



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET
HARRISBURG, PENNSYLVANIA 17120
May 28, 2024

A-2022-3031613

TO ALL PARTIES OF RECORD

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the public above grade crossing by the replacement of the existing bridge carrying State Route 0011 (West King Street) over track of Norfolk Southern Railway Company (DOT 592 122 M) in Shippensburg Borough and Southampton Township, Franklin County, and the allocation of costs incident thereto.

To Whom It May Concern:

By application filed with the Commission on March 24, 2022, the Department of Transportation of the Commonwealth of Pennsylvania (Department) is seeking approval to replace the existing bridge where State Route (S.R.) 0011 (West King Street) crosses, above grade, one track of Norfolk Southern Railway Company (NS) (DOT 592 122 M), in Shippensburg Borough and Southampton Township, Franklin County.

A field investigation and conference was arranged by a Commission staff engineer and held at the site of the crossing on May 26, 2022. Representatives of the Department, NS, UGI Utilities, Inc., Southampton Township, Shippensburg Borough, STV, Inc, and Shippensburg Borough Authority were in attendance. Although notified by letter dated May 10, 2022, there were no representatives from Franklin County, Comcast Cable Communications, CenturyLink, Cumberland/Franklin Joint Municipal Authority, or Penelec in attendance.

At the crossing location it was noted that the subject bridge carries a three (3) lane asphalt, two directional highway with a center turning lane generally oriented southwest to northeast on approximately a 45-degree skew. The curb-to-curb roadway width is 44.0 feet, and the out-to-out width is 52 feet 2 inches. In addition to the travel lanes there is a 4-foot 10-inch-wide curb raised concrete sidewalk located on the western side of the structure, with pigeonhole reinforced concrete protective bridge barriers located on each side of the structure. Preliminary plans describe the structure as a single span bridge constructed in 1935 that consists of a concrete encased steel I beam superstructure, supported by two (2) reinforced concrete abutments. A Department online bridge database lists the subject bridge in poor overall condition. The superstructure consists of eleven (11) steel beams and diaphragms encased in concrete and oriented in the direction of the span, parallel to the direction of vehicle travel. The current average daily traffic (ADT) is 10,282 with 3% trucks.

The minimum overhead (vertical) clearance of the existing bridge is 21 feet 6 inches as measured from the top of rail to the underside of the bridge, and the minimum side (horizontal) clearances are 10 feet 8 inches as measured from the centerline of track to the northern existing abutment (abutment 2) and 24 feet 2 inches measured from the centerline of the track to the southern existing abutment (abutment 1). The existing overhead (vertical) clearance of 21-feet 6 inches is below the Commission's minimum requirement of 22 feet, and the existing minimum horizontal clearance on the northern side of 10 feet 8 inches is less than the Commission's minimum of 12 feet. Since these clearances have not been memorialized in a previous Commission Order and/or Secretarial Letter this Secretarial Letter will serve as a temporary exemption from the Commission's minimum clearance requirements until the point in time when the existing structure is demolished as part of the subject proceeding. These clearances will be increased with the construction of the proposed structure, to 23-feet 0.75-inch minimum overhead clearance, and 16-feet 6-inch minimum horizontal clearance to proposed abutment 2.

There are two existing utilities attached to each outside fascia of the structure, a 4-inch diameter gas line on the west side and a 12-inch diameter water line on the eastern side. These lines will be temporarily relocated to facilitate the bridge replacement and will be supported in the future by an independent bridge structure. This structure will be designed and built under a separate future PUC Docket, if required.

The Department plans to demolish the entire superstructure and substructure of the existing bridge with the exception of a section of existing abutment 2 which will be demolished to 2-feet below finished grade. The proposed structure will be a single span, prestressed concrete box beam bridge with reinforced concrete abutments and wingwalls constructed on micropiles. The structure will have an 8.25 inch reinforced concrete deck slab, and the roadway will consist of 2-12 foot wide bi-directional travel lanes, a 12 foot wide center turning lane, an 8 foot wide shoulder on the western side, and an 18 foot 3 inch shoulder on the eastern side for a total curb to curb measurement of 62 feet 3 inches. In addition, there will be a 5-foot-wide reinforced raised curbed concrete sidewalk on the western side (located in Shippensburg Borough) and barriers and vinyl coated steel protective fencing on both the eastern and western sides of the structure for a total out to out width of 69 feet 11.25 inches. Both approaches to the bridge will have a 25.0 foot long concrete approach slab. The superstructure will consist of 10 composite prestressed concrete box beams. The orientation will remain the same as the existing structure with the travel lanes generally oriented northeast and southwest on a 45 degree skew. The installation of the proposed structure will be phased, maintaining vehicular and pedestrian traffic throughout construction. There will be no temporary railroad crossings required to construct this structure. Preliminary design drawings were included with the application; however, the Commission will order detailed, final construction and structural plans be submitted to all parties for review and to this Commission for approval.

The Department agrees to construct the project at its sole cost and expense. The Department agrees to reimburse the railroad for any costs incurred for providing engineering, watchman and flagman services in conjunction with the project. The bridge replacement project is estimated to cost approximately \$6,000,000 and be 100% state funded.

Alterations required to public utilities in public right-of-way will be made by the utility at its initial cost and expense.

The Commission has tentatively established jurisdiction along SR 0011 over those portions of the project between Highway Station 599+4.00 and Highway Station 604+19.00.

The Department agrees to maintain and inspect the substructure and superstructure of the new S.R. 0011 bridge. Shippensburg Borough agrees to accept winter maintenance and debris removal of the new sidewalk, at their sole cost and expense.

The applicant has certified that a copy of the application has been served on each party in interest and none has advised that it objects to the issuance of a Secretarial Letter approving the application.

Upon full consideration of the matters involved, we determine that it is not necessary to schedule a hearing in this proceeding at this time and that issuance of a Secretarial Letter without hearing is proper since the Department has agreed to construct the project at its sole cost and expense, and none of the parties has expressed any objections to the proposal.

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 alteration of the subject crossing as proposed by the Pennsylvania Department of Transportation is approved as herein directed:

1. The subject caption be revised as shown herein.
2. The crossing where State Route 0011 (West King Street) crosses, above grade, a single track of Norfolk Southern Railway Company in Shippensburg Borough and Southampton Township, Franklin County be altered generally in accordance with the application and this Secretarial Letter.
3. Pennsylvania Department of Transportation, at its sole cost and expense, prepare and submit final signed and sealed construction plans for the subject crossing to all parties for review and to the Commission for approval prior to construction.
4. Pennsylvania Department of Transportation, at its sole cost and expense, prepare and submit final signed and sealed structural plans for the subject crossing to all parties for review and to the Commission for approval prior to construction.
5. Pennsylvania Department of Transportation, at its sole cost and expense, and prior to the start of construction, prepare and submit final 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.
6. Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary to establish and maintain all traffic controls that may be required to properly accommodate highway and pedestrian traffic during the time the crossing project is being constructed.

7. That a temporary exemption from the Commission's minimum vertical clearance requirements of 52 Pa. Code §33.121 be and is hereby granted, in this particular instance, for an overhead clearance of 21 feet 6 inches from the top of the rail to the bottom of the existing structure before and during construction until the point in time that the existing structure is demolished as part of the subject proceeding.

8. That a temporary exemption from the Commission's minimum horizontal clearance requirements of 52 Pa. Code §33.122 be and is hereby granted, in this particular instance, for a horizontal clearance of 10 feet 8 inches from the centerline of the track to abutment 2 of the existing structure before and during construction until the point in time that the existing structure is demolished as part of the subject proceeding.

9. The Pennsylvania Department of Transportation, at its sole cost and expense, demolish the existing structure and construct the new structure generally in accordance with the approved plans and this Secretarial Letter.

10. Norfolk Southern Railway Company, at the sole cost and expense of the Pennsylvania Department of Transportation, furnish construction engineering and inspection service as required as a result of the proposed work, and furnish and maintain flagmen and watchmen as required to protect its operations during the time work is being performed across, above and adjacent to its tracks.

11. Any relocation of, changes in or removal of any adjacent structures, equipment or other facilities of any non-carrier public utility company or municipal authority located within the limits of public right-of-way, within the limits of this 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 at its initial cost and expense, and in such manner as will not interfere with the construction of the project.

12. Pennsylvania Department of Transportation, at least thirty (30) days prior to the start of work, notify all parties in interest of the actual date on which work will begin.

13. Norfolk Southern Railway Company cooperate with Pennsylvania Department of Transportation and conduct their operations in the vicinity of the crossing, in a safe manner and under control during the time project is being constructed.

14. Pennsylvania Department of Transportation cooperate with Norfolk Southern Railway Company so that during construction of the project, the operations and facilities of the railroad company will not be endangered or unnecessarily impeded.

15. Construction of the bridge project be completed in a manner satisfactory to this Commission on or before December 31, 2026, and that on or before said date, Pennsylvania Department of Transportation report to this Commission the date of actual completion of the work.

16. Pennsylvania Department of Transportation, at its sole cost and expense, pay all compensation for damages due to owners of property taken, injured, or destroyed by reason of the construction of the crossing in accordance with this Secretarial Letter.

17. Upon completion of construction of the proposed project, 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 improvement.

18. Upon completion of construction of the proposed project Norfolk Southern Railway Company, at its sole cost and expense, furnish all material and perform all work necessary to maintain its tracks and any other railroad facilities, existing or altered, located within the limits of the project, and provide Pennsylvania Department of Transportation at least ten (10) business days advance notice when performing any work as directed by this paragraph.

19. Upon completion of the construction of the proposed project, Shippensburg Borough, at its sole cost and expense, furnish all material and perform all work for the removal of snow, ice and debris from the raised sidewalk on the western side of the proposed structure, as constructed in accordance with the provisions of this Secretarial Letter.

20. Upon completion of the construction of the proposed project, Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary to maintain and inspect the entire bridge including the deck, superstructure, substructure, wing walls, bearings, approach slabs, approach guiderail, parapets, protective fencing, structural integrity of the sidewalk, approach roadway, roadway surface, and drainage facilities of the subject S.R. 0011 (West King Street) bridge, and any other ancillary features of the improvement constructed in accordance with the provisions of this Secretarial Letter, and provide Norfolk Southern Railway Company, Shippensburg Borough and Southampton Township at least ten (10) business days advance notice when performing any work as directed by this paragraph.

21. Upon completion of the construction of the proposed project, 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 approach roadways.

22. Upon completion of the work herein directed, and upon a written request by any party hereto, this proceeding be scheduled for a hearing at a time and a place assigned by this Commission, upon due notice to all parties, to receive evidence relative to the allocation of initial costs incurred, if any, by any of the parties, and any 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.

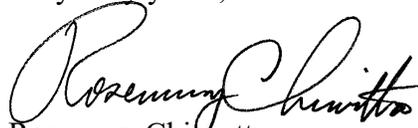
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax 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 black ink, appearing to read "Rosemary Chiavetta". The signature is written in a cursive, flowing style.

Rosemary Chiavetta
Secretary