



**COMMONWEALTH OF PENNSYLVANIA**  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET  
HARRISBURG, PENNSYLVANIA 17120  
January 4, 2024

IN REPLY PLEASE  
REFER TO OUR FILE

A-2020-3018936

**TO ALL PARTIES OF RECORD**

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the public at-grade crossings by the installation of new active control device where Pittston Avenue (SR 2017) (DOT 249 682 D), in Yatesville Borough, First Street (DOT 249 686 F), in Plains Township and Miller Street, (DOT 859 631 C), in the City of Wilkes-Barre each cross the tracks of the Norfolk Southern Railway Company in Luzerne County; all in accordance with the Federal Grade Crossing Program and the allocation of costs incident thereto.

To Whom It May Concern:

By Secretarial Letter dated September 16, 2020, and amended May 7, 2021, the Commission approved the application for the installation of new active control devices where State Route 2017, Pittston Avenue (DOT 249 682 D), in Yatesville Borough, First Street (DOT 249 686 F), in Plains Township and Miller Street, (DOT 859 631 C), in the City of Wilkes-Barre each cross the tracks of the Norfolk Southern Railway Company in Luzerne County. All work at the subject crossings was to be completed on or before December 31, 2023.

By petition received on November 20, 2023, the Department of Transportation of the Commonwealth of Pennsylvania (Department) requested the Commission extend the completion date to December 31, 2024, due to delays from final revisions and the Section 130 agreement between the Department and Norfolk Southern Railway Company.

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

**THEREFORE:**

The petition received November 20, 2023, from the Department of Transportation of the Commonwealth of Pennsylvania be and is hereby granted to the extent herein directed:

1. Paragraph 18 of our Secretarial Letter dated September 16, 2020, which reads as follows, to wit:

“18. The alteration of the crossings be completed on or before December 31, 2023, and on or before said date, Norfolk Southern Railway Company report in writing the date of actual completion of the work to this Commission and certify to the parties of record and this Commission that the work has been satisfactorily completed in accordance with the approved plans and this Secretarial Letter.”

be and is hereby modified to read:

18. The alteration of the crossings be completed on or before December 31, 2024, and on or before said date, Norfolk Southern Railway Company report in writing the date of actual completion of the work to this Commission and certify to the parties of record and this Commission that the work has been satisfactorily completed in accordance with the approved plans and this Secretarial Letter.

2. In all respects not inconsistent herewith, our Secretarial Letters dated September 16, 2020, and May 7, 2021, remain 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.

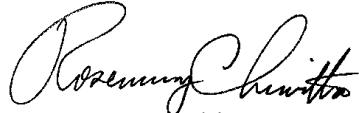
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax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

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