



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

February 1, 2024

IN REPLY PLEASE
REFER TO OUR FILE

A-2023-3038516

TO ALL PARTIES OF RECORD

Application of CSX Transportation, Inc. (“CSXT”) for approval of the alteration of its 25th Street Viaduct where the tracks of CSX Transportation, Inc crosses above seven public streets in the City of Philadelphia, Philadelphia County (DOT# 530 139 V, DOT# 530 124 F, DOT# 530 125 M, DOT# 530 126 U, DOT# 530 129 P, DOT# 530 130 J, and DOT# 530 131 R).

To Whom It May Concern:

In accordance with Paragraph 2 of the Secretarial Letter dated April 19, 2023, in the above captioned proceeding, CSXT was directed to demolish and remove siding spans (otherwise known as spur spans) of the 25th Street viaduct in Philadelphia. This matter is now before us by request from the City of Philadelphia to hold an interim field conference to discuss the intended subsurface demolition limits of the spur span removal. Upon receipt of the request, an interim virtual conference was arranged by a Commission staff engineer and held on January 30, 2024. Representatives of CSXT, and the City of Philadelphia (“Philadelphia”) were in attendance.

At this interim conference, CSXT provided information stating that their intended depth of demolition and removal of certain spur span columns (the columns located at the interface between the street, curb, and sidewalk along 25th Street) was to demolish and remove the columns down to the surface level of the sidewalk. Philadelphia was only made aware of CSXT’s proposed demolition depth after December 19, 2023, when plans to obtain a city street closure permit were submitted to Philadelphia. At the interim conference, Philadelphia stated that CXST’s proposed limit of demolition is unacceptable due to the impact it would have on the existing sidewalk. Philadelphia stated that in order to replace sidewalk, curb, and install ADA compliant sidewalk ramps at these locations without impedance, a minimum depth of 18 inches of concrete demolition below ground would be necessary.

The Commission finds that the demolition of these piers to a depth of 18 inches below ground and the restoration of all disturbed areas is necessary and proper for the service, accommodation, and safety of the public. During this interim conference, neither of the parties

present objected to having the Commission direct the demolition of these columns down to a depth of 18 inches below ground.

The Commission has exclusive jurisdiction in crossing alterations and is the final arbiter of any fees associated with a crossing application. Any conditions, including fees associated with a crossing application must be approved by the Commission.

The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that:

1. CSX Transportation, Inc., perform demolition and removal of the subject spur span columns located at the interface between the street, curb, and sidewalk, down to a depth of 18 inches below ground.

2. CSX Transportation, Inc., restore the sidewalk, curb, and street in the disturbed areas to in kind conditions.

3. In all respects not inconsistent with this Secretarial Letter, our Secretarial Letter entered April 19, 2023, in this proceeding 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.

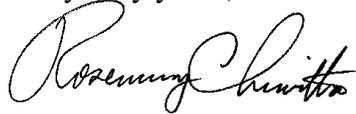
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax 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 submitted by e-filing said petition 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" and a distinct "Chiavetta" ending.

Rosemary Chiavetta
Secretary