



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

IN REPLY PLEASE
REFER TO OUR FILE

November 16, 2023

A-2023-3042025

TO ALL PARTIES OF RECORD

Application of Gettysburg & Northern Railroad for the alteration of the crossing where Herrs Ridge Road (DOT 593 418 P) crosses, at grade, the track of Gettysburg & Northern Railroad, located in Cumberland Township, Adams County.

To Whom It May Concern:

By application received by the Commission on August 1, 2023, Gettysburg & Northern Railroad (Railroad) seeks Commission approval to alter crossing (DOT 593 418 P) where Herrs Ridge Road (T-338) crosses, at grade, a single track of Gettysburg & Northern Railroad in Cumberland Township, Adams County.

A field investigation and conference was arranged by a Commission staff engineer and held on September 20, 2023, at the site of the subject crossing. Representatives of the Railroad, Cumberland Township, Adams Electric Cooperative, Inc, CDL Electric, CSR Engineering, the Federal Railroad Administration were all in attendance. All parties were notified by letter dated August 16, 2023, and revised August 17, 2023, sent by electronic mail, of the date and time of the meeting.

At the field conference, it was noted that Herrs Ridge Road (T-338) is a two (2) lane bituminous paved roadway with no curbs or shoulders, which crosses, at grade, a single track of Gettysburg & Northern Railroad (DOT 593 418 P) with an asphalt and rail seal crossing surface. The crossing is equipped with a cantilevered structure with four (4) sets of flashing lights, Grade Crossing (Crossbucks) (R15-1) signs, mechanical bell, emergency notification signs (I-13), and a sign reading "STOP ON RED SIGNAL" on the northeast-bound travel lane. The opposite travel lane, travelling southwest, has post mounted flashing light signals with two (2) sets of flashing lights, Grade Crossing (Crossbuck) (R15-1) signs, emergency notification signs (I-13), and a sign reading "STOP ON RED SIGNAL". The approach roadway is equipped with advance warning signs (W10-1), pavement markings and stop lines on both travel lanes that are all in good condition.

The Railroad described the details of the proposed alterations which include the removal of both "STOP ON RED SIGNAL" signs, the replacement of six (6) pairs of flashing lights, four (4) sets located on the cantilevered structure and two (2) sets on the post mounted warning signal with six (6) new sets of LED flashing lights with new brackets and hoods, and the replacement of the existing mechanical bell with an electronic bell.

No party in attendance at the field conference objected to the proposed improvements as discussed. The Railroad agrees to perform the necessary alterations and provide for maintenance and protection of highway and pedestrian traffic during the time the work is being performed. The Railroad stated that a full detour will not be necessary, and one travel lane will remain open during construction.

The Railroad agrees to maintain the six (6) proposed sets of LED flashing lights including the new hoods and brackets, existing cantilever and post mounted warning devices, the proposed electronic bell, existing emergency notification signage (I-13), existing circuitry and any other associated upgrades as well as maintaining the asphalt crossing surface in a smooth and satisfactory condition for a distance of twenty-four (24) inches beyond the outermost rail. Cumberland Township agrees to maintain the approach roadways up to points twenty-four (24) inches beyond the outermost rail, advance warning signs (W10-1), pavement markings and stop lines on both roadway approaches to the crossing.

It could not be determined if any facilities of any non-carrier public utility will be affected by the alteration of the crossing. If necessary, non-carrier public utilities will relocate their facilities at their initial cost and expense.

The Commission hereby establishes its jurisdictional limit at the subject public crossing as the areas 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, 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 crossing is necessary and proper for the service, accommodation, convenience, or safety of the public.

The application of Gettysburg & Northern Railroad is approved as herein directed:

1. The caption of the subject proceeding is hereby revised as shown herein.
2. Gettysburg & Northern Railroad, at its sole cost and expense, furnish all material and perform all work necessary to alter the subject crossing by the removal of both "STOP ON RED SIGNAL" signs, the replacement of six (6) pairs of flashing lights, four (4) sets located on the cantilevered structure and two (2) sets on the post mounted warning signal with six (6) new sets of LED flashing lights including new brackets and hoods, and the replacement of the existing mechanical bell with an electronic bell, within the right-of-way of the highway where Herrs Ridge Road crosses, at grade, a single track of Gettysburg & Northern Railroad, all in accordance with the Manual on Uniform Traffic Control Devices and this Secretarial Letter.

3. Gettysburg & Northern Railroad, at its sole cost and expense, furnish all material and perform all work necessary to establish and maintain any detours or traffic controls at the subject crossing, if needed, that may be required to properly and safely accommodate highway and pedestrian traffic during the time the crossing is being altered.

4. Gettysburg & Northern Railroad, at its sole cost and expense, furnish all material and perform all work relating to its facilities which may be required as incidental to the performance of the proposed work and furnish and maintain watchmen, flagmen and/or inspectors that may be deemed necessary to protect and safeguard its railroad operations or facilities during the time the facilities are being constructed.

5. Gettysburg & Northern Railroad pay all compensation for damages, if any, due to the owners of property taken, injured or destroyed by reason of the alteration of the crossing in accordance with this Secretarial Letter.

6. 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 crossing 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 at its sole cost and expense.

7. Gettysburg & Northern Railroad provide at least ten (10) days advance notice of the start of work to each party involved in this proceeding for the alteration of the crossing involved.

8. 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.

9. All work necessary to alter the subject crossing be completed in a manner satisfactory to this Commission on or before December 31, 2024, and that on or before said date, Gettysburg & Northern Railroad report in writing to this Commission the date of actual completion of the work.

10. Upon completion of the alteration of the crossing, Gettysburg & Northern Railroad, at its sole cost and expense, furnish all material and perform all work necessary to maintain its railroad facilities at the subject crossing, including the post mounted and cantilevered warning devices, associated circuitry, signage and all other appurtenant equipment, and maintain at all times in a smooth and satisfactory condition the asphalt and rail seal crossing surface to points twenty-four (24) inches beyond the outermost rail, all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter; and provide Cumberland Township at least ten (10) business days advance notice when performing any work as directed under this paragraph.

11. Upon completion of the alteration of the crossing, Cumberland Township, at its sole cost and expense, furnish all material and do all work necessary thereafter to maintain its highway approach roadways up to points twenty-four (24) inches beyond each outermost 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 Gettysburg & Northern Railroad at least ten (10) business days advance notice when performing any work as directed by this paragraph.

12. 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 costs incurred by any of the public utility companies and other matters relevant to this.

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.

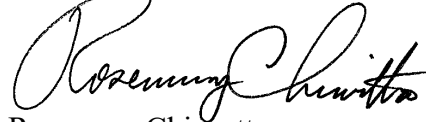
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax 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