



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

December 26, 2023

IN REPLY PLEASE
 REFER TO OUR FILE
 A-2023-3042670

TO ALL PARTIES OF RECORD

Application of the Pennsylvania Department of Transportation for the abolition of sixteen (16) grade-separated crossings, and for the alteration of one (1) grade-separated crossing on the former Low Grade-Morrisville Line between M.P. 45.69 and M.P. 54.02 in Chester County and the allocation of costs incident thereto.

To whom it may concern:

This matter is before the Commission by reason of an application filed on September 5, 2023, by the Pennsylvania Department of Transportation (PennDOT). PennDOT is seeking Commission approval to abolish sixteen (16) grade-separated crossings, and alteration of one (1) crossing that were on the former Low Grade-Morrisville Line between RR M.P. 45.69 and RR M.P. 54.02 in Chester County (the eastern most point of this abandoned section of line is located at M.P. 45.69 and the western most point is located at M.P. 54.02).

PennDOT acquired this section of abandoned line from Norfolk Southern Railway Company on July 25, 2022, with intention of turning all portions of this abandoned line over to either Southeastern Pennsylvania Transportation Authority (SEPTA) or Chester County as agreed to by these parties. The portions being turned over to the SEPTA will be primarily used for train station expansion and development (said portion is from a point a few hundred feet east of the Whitford Train Station, to parts east to the easternmost point of this section of this abandoned line). The remaining portion of the abandoned line is being turned over to Chester County for county rail-trail development (said portion being turned over to Chester County is from a point a few hundred feet east of the Whitford station, to parts west to the western most point of this section of this abandoned line).

The sixteen (16) crossings to be abolished are the following:

NO.	RR M.P.	LOCATION	TOWNSHIP	TYPE	DOT Number
1.	45.69	Ravine Rd. (T-468)	East Whiteland	Highway Below Stone Arch	531 226 C
2.	46.09	Phoenixville Pk. (SR 2011)	West Whiteland	Highway Below Steel Beam	531 223 G
3.	46.22	US 202	West Whiteland	Highway Above Multi-Beam	531 221 T

4.	47.41	Ship Rd. (SR 1001)	West Whiteland	Highway Below Stone Arch	531 218 K
5.	Unknown	Walkertown Rd. (T-589)	West Whiteland	Highway Below Stone Arch	Unknown
6.	48.19	PA 100	West Whiteland	Highway Below Steel Beam	531 217 D
7.	49.71	Burgoyne Rd. (T-452)	West Whiteland	Highway Below Stone Arch	531 212 U
8.	49.89	Burgoyne Rd. (T-452)	West Whiteland	Highway Below Stone Arch	531 211 M
9.	50.51	Boot Rd. (SR 2020)	East Bradford	Highway Below Stone Arch	531 215 P
10.	50.72	Valley Creek Rd. (SR 3061)	East Caln	Highway Below Stone Arch	531 214 H
11.	Unknown	Southwind Ln.	East Caln	Highway Above Multi-Beam	Unknown
12.	52.03	Skelp Level Rd. (T-438)	East Caln	Highway Above Multi-Beam	531 209 L
13.	52.66	US 322	East Caln, West Bradford	Highway Below Steel Trestle	531 208 E
14.	52.76	Bradford Rd. (SR 3057)	West Bradford	Highway Below Steel Trestle	531 204 C
15.	53.33	Glenside Rd. (SR 3053)	West Bradford	Highway Below Stone Arch	531 205 J
16.	54.02	Poorhouse Rd./ Lloyd Avenue	Caln	Highway Below Stone Arch	541 196 P

The one (1) crossing to be altered is the following:

RR M.P.	LOCATION	TOWNSHIP (S)	TYPE	DOT Number
49.11	Whitford bridge at WHITFORD TRAIN STATION	West Whiteland	Steel Truss over AMTRAK & SEPTA line	531 216 W

The subject bridge at the Whitford Train Station on Whitford Road (DOT#531 216 W) is a crossing in which a request for approval of an alteration of this crossing is being made; the proposed alteration is the transference of inspection and maintenance responsibility of this structure to Chester County.

A field investigation and conference was arranged by a Commission staff engineer and held at the Chester County Government Services Center Building (601 Westtown Road, West Chester PA, 19380) on November 17, 2023. Representatives of Chester County, SEPTA, West Bradford Township, and the Pennsylvania Department of Transportation were in attendance. At the field conference, the disposition of each grade separated structure associated with the subject crossings were discussed in detail. Upon abolishment, these structures will remain in place. Various entities have accepted maintenance and inspection responsibility for each of the individual structures. At the field conference, none of the parties objected to the abolishment of the sixteen (16) subject crossings and to the alteration of the one (1) subject crossing.

Currently, Structure No. 3 US Route 202 (DOT #531 221 T) in West Whiteland Township (see list above) is being regularly inspected (under NBIS standards) and maintained by PennDOT. PennDOT has agreed to continue to inspect and maintain Structure No. 3.

Upon abolishment of the crossings, Chester County has agreed to inspect and maintain the structures at the following crossings: No. 7 Burgoyne Road (T-452) (DOT# 531 212 U); No. 8 Burgoyne Road (T-452) (DOT# 531 211 M); No 9 Boot Rd. (SR 2020) (DOT# 531 215 P); No.10 Valley Creek Rd. (SR 3061) (DOT# 531 214 H); No. 13 US 322 (DOT# 531 208 E); No. 14 Bradford Road (SR 3057) (DOT# 531 204 C); No. 15 Glenside Rd. (SR 3053) (DOT#531 205 J); and No. 16 Poorhouse Rd./ Lloyd Avenue (DOT# 541 196 P).

Chester County has agreed to inspect and maintain the bridge spanning over the Whitford Train Station on Whitford Road (DOT#531 216 W). This crossing is a steel truss bridge crossing over the active train lines of SEPTA and AMTRAK and as such, will not be abolished since the proposed future rail-trail through this crossing will be of a multi-use type. The alteration at this crossing (at the Whitford Train Station) (DOT#531 216 W) will be defined as the transference of maintenance and inspection responsibility of the structure to Chester County.

East Caln Township has agreed to continue to inspect and maintain the following two structures: No. 11 Southwind Lane and No. 12 Skelp Level Rd. (T-438) (DOT# 531 209 L). It is noted that the bridge at the Skelp Level Road crossing is planned for replacement next year. When this bridge is replaced, East Caln Township has agreed to inspect and maintain the new structure at this crossing as well.

Upon abolishment of the crossings, SEPTA has agreed to inspect and maintain the following structures: No. 1 Ravine Road (T-468) (DOT# 531 226 C); No. 2 Phoenixville Pike (SR 2011) (DOT# 531 223 G); No. 4 Ship Road (SR 1001) (DOT# 531 218 K); No. 5 Walkertown Rd. (T-589) (DOT# Unknown); and No. 6 (PA 100) (DOT# 531 217 D).

There is no apparent cost associated with the abolishment of the subject sixteen (16) crossings and the alteration of the one (1) crossing.

The Commission hereby establishes its jurisdictional limits at the Whitford Train Station crossing on Whitford Road (DOT#531 216 W) as the area within the confines of the railroad right-of-way and the proposed trail right-of-way.

It does not appear that any non-carrier public utility will be affected by the alteration or abolishment of the subject crossings.

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 and abolition of the crossings are necessary and proper for the service, accommodation, convenience or safety of the public.

The application of the Pennsylvania Department of Transportation is approved as herein directed:

1. The caption of the subject proceeding is hereby revised as shown herein.
2. The crossing where Ravine Road (T-468) crosses, below grade, the abandoned former Low Grade-Morrisville Line (DOT# 531 226 C) in East Whiteland Township, Chester County, be and is hereby abolished.
3. The crossing where Phoenixville Pike (SR 2011) crosses, below grade, the abandoned former Low Grade-Morrisville Line (DOT# 531 223 G) in West Whiteland Township, Chester County, be and is hereby abolished.
4. The crossing where US 202 crosses, above grade, the abandoned former Low Grade-Morrisville Line (DOT# 531 221 T) in West Whiteland Township, Chester County, be and is hereby abolished.

5. The crossing where Ship Road (SR 1001) crosses, below grade, the abandoned former Low Grade-Morrisville Line (DOT# 531 218 K) in West Whiteland Township, Chester County, be and is hereby abolished.
6. The crossing where Walkertown Road (T-589) crosses, below grade, the abandoned former Low Grade-Morrisville Line in West Whiteland Township, Chester County, be and is hereby abolished.
7. The crossing where PA 100 crosses, below grade, the abandoned former Low Grade-Morrisville Line (DOT# 531 217 D) in West Whiteland Township, Chester County, be and is hereby abolished.
8. The crossing where Burgoyne Road (T-452) crosses, below grade, the abandoned former Low Grade-Morrisville Line (DOT# 531 212 U) in West Whiteland Township, Chester County, be and is hereby abolished.
9. The crossing where Burgoyne Road (T-452) crosses, below grade, the abandoned former Low Grade-Morrisville Line (DOT# 531 211 M) in West Whiteland Township, Chester County, be and is hereby abolished.
10. The crossing where Boot Road (SR 2020) crosses, below grade, the abandoned former Low Grade-Morrisville Line (DOT# 531 215 P) in East Bradford Township, Chester County, be and is hereby abolished.
11. The crossing where Valley Creek Road (SR 3061) crosses, below grade, the abandoned former Low Grade-Morrisville Line (DOT# 531 214 H) in East Caln Township, Chester County, be and is hereby abolished.
12. The crossing where Southwind Lane crosses, above grade, the abandoned former Low Grade-Morrisville Line in East Caln Township, Chester County, be and is hereby abolished.
13. The crossing where Skelp Level Road (T-438) crosses, above grade, the abandoned former Low Grade-Morrisville Line (DOT# 531 209 L) in East Caln Township, Chester County, be and is hereby abolished.
14. The crossing where US 322 crosses, below grade, the abandoned former Low Grade-Morrisville Line (DOT# 531 208 E) in East Caln and West Bradford Townships, Chester County, be and is hereby abolished.
15. The crossing where Bradford Road (SR 3057) crosses, below grade, the abandoned former Low Grade-Morrisville Line (DOT# 531 204 C) in West Bradford Township, Chester County, be and is hereby abolished.

16. The crossing where Glenside Road (SR 3053) crosses, below grade, the abandoned former Low Grade-Morrisville Line (DOT# 531 205 J) in West Bradford Township, Chester County, be and is hereby abolished.

17. The crossing where Poorhouse Road/Lloyd Avenue crosses, below grade, the abandoned former Low Grade-Morrisville Line (DOT# 541 196 P) in Caln Township, Chester County, be and is hereby abolished.

18. Southeastern Pennsylvania Transportation Authority, at their sole cost and expense, furnish all material and perform all work necessary to inspect and maintain the following structures: No. 1 Ravine Road (T-468) (DOT# 531 226 C); No. 2 Phoenixville Pike (SR 2011) (DOT# 531 223 G); No. 4 Ship Road (SR 1001) (DOT# 531 218 K); No. 5 Walkertown Rd. (T-589) (DOT# Unknown); and No 6 (PA 100) (DOT# 531 217 D).

19. Chester County, at their sole cost and expense, furnish all material and perform all work necessary to inspect and maintain the following structures: No. 7 Burgoyne Road (T-452) (DOT# 531 212 U); No. 8 Burgoyne Road (T-452) (DOT# 531 211 M); No 9 Boot Road (SR 2020) (DOT# 531 215 P); No.10 Valley Creek Road (SR 3061) (DOT# 531 214 H); No. 13 US 322 (DOT# 531 208 E); No. 14 Bradford Road (SR 3057) (DOT# 531 204 C); No. 15 Glenside Road (SR 3053) (DOT#531 205 J); No. 16 Poorhouse Road/Lloyd Avenue (DOT# 541 196 P); and the bridge spanning over the Whitford Train Station on Whitford Road (DOT#531 216 W).

20. East Caln Township, at their sole cost and expense, furnish all material and perform all work necessary to inspect and maintain the following two structures: No. 11 Southwind Lane and No. 12 Skelp Level Road (T-438) (DOT# 531 209 L).

21. Pennsylvania Department of Transportation, at their sole cost and expense, furnish all material and perform all work necessary to inspect and maintain Structure No. 3 US Route 202 (DOT #531 221 T).

22. 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 the parties and other matters relevant to this proceeding.

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.

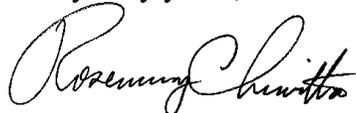
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax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

Rosemary Chiavetta
Secretary