



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

IN REPLY PLEASE
REFER TO OUR FILE
A-2023-3043480

April 9, 2024

TO ALL PARTIES OF RECORD

Application of the Pennsylvania Department of Transportation for approval to alter the public crossing (DOT 264 067 L) where State Route 0435 crosses, above grade, the tracks of Pennsylvania Northeast Regional Railroad Authority operated thereon by Delaware & Lackawanna Railroad, located in Elmhurst Township, Lackawanna County, and the allocation of cost thereto.

To Whom It May Concern:

In accordance with Numbered Paragraph 3 of the Commission's Secretarial Letter dated November 29, 2023, in the above-captioned proceeding, the Pennsylvania Department of Transportation has submitted complete detailed signed final construction and bridge structural plans for this Commission's approval.

The Pennsylvania Department of Transportation avers that the respective parties have been served with a copy of the plans for review on March 8, 2024, and none of the parties have filed an objection to the approval of the plans with this Commission.

The plans were received by the Commission on March 11, 2024, and are hereby entitled "COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION DRAWNGS FOR CONSTRUCTION OF STATE ROUTE 0435 SECTION 251/253 LACKAWANNA COUNTY" consisting of two hundred sixty-seven (267) sheets.

Please be advised that the above stated set of plans have been certified as the correct plans and are hereby approved.

This Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code.

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.

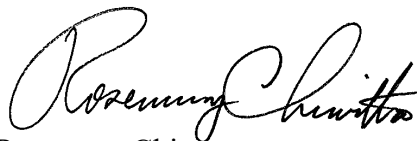
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax 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 fluid and cursive, with the first letter of each name being significantly larger and more decorative.

Rosemary Chiavetta
Secretary