



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET
HARRISBURG, PENNSYLVANIA 17120
December 13, 2023

IN REPLY PLEASE
REFER TO OUR FILE

A-2022-3033000

TO ALL PARTIES OF RECORD

Application of Norfolk Southern Railway Company for the approval of the alteration of crossing (DOT 859 631 C) by the changing of the crossing surface where Miller Street crosses at-grade the tracks of Norfolk Southern Railway Company in the City of Wilkes-Barre, Luzerne County.

To Whom It May Concern:

By Secretarial Letter dated July 22, 2022, we directed the alteration of crossing (DOT 859 631 C) by replacement of the high-type crossing surface with an asphalt and rubber rail seal crossing surface where Miller Street crosses, at grade, the tracks of Norfolk Southern Railway Company located in the City of Wilkes-Barre, Luzerne County. All work at the subject crossings was to be completed on or before July 31, 2023.

By petition received on December 5, 2023, Norfolk Southern Railway Company requests the Commission grant an extension of time in which to complete the project until December 31, 2024. Norfolk Southern Railway Company avers that the completion date was not met due to other pressing priorities.

We have carefully reviewed the record in this proceeding and will grant Norfolk Southern Railway Company's petition for an extension of time to December 31, 2024.

THEREFORE:

The petition received December 5, 2023, from Norfolk Southern Railway Company be and is hereby granted to the extent herein directed:

1. Paragraph 11 of our Secretarial Letter dated July 22, 2022, which reads as follows, to wit:

“11. All work necessary to alter the crossing be completed in a manner satisfactory to this Commission on or before July 31, 2023, and that on or before said date, Norfolk Southern Railway Company report in writing to this Commission the date of actual completion of the work.”

be and is hereby modified to read:

11. All work necessary to alter the crossing be completed in a manner satisfactory to this Commission on or before December 31, 2024, and that on or before said date, Norfolk Southern Railway Company report in writing to this Commission the date of actual completion of the work.

2. In all respects not inconsistent herewith, our Secretarial Letter dated July 22, 2022, remains in full force and effect.

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.

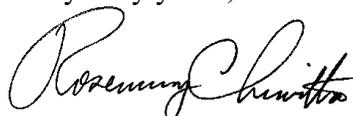
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax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



Rosemary Chiavetta
Secretary