



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

January 24, 2024

IN REPLY PLEASE
REFER TO OUR FILE

A-2019-3010031

TO ALL PARTIES OF RECORD

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to perform bridge preservation work 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 City of New Kensington, Westmoreland County and for the approval of exemption from the minimum overhead clearance requirements of 52 Pa. Code Section 33.121 and the allocation of costs incident thereto.

To Whom It May Concern:

By Order entered August 5, 2021, we directed the alteration of crossing (DOT 510 878 N) where State Route 1038 crosses, above grade, the tracks of Norfolk Southern Railway Company by the rehabilitation of the bridge structure located in East Deer Township, Allegheny County and the City of New Kensington, Westmoreland County. All work at the subject crossing was to be completed on or before December 31, 2023.

By petition received on January 18, 2024, Pennsylvania Department of Transportation requests the Commission grant an extension of time in which to complete the project until December 31, 2024. Pennsylvania Department of Transportation avers that the completion date was not met due to unforeseen construction delays.

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

THEREFORE:

The petition received January 18, 2024, from the Pennsylvania Department of Transportation be and is hereby granted to the extent herein directed:

1. Paragraph 14 of our Order entered August 5, 2021, which reads as follows, to wit:

“14. 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, 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.”

be and is hereby modified to read:

14. 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, 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.

2. In all respects not inconsistent herewith, our Order entered August 5, 2021, 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.

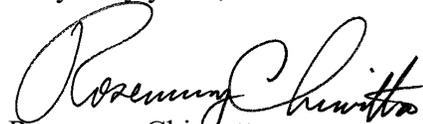
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax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