



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

IN REPLY PLEASE  
REFER TO OUR FILE

March 15, 2024

A-2023-3045018

**TO ALL PARTIES OF RECORD**

Application of Pennsylvania Department of Transportation for approval to alter the public crossing (DOT 592 475 A) by the replacement of the existing bridge where State Route 2016 (Bellevue Avenue) crosses, above grade, the tracks of Reading Blue Mountain & Northern Railroad Company located in Muhlenberg Township, Berks County, and the allocation of costs incident thereto.

To Whom It May Concern:

This matter is before us by reason of an application filed with the Commission on December 19, 2023, by Pennsylvania Department of Transportation (Department) seeking Commission approval to alter the public crossing (DOT 592 475 A) by the replacement of the existing bridge where State Route 2016 (Bellevue Avenue) crosses, above grade, the tracks of Reading Blue Mountain & Northern Railroad Company (RBMN) located in Muhlenberg Township, Berks County.

A field investigation and conference was arranged by a Commission staff engineer and held on January 24, 2024 at the site of the subject crossing. Representatives of the Department, CCJM (Consultant Engineer for the Department), RBMN, Muhlenberg Township, Muhlenberg Township Authority and Comcast attended the field conference. Although notified by letter dated January 10, 2024 sent by electronic mail, there were no representatives of Berks County, Metropolitan Edison Company, Verizon Pennsylvania LLC or Reading Area Water Authority in attendance.

The existing State Route 2016 (Bellevue Avenue) bridge (NBI Structure Number/Bridge Key 5052) was originally constructed in 1924 and is generally oriented east-west, carrying two (2) vehicular travel lanes, above grade, the tracks of RBMN (DOT 592 475 A). The existing bridge superstructure consists of three (3) spans. Spans 1 and 3 consist of six (6) concrete encased rolled steel I-beams and span 2 consists of a partially encased riveted steel through-girders and floor beams, all with a concrete deck and asphalt overlay. The total structure length is approximately 131-feet and is supported by reinforced concrete piers and abutments. The structure is in overall poor condition and is posted for 27-ton vehicular load restriction and 30-tons for combination vehicles. The Department reported the average daily traffic at this crossing is approximately 9,013 vehicles per day with 4 percent trucks.

The Department proposed to replace the existing multi-span bridge with a single span bridge effectively shortening the overall length of the structure and increasing its vertical (overhead) clearance with respect to the railroad tracks. The proposed single span bridge will be comprised of thirteen (13) 48-inch wide by 21-inch deep adjacent pre-stressed concrete box beams. A 5.5-inch thick composite reinforced concrete deck is proposed, with the exception of between beams 3 and 4, where an 8-inch thick deck is proposed to accommodate a gas main utility bay. Type-1 25-foot long approach slabs are proposed on both bridge approaches. The center-to-center bearing at the abutments is proposed to be 67-feet 6-inches. The out-to-out width of the proposed bridge deck will be 53-feet 11.5-inches with a curb-to-curb width of 45-feet 7.25-inches. The proposed bridge cross section from north to south consists of a 5-foot 8-inch wide raised pedestrian sidewalk, a 4-foot 7.25-inch wide shoulder, three (3) 12-foot wide travel lanes and an additional 5-foot wide shoulder. A reinforced concrete vertical wall barrier with mounted railroad protective fencing is proposed on the north outside deck edge along the raised pedestrian sidewalk and an F-shape barrier is proposed on the south outside deck edge. The proposed bridge is on a tangent horizontal alignment; therefore, a normal crown cross slope is proposed for the entire length of the bridge. The substructure will consist of reinforced concrete cantilever abutments with u-shaped wingwalls that continue into toe walls and separate retaining wall structures to the east. The skew angle for the substructures is 70 degrees to the roadway baseline. The proposed bridge is being designed for all legal loads and will not be posted with any vehicle load restrictions.

The proposed minimum vertical (overhead) clearance with respect to the top of the westmost track 1 to the underside of the bridge is 23-feet 0-3/16-inches. The proposed minimum lateral (side) clearance with respect to the centerline of the eastmost track 3 and the face of abutment 2 is 12-feet 7-inches. Exemptions from the Commission's minimum overhead and side clearance requirements pursuant to 52 Pa. Code §33.121 and §33.122 are not required for the proposed bridge. Any reduction in clearances during temporary construction conditions that require an exemption from 52 Pa. Code §33.121 and §33.122 must be approved by the Commission prior to the start of construction, if necessary.

RBMN operates passenger and freight services along the line. RBMN's Reading Outer Station for passenger service is located on the north side of the existing bridge. RBMN tracks are currently located under span 2 of the existing bridge. At the field investigation and conference, it was noted that a shed under the current bridge will need to be relocated to accommodate the proposed bridge construction.

The Department agrees to furnish all materials and perform all work to demolish the existing bridge and construct the proposed bridge at their sole cost and expense. The Department agrees to maintain and inspect the proposed bridge as well as provide for the removal of snow, ice and debris from the raised pedestrian sidewalk and cartway of the bridge deck, at their sole cost and expense.

At the time of the field conference the Department was undecided if it will be necessary for the Commission to appropriate any property for construction of the project. The Department was advised that if it becomes necessary for the Commission to appropriate any property, they may submit detailed right-of-way plans and property descriptions (metes and bounds) for any property for the Commission to appropriate.

RBMN Company agrees to furnish and maintain watchmen, flagmen and/or inspectors that may be deemed necessary to protect and safeguard their railroad operations or facilities and make any required alterations to their facilities to accommodate the project at the Department's sole cost and expense and to maintain their railroad facilities, existing or altered, at their sole cost and expense.

The Department agrees to prepare and submit complete detailed structure plans for the proposed bridge for the subject crossing to each party in interest for review and to this Commission for approval, at their sole cost and expense.

The project will be funded by 80% Federal and 20% State funds with an estimated project cost of \$6,000,000.00.

It was noted that UGI Utilities, Inc. (UGI) was not served a copy of the application or plans for the proposed bridge replacement and was not invited to attend the field investigation and conference. By electronic mail dated February 12, 2024, a Commission staff engineer provided UGI with a copy of the subject application and plans. UGI did not respond to our inquiry as to any objection to the subject application or plans. UGI will be made a party of record to this proceeding.

Relocation of non-carrier public utilities is expected. Aerial utilities are located on pole lines on both sides of the existing bridge, parallel with the roadway and a gas main is attached to the southern fascia of the existing bridge. Non-carrier public utilities are directed to relocate their facilities at their initial cost and expense, if required.

The Commission tentatively establishes its jurisdictional limits at the subject crossing as the area within the confines of the railroad right-of-way and the highway right-of-way, along Highway Station 21+29.00 and Highway Station 23+66.45 plus an additional 50-feet beyond the aforementioned stationing along the roadway approaches, as shown on the preliminary plan included with the application, including the entire footprint of the bridge structure, bridge appurtenances and bridge embankments.

Upon full consideration of the matters involved and inasmuch as no objection has been filed with the Commission and no party in attendance at the field conference objected to the proposed improvements as discussed, 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 of the crossing is necessary and proper for the service, accommodation, convenience or safety of the public.

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

1. The caption of the subject proceeding is hereby revised as shown herein.
2. UGI Utilities, Inc. be made a party hereto.

3. The public crossing (DOT 592 475 A) where State Route 2016 (Bellevue Avenue) crosses, above grade, the tracks of Reading Blue Mountain & Northern Railroad Company located in the Muhlenberg Township, Berks County be altered as herein directed.

4. Pennsylvania Department of Transportation, at its sole cost and expense, and prior to the start of construction, prepare and submit complete detailed right-of-way plans and property descriptions (metes and bounds) for any property for the Commission to appropriate to all parties for review and to the Commission for approval, if necessary.

5. Pennsylvania Department of Transportation, at its sole cost and expense, and prior to the start of construction, prepare and submit complete detailed structure plans for the subject crossing to all parties for review and to the Commission for approval.

6. Reading Blue Mountain & Northern Railroad Company, at the sole cost and expense of Pennsylvania Department of Transportation, furnish all material and perform all work relating to its facilities which may be required as incidental to the performance of the proposed work and furnish any watchmen, flagmen, inspectors and/or engineering services that may be deemed necessary to protect the railroad's operations or facilities during the time the facilities are being installed.

7. Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and do all work necessary to establish and maintain any detours or traffic control that may be necessary to properly and safely accommodate vehicular, pedestrian and railroad traffic during the time the crossing is being altered.

8. Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and do all work necessary to demolish the existing bridge and construct the proposed bridge; all constructed in accordance with the approved plans and this Secretarial Letter.

9. Pennsylvania Department of Transportation, pay all compensation for damages, if any, due to the owners of property taken, injured or destroyed by reason of the alteration of the crossing in accordance with this Secretarial Letter.

10. Any relocation of, changes in and/or removal of any adjacent structures, equipment or facilities of any non-carrier public utility or municipal authority, which may be required as incidental to the alteration of the crossing be made by said public utility or municipal authority at its initial cost, and in such a manner as will not interfere with the alteration of the crossing; and such relocated or altered facilities thereafter be maintained by said public utility at its sole cost and expense.

11. Any relocation of, changes in and/or removal of any adjacent structures, equipment or other facilities of any non-carrier public utility company or municipal authority located beyond the limits of the highway, within the Commission's jurisdiction, which may be required as incidental to the execution of the crossing project, be made by said public utility company or municipal authority, and in such a manner as will not interfere with the construction of the project.

12. Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary to complete the remainder of the project and any other ancillary features of the project, generally in accordance with the approved plans and this Secretarial Letter.

13. Pennsylvania Department of Transportation provide at least thirty (30) days advance notice of the start of work to alter the crossing to each party involved in this proceeding.

14. All parties involved herein cooperate fully with each other so that during the time the work is being performed, vehicular, pedestrian and railroad traffic will not be endangered or unnecessarily inconvenienced and said requirements of each of the parties will be provided for and accommodated insofar as possible.

15. All work necessary to alter the crossing be completed in a manner satisfactory to this Commission on or before September 30, 2026, and that on or before said date, Pennsylvania Department of Transportation report in writing to this Commission the date of actual completion of the work.

16. All costs which are to be reimbursed by the Department of Transportation consistent with this letter shall be reimbursed pursuant to the provisions of 23 C.F.R. Parts 140 and 646. The aforesaid Federal reimbursement shall not supersede, delay or in any manner, postpone the effect of any paragraph contained in this or any related Secretarial Letter or Order.

17. This Secretarial Letter is without prejudice to the right of any party to recover all or part of any costs incurred by said party in compliance with the provisions of this Secretarial Letter, in accordance with any lawful agreement between it and any other party.

18. The terms of any agreement established in accordance with this Secretarial Letter shall not preclude the Pennsylvania Public Utility Commission from taking any action necessary to protect the public interest, including but not limited to the reassignment or enforcement of any costs or responsibilities assigned or transferred as a result of this Secretarial Letter.

19. Upon completion of the alteration of the crossing, Reading Blue Mountain & Northern Railroad Company, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its railroad facilities at the subject crossing, existing or altered, in a safe and satisfactory condition and provide Pennsylvania Department of Transportation and Muhlenberg Township at least ten (10) business days advance notice when performing any work that may affect their facilities, as directed by this paragraph.

20. Upon completion of the alteration of the subject crossing, Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary to remove the weight limit load posting signs associated with the subject crossing at the ends of the bridge and on its roadway approaches thereto, restoring the subject public crossing to the conveyance of all legal vehicular weights, all in accordance with the provisions of this Secretarial Letter.

21. Upon completion of the alteration of the subject crossing, Pennsylvania Department of Transportation, notify local emergency management services and the local school district of the removal of the bridge weight posting signs and weight restriction for the bridge at public crossing (DOT 592 475 A), all in accordance with the provisions of this Secretarial Letter.

22. Upon completion of the construction of the alteration the Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary thereafter to inspect and maintain the entire State Route 2016 (Bellevue Avenue) bridge (NBI Structure Number/Bridge Key to be determined) including the substructure, wingwalls, adjoining retaining walls, superstructure, deck, parapets, structural sidewalk components and fencing and the remainder of the improvement including the roadway pavement, approach slabs, roadway surface, drainage facilities and any other ancillary features of the alteration constructed in accordance with the provisions of this Secretarial Letter and provide Reading Blue Mountain & Northern Railroad Company and Muhlenberg Township at least ten (10) business days advance notice when performing any work that may affect their facilities, as directed by this paragraph.

23. Upon completion of the alteration of the subject crossing, Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary for the removal of snow, ice and debris from the cartway of the bridge deck and the raised pedestrian sidewalk thereon, constructed as part of the alteration.

24. Upon completion of the alteration of the subject crossing, each non-carrier public utility company and municipal authority, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its respective facilities, existing or altered, located within the limits of the alteration.

25. Upon completion of the work herein directed, and 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 remaining costs incurred by the non-carrier utility companies 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 that reads "Rosemary Chiavetta". The signature is written in black ink and is positioned above the printed name and title.

Rosemary Chiavetta  
Secretary