



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

January 17, 2024

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street 2nd FL
Harrisburg, PA 17120

A-2019-3010031

RE: Application of the Department of Transportation of the Commonwealth of Pennsylvania for Approval to perform Zone Painting, Structural Sign Repairs, Expansion Dam Replacement, Fence Replacement, Concrete Substructure and Bearing Repairs on the Existing Bridge Where State Route 1038 Crosses above the Track of Norfolk Southern Railway Company, DOT Number 510 878 N in East Deer Township, Allegheny County and the Allocation of Costs Incident Thereto

Dear Secretary Chiavetta,

Enclosed for filing please find the Department's *Petition for Time of Extension* in the above-captioned matter.

I hereby certify that a copy has been sent to all parties of record as indicated by the Certificate of Service.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Caroline G. Robelen".

Caroline G. Robelen
Assistant Counsel

Cc: Parties of Record
Daniel Leonard, P.E., Utilities and Right of Way Section (*email*)
Philip Mutunga, Grade Crossing Engineer, District 11-0 (*email*)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of : Docket No. A-2019-3010031
Transportation of the Commonwealth of :
Pennsylvania for Approval to perform Zone : Electronically Filed
Painting, Structural Sign Repairs, Expansion :
Dam Replacement, Fence Replacement, :
Concrete Substructure and Bearing Repairs :
on the Existing Bridge Where State Route :
1038 Crosses above the Track of Norfolk :
Southern Railway Company, DOT Number :
510 878 N in East Deer Township, Allegheny :
County and the Allocation of Costs Incident :
Thereeto :

PETITION FOR EXTENSION OF TIME

The Commonwealth of Pennsylvania, Department of Transportation (Department), by its counsel, Caroline G. Robelen, files the following Petition for Extension of Time, pursuant to 52 Pa. Code § 5.41, in the above referenced matter and states as follows:

1. The name and address of the Petitioner is:

Commonwealth of Pennsylvania
Department of Transportation
Bureau of Project Delivery
P.O. Box 3362
Harrisburg, Pennsylvania 17105-3362

2. The name and address of Counsel for the Petitioner is:

Caroline G. Robelen, Assistant Counsel
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel

P.O. Box 8212
Harrisburg, Pennsylvania 17105-8212
crobelen@pa.gov

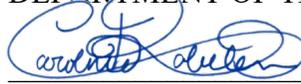
3. By Order adopted and entered August 5, 2021, the Pennsylvania Public Utility Commission (“Commission”) directed that “all work necessary to complete the alteration of the subject crossing be done in a manner satisfactory to this Commission on or before December 31, 2023...”
4. The December 31, 2023 completion date was not met due to unforeseen construction delays.
5. For the reasons stated above, the Department respectfully requests an extension of time from the December 31, 2023 date contained in the August 5, 2021 Order to the extended date of December 31, 2024, and that the Order dated August 5, 2021 be modified as follows:
 11. All work necessary to complete the alteration of the subject crossing be done in a manner satisfactory to this Commission on or before ~~December 31, 2023~~, December 31, 2024, and that on or before said date, Pennsylvania Department of Transportation report to this Commission in writing the date of actual completion of the work.

WHEREFORE, the Department of Transportation respectfully requests that the Public Utility Commission Order, entered on August 5, 2021 be modified consistent with this Petition.

Respectfully submitted,

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF TRANSPORTATION



Caroline G. Robelen, Esq.

Assistant Counsel

Commonwealth of Pennsylvania

Department of Transportation

Office of Chief Counsel

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Harrisburg, PA 17105-8212

Telephone No. (717) 787-3128

Fax Number (717) 772-2741

Pennsylvania Attorney I.D. Number 328743

crobelen@pa.gov

DATED: January 17, 2024

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VERIFICATION

I, Philip Mutunga, Grade Crossing Engineer, Commonwealth of Pennsylvania, Department of Transportation, in the foregoing document, make the following statement subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsifications to authority, and do state that as the Grade Crossing Administrator for the Commonwealth of Pennsylvania, Department of Transportation, I am authorized to make this statement on behalf of the Commonwealth of Pennsylvania, Department of Transportation, and that the facts set forth in the foregoing document are true and correct to the best of my information, knowledge, and belief.

DATED: January 16, 2024

Philip M. Mutunga

Philip Mutunga

Grade Crossing Engineer

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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510 878 N in East Deer Township, Allegheny :
County and the Allocation of Costs Incident :
Thereeto :**

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants listed below by electronic mail pursuant to 52 Pa. Code §1.54:

Service by Electronic Mail

Deborah Barum, Supervisor
Verizon Pennsylvania LLC
15 E. Montgomery Place
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deborah.d.delia@verizon.com

Service by US Mail

(Undeliverable)
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Norfolk Southern Railway Corporation
1200 Peachtree Street NE
Atlanta, GA 30309

Christopher Bennett, P.E.
Norfolk Southern Railway Company
1200 Peachtree Street NE
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Township of East Deer
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Pittsburgh, PA 15219

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1530 Chartiers Avenue
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Tim Kuhns
Upper Allegheny Joint Sanitary Authority
P.O. Box 341
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Tarentum, PA 15084

Timothy Bentley
Norfolk Southern Railway Company
Three Commercial Place
Norfolk, VA 23510, 9241

Respectfully submitted,
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



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Harrisburg, PA 17105-8212
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Fax No.: 717/772-2741

DATED: January 17, 2024