

November 13, 2023

Via Electronic Filing

Rosemary Chiavetta, Esquire
PA Public Utility Commission
Secretary
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Docket No. A-2023-_____
Application of PECO Energy Company
Amtrak Rail Crossing Alteration: Chestnut Street, Downingtown

Dear Secretary Chiavetta:

Attached for filing is the Application of PECO Energy Company (PECO) for approval to alter the above-grade crossing of five (5) Amtrak tracks located at Chestnut Street, Downingtown, Chester County.

As indicated on the Certificate of Service, a copy of PECO's Application has been provided to the Service List in the manner indicated.

If there are any questions, or concerns, please do not hesitate to contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/co
Enclosures

cc: William Sinick, Rail Safety Engineering, PA Public Utility Commission [w/encl.]
Jack Garfinkle, Esquire, Exelon Business Services [w/encl.]
Service List [w/encl.]

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PECO Energy Company for the :
approval to alter the above-grade crossing of five : Docket No. A-2023-_____
(5) tracks of Amtrak (DOT# 531316B) so as to :
Remove the de-energized 4kv conductor line from :
Existing poles located at Chestnut Street, :
Downingtown, Chester County, Pennsylvania :

**APPLICATION OF PECO ENERGY COMPANY
TO ALTER ABOVE-GRADE CROSSING AT CHESTNUT STREET,
DOWNINGTOWN, CHESTER COUNTY**

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. The name and address of the Applicant is PECO Energy Company, 2301 Market Street, Philadelphia, PA 19101-8699 (Applicant or PECO).
2. The Applicant is a public utility incorporated under Delaware Law and is a subsidiary corporation of the Exelon Corporation. The Applicant, *inter alia*, provides electric service in Pennsylvania. As an electric utility, PECO avers it has the corporate right to utilize the public above-grade crossing of five (5) tracks of Amtrak (DOT # 531316B), located at Chestnut Street, Downingtown, Chester County (the Crossing), so as to remove unneeded and de-energized 4kv conductor line from existing poles (the Project).
3. PECO is represented by the following counsel:

Margaret A. Morris, Esquire (authorized to receive service)
Reger Rizzo & Darnall LLP
Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104
(215) 495-6524 (voice)
(215) 495-6600 (fax)
mmorris@regerlaw.com
4. The Plan and Profile drawings are provided as Attachment 1.

5. The Applicant notified the following entities *via* Electronic Mail and/or First-Class Mail, including the Plan and Profile, explaining its reason for the Project and its intention to obtain Commission approval to alter the Crossing described herein:

Amtrak Legal Department
Philadelphia Field Office
30th Street Station, 2N-290
Philadelphia, PA 19104

Michael Kolonauski, Senior Manager
Engineering at Amtrak
michael.kolonauski@amtrak.com

Donald J. Smith, Esquire
Acting Chief Counsel
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Daniel D. Leonard, P.E.
Acting Section Chief
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kennemcccla@pa.gov

Brian N. O'Leary, Director
Chester County Planning Commission
ccplanning@chesco.org

Jack Law, Director
Public Works Department
Borough of Downingtown
jlaw@downingtwn.org

6. The Applicant estimates the overall cost of the Project to be \$20,000 and agrees to bear all the costs incurred in furnishing material and performing the work necessary to remove the de-energized 4kv conductor line from existing poles at the Crossing.

7. The Applicant avers it is necessary and proper for the accommodation, convenience and service of the public that the Commission authorize the requested work at the Crossing.

8. A field visit is not required.

9. The Applicant does not request a hearing prior to issuance of an order approving the Application. Any hearing required to determine the final allocation of costs can be held after

issuance of an order approving the requested alterations at the Crossing at the parties' initial cost and after completion of the work.

WHEREFORE, PECO Energy Company, requests that its Application to alter the public above-grade of five (5) tracks of Amtrak (DOT # 531316B), located at Chestnut Street, Downingtown, Chester County (the Crossing), so as to remove the de-energized 4kv conductor line from existing poles (the Project), be approved.

Respectfully submitted,

Dated: November 13, 2022



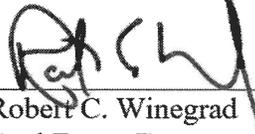
Margaret A. Morris, Esquire
Attorney I.D. # 75048
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(215) 495-6600 (fax)
mmorris@regerlaw.com

Counsel for PECO Energy Company

VERIFICATION

I, Robert C. Winegrad of PECO Energy Company, hereby state that the facts in the foregoing document(s) are true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsifications to authorities.

Dated: 11/13/2023



Robert C. Winegrad
Real Estate Department
PECO Energy Company

Re: Docket No. A-2023-_____
Application of PECO Energy Company
Amtrak Rail Crossing Alteration: Chestnut Street, Downingtown

Attachment 1

Plan and Profile

Re: Docket No. A-2023-_____
Application of PECO Energy Company
Amtrak Rail Crossing Alteration: Chestnut Street, Downingtown

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following person(s), **VIA ELECTRONIC or FIRST-CLASS MAIL**, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Amtrak Legal Department
Philadelphia Field Office
30th Street Station, 2N-290
Philadelphia, PA 19104

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Washington, DC 20001
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Donald J. Smith, Esquire
Acting Chief Counsel
PA Department of Transportation
Keystone Building
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dojsmith@pa.gov

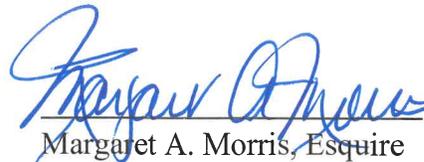
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Borough of Downingtown
Municipal Government Center
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Downingtown, PA 19335
jlaw@downingtown.org

Date: November 13, 2023


Margaret A. Morris, Esquire