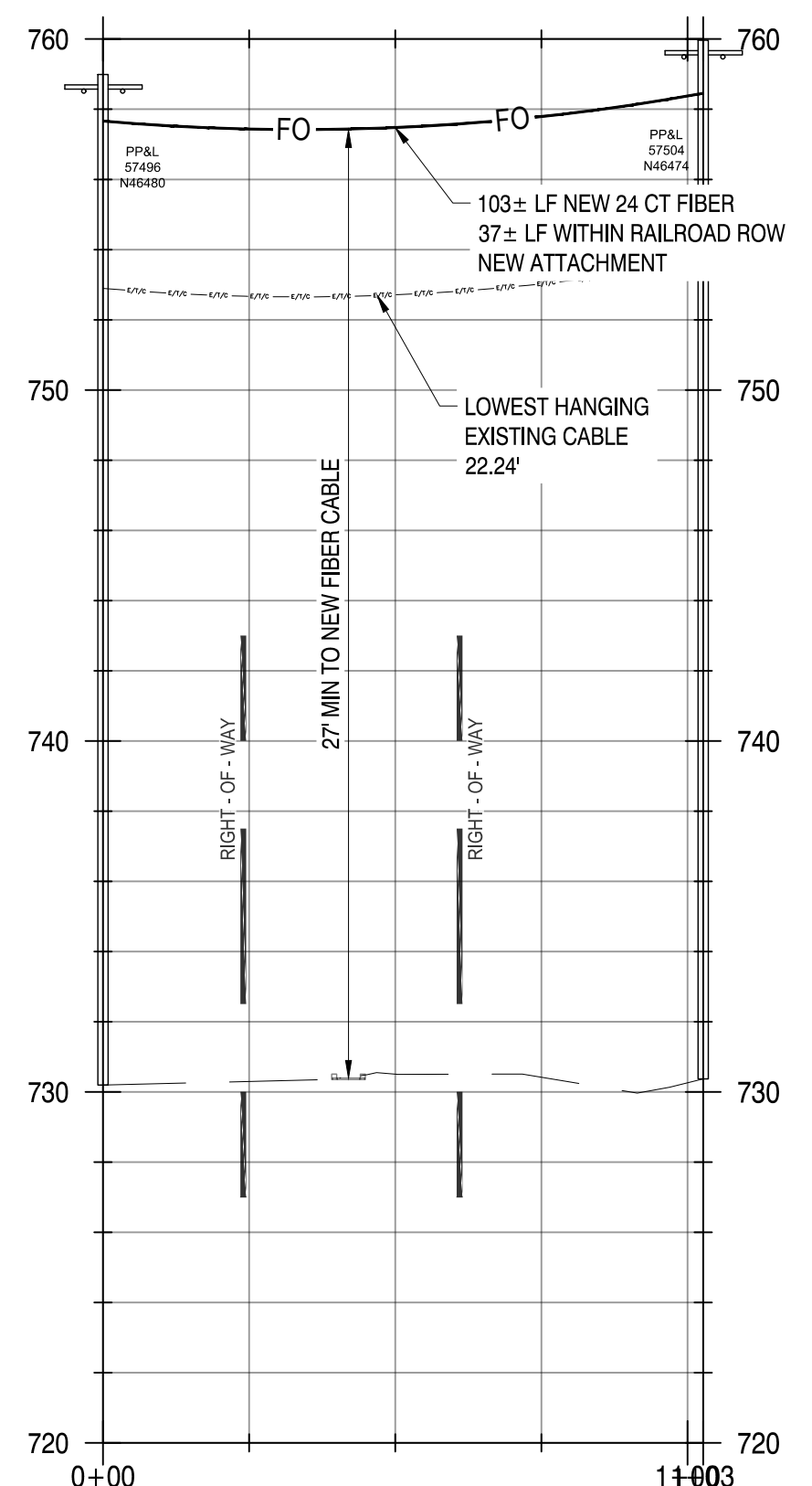
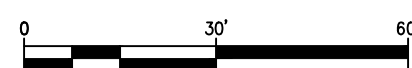


318 WEST AVE. | SARATOGA SPRINGS, NY | 12866 | 518-306-1711



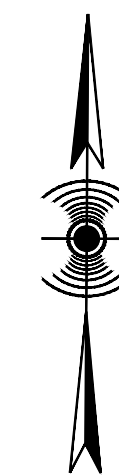
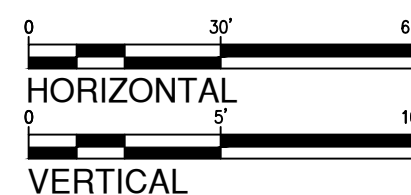
RAIL CROSSING AT LARCH ST - PLAN

SCALE: 1" = 30'



RAIL CROSSING AT LARCH ST - PROFILE

SCALE: HORIZONTAL: 1" = 30'
VERTICAL: 1" = 5'



PROJECT INFORMATION

THIS PROJECT CONSISTS OF 124± LF OF 24 CT FIBER, NEW ATTACHMENT, TO BE INSTALLED WITHIN THE RAILROAD RIGHT - OF - WAY.

SURVEY DATA

DELINEATION OF RIGHT OF WAY AND BASE MAPPING OBTAINED FROM SURVEY COMPLETED BY NORTHEAST TOWER SURVEYING, INC. DATED 08/30/2023.

NORTH ORIENTATION AND COORDINATES SHOWN HEREON BASED ON GPS OBSERVATIONS TAKEN AT THE TIME OF THE FIELD SURVEY. HORIZONTAL DATUM REFERENCES NAD83, NYSIP, EXPRESSED IN US SURVEY FEET.

ELEVATIONS IF SHOWN REFERENCE NAVD88, BASED ON GPS OBSERVATIONS TAKEN AT THE TIME OF THE FIELD SURVEY. 1 FOOT CONTOUR INTERVAL.

LIMITED UTILITIES SHOWN BASED ON VISIBLE SURFACE EVIDENCE GATHERED AT THE TIME OF THE SURVEY ONLY, AND OTHERS MAY EXIST.

THIS PLAN MAY HAVE BEEN PREPARED WITHOUT INDIVIDUAL PROPERTY RECORDS (MAPS, DEEDS, TITLE WORK, ETC.) AND MAY BE SUBJECT TO EASEMENTS, RIGHTS, ENCUMBRANCES, ETC. THAT THOSE RECORDS MAY REVEAL.

NOTE: THE LOCATION, SIZES, AND ELEVATIONS OF EXISTING UTILITIES ARE BASED ON INFORMATION COMPILED FROM FIELD WORK, RECORD DRAWINGS AND INFORMATION FURNISHED BY VARIOUS UTILITY COMPANIES WITH FIELD EDITING WHERE NECESSARY AND POSSIBLE. THE ACCURACY OF THIS INFORMATION IS NOT GUARANTEED AND SHALL BE VERIFIED BY THE CONTRACTOR.

LEGEND

GV	⊗	GAS VALVE
CO	⊙	CLEANOUT
MH	⊗	MANHOLE
GM	⊙	GAS METER
LP	⊙	LIGHT STANDARD
DS	⊗	DRAINAGE STRUCT.
HYD.	⊙	FIRE HYDRANT
WV	⊗	WATER VALVE
I.P. MON.	⊙	EXISTING IRON PIPE
UP	⊙	UTILITY POLE
— PL — PL —		PROPERTY LINE
— — — — —		EASEMENT LINE
— — — — —		CENTERLINE
— — — — —		SUBLOT LINE
— — — — —		ROW LINE
— x — x — x —		FENCE
⊗		TREE
⊗		EDGE OF WOODS
⊗		BRUSH LINE



CONSULTANT TEAM:

AIROSMITH

AIROSMITH DEVELOPMENT
AIROSMITH ENGINEERING
318 WEST AVE.
SARATOGA SPRINGS, NY 12866
P-53687

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT FINAL, UNTIL SIGNED AND SEALED.

THIS DOCUMENT AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, ARE THE PROPERTY OF AIROSMITH ENGINEERING AND ARE NOT TO BE USED, IN WHOLE OR IN PART, FOR OTHER PROJECTS WITHOUT THE WRITTEN AUTHORIZATION OF AIROSMITH ENGINEERING. IT IS UNLAWFUL FOR ANY PERSON TO AMEND ANY ASPECT OF THESE DRAWINGS WITHOUT THE WRITTEN APPROVAL OF THE PROFESSIONAL OF RECORD.

PROFESSIONAL STAMP:

DRAWINGS ISSUED FOR:

REV.	DATE	DRAWN	DESCRIPTION	QA/QC
0	2023.06.12	HS	NYS DOT PERMIT 75	RS

PROJECT INFORMATION:

PENNSYLVANIA NORTHEAST REGIONAL RAILROAD AUTHORITY
LARCH STREET RAIL CROSSING
MM: 0001.910 - 0004.400
SCRANTON, PA
LACKAWANNA COUNTY
NEW 24 CT FIBER CABLE

SHEET TITLE:

PLAN AND PROFILE

SHEET NUMBER: **C-101** REVISION: **0**

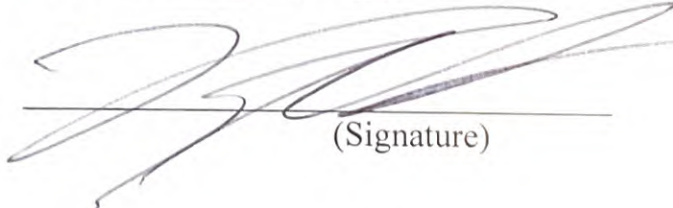
CERTIFICATE OF SERVICE

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 § 1.54 (relating to service by participant).

(List names, addresses and email addresses of participants served.)

(Participants should include the Pennsylvania Department of Transportation, the Railroad Company, the county and municipality where the crossing is located, and any fixed utility companies with facilities at the crossing.)

Dated this 17 day of October, 2023


(Signature)

City of Scranton Department of Transportation

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City of Scranton Department of Public Works
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Email: spietreface@scrantonpa.gov

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