

August 5, 2024

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 32654
Harrisburg, PA 17105-3265

Re: **Formal Complaint of the Indiana Township Police Department alleging unsafe conditions exist due to falling concrete from the existing arch bridge at the public crossing (DOT 051 637 G) where State Route 1015 (Little Deer Creek Road) and Little Deer Creek cross, below grade, the track of Bessemer & Lake Erie Railroad Company located in Indiana Township, Allegheny County C-2023-3041133**

Dear Secretary Chiavetta:

Enclosed for filing please find Bessemer and Lake Erie Railroad Company's Petition for Extension of Time regarding the above-captioned matter.

I hereby certify that a copy has been sent to all parties of record as indicated by the Certificate of Service.

Very truly yours,



John M. Steidle
Counsel for Bessemer and Lake Erie Railroad Company

JMS/pjk
Enclosure

cc: Parties of Record:
Mr. Steven Colucci (via U.S. First-Class Mail)
Mr. Daniel Anderson (via U.S. First-Class Mail)
Mr. George M. Janocsko (via U.S. First-Class Mail)
Ms. Jean Statler (via U.S. First-Class Mail)
Jillian G. Fellows, Esquire (via email)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Formal Complaint of the Indiana Township :
Police Department alleging unsafe : C-2023-3041133
conditions exist due to falling concrete from :
the existing arch bridge at the public :
crossing (DOT 051 637 G) where State :
Route 1015 (Little Deer Creek Road) and : *Electronically Filed*
Little Deer Creek cross, below grade, the :
track of Bessemer & Lake Erie Railroad :
Company located in Indiana Township, :
Allegheny County :
:

PETITION FOR EXTENSION OF TIME

Bessemer and Lake Erie Railroad Company (“B&LE”), by and through its counsel Burns White LLC, hereby files this petition for an extension of time to complete alterations and repairs to the public crossing (DOT 051 637 G) where State Route 1015 (Little Deer Creek Road) and Little Deer Creek cross, below grade, the track of Bessemer & Lake Erie Railroad Company located in Indiana Township, Allegheny County (subject crossing) as ordered by the Secretarial letter dated December 1, 2023, pursuant to 52 Pa. Code §1.15, based upon the following:

1. The aforementioned Secretarial letter ordered that B&LE was to undertake the repair work and alteration of the existing bridge at the subject crossing including the installation of an FRP or similar system to the underside of the arch barrel.
2. Pursuant to numbered Paragraph 10 of the Secretarial letter all work necessary to complete the repair and alteration of the subject crossing was to be completed in a manner satisfactory to the Commission on or before August 31, 2024.
3. Moreover, B&LE was directed to report to the Commission and the Pennsylvania Department of Transportation the date of actual completion of the work.

4. As a result of unexpected delays, B&LE is unable to complete the alteration and repairs to the subject crossing by the August 31, 2024 deadline and requests additional time to complete the project.

5. Therefore B&LE respectfully requests an extension of time until September 30, 2024, to complete the alteration and repairs to the subject crossing.

WHEREFORE, The Bessemer & Lake Erie Railroad Company respectfully requests an extension of time until September 30, 2024, to complete the alteration and repair to the subject crossing as ordered in the Secretarial letter dated December 1, 2023.

Respectfully submitted,

BURNS WHITE LLC

By:



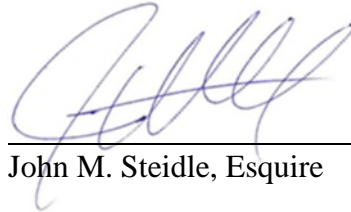
John M. Steidle, Esquire
Edwin B. Palmer, Esquire
Burns White Center
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Pittsburgh, PA 15222
(412) 995-3000
jmsteidle@burnswhite.com
ebpalm@burnswhite.com

Dated: August 5, 2024

*Attorneys for Respondent,
Bessemer & Lake Erie Railroad Company*

VERIFICATION

I, John M. Steidle, Esquire, a member of the firm, Burns White LLC, attorneys for Bessemer & Lake Erie Railroad Company (“B&LE”) and the foregoing proceeding, make this verification on behalf of B&LE and do state as an attorney for B&LE I am authorized to make this verification on behalf of B&LE and further state that the facts set forth in the foregoing Petition for Extension of Time are true and correct to the best of my knowledge, information and belief. I understand my statements are made subject to the penalties of 18 Pa.C.S. § 4904, providing for criminal penalties for unsworn falsification to authorities.



John M. Steidle, Esquire

Date: August 5, 2024

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Petition for Extension of Time** dated August 5, 2024, upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (related to service by a party).

SERVICE BY U.S. FIRST-CLASS MAIL ONLY

Mr. Steven Colucci
Indiana Township Police Department
3710 Saxonburg Blvd.
Pittsburgh, PA 15238

Mr. Daniel Anderson
Indiana Township
3710 Saxonburg Blvd.
Pittsburgh, PA 15238-1068

Mr. George M. Janocsko
Fort Pitt Commons
445 Fort Pitt Blvd., Suite 300
Pittsburgh, PA 15219

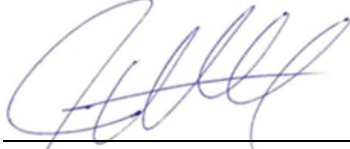
Ms. Jean Statler
Allegheny County Dept. of Public Works
County Office Building
501 County Office Building
542 Forbes Avenue
Pittsburgh, PA 15219

SERVICE VIA EMAIL

Jillian G. Fellows, Assistant Counsel
Office of Chief Counsel
P.O. Box 8212
Harrisburg, PA 17105-8212
jfellows@pa.gov
*(Attorney for Commonwealth of Pennsylvania
Department of Transportation)*

BURNS WHITE LLC

By: _____


John M. Steidle, Esquire
PA Attorney I.D. No. 84404