



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

IN REPLY PLEASE  
REFER TO OUR FILE

August 7, 2024

A-2024-3049923

**TO ALL PARTIES OF RECORD**

Application of PPL Electric Utilities Corporation for approval of the alteration of the crossing (DOT 249 606 K) by the replacement of a pole and the alteration of the aerial wires where Eighth (8th) Avenue (SR 6006) crosses the tracks of the Delaware Lackawanna Railroad Company in the City of Carbondale, Lackawanna County.

To Whom It May Concern:

By application filed with the Commission on July 5, 2024, PPL Electric Utilities Corporation seeks Commission approval to alter the public crossing (DOT 249 606 K) by the replacement of a pole and the alteration of the aerial wires where Eighth (8th) Avenue (SR 6006) crosses the tracks of the Delaware Lackawanna Railroad Company in the City of Carbondale, Lackawanna County.

PPL Electric Utilities Corporation proposes to replace one existing pole to support existing and future loading conditions and clearance requirements. Aerial cables that cross Delaware and Lackawanna Railroad rails within the public right of way of 8th Avenue are to be raised to meet clearance requirements. The above ground communication facility to be replaced is PPL pole #61368N51991 on the southeastern side of the railroad crossing. The proposed alteration will provide a minimum of 27-feet 6-inches from the lowest relocated facility to the top of the rails.

The Commission hereby 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.

In its application, PPL Electric Utilities Corporation states that the proposed installation is necessary to provide adequate, efficient, and reasonable communication facilities and power to the public in Lackawanna County and surrounding areas. PPL Electric Utilities Corporation will be directed to perform the necessary installation, provide for maintenance and protection of highway and pedestrian traffic during installation and accept future maintenance responsibility for the new facilities, at its sole cost and expense. The cost of the project is anticipated to be approximately \$10,000.00.

All work is to be performed in accordance with the plan entitled: “EXHIBIT A,” consisting of one (1) sheet submitted with the application on July 5, 2024.

PPL Electric Utilities Corporation has served a copy of the application and plan on the Pennsylvania Department of Transportation, Lackawanna County, Carbondale City, Comcast, and Delaware and Lackawanna Railroad Company. All parties in interest were queried by letter dated July 17, 2024, sent via electronic mail, as to any objection to the subject application and sketch plan. None of the parties have responded with any objection to the subject application or sketch plan.

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.

Upon full consideration of the matters involved, we find that a hearing is not necessary and that a Secretarial Letter may be issued approving the application.

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 PPL Electric Utilities Corporation is approved as herein directed:

1. The caption of the subject proceeding is hereby revised as shown herein.
2. The crossing where Eighth Avenue (State Route 6006) crosses, at grade, the track of Delaware and Lackawanna Railroad Company (DOT 249 606 K) in the City of Carbondale, Lackawanna County be altered generally in accordance with the installation plan entitled: “EXHIBIT A” consisting of one (1) sheet provided with the application on July 5, 2024; which plan is made part hereof and is hereby approved except insofar as it may relate to the division of work, deletion of work, or the allocation of costs and expenses incident to the installation of the project.
3. PPL Electric Utilities Corporation, at its sole cost and expense, furnish all material and perform all work necessary to alter the crossing by replacing an existing utility pole with a new utility pole and raising the aerial cable facilities within the right-of-way of the highway where Eighth Avenue crosses, at grade, the track of Delaware and Lackawanna Railroad Company, all in accordance with the approved plan and this Secretarial Letter.
4. PPL Electric Utilities Corporation, at its sole cost and expense, furnish all material and perform all work necessary to establish and maintain any detours or traffic controls that may be required to properly and safely accommodate highway and pedestrian traffic during the time the crossing is being altered.

5. Any relocation of, changes in and/or removal of any adjacent structures, equipment or other facilities of any non-carrier public utility, other than PPL Electric Utilities Corporation, which may be required as incidental to the alteration of the crossing, be made by said public utility 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.

6. Delaware and Lackawanna Railroad Company, at the sole cost and expense of PPL Electric Utilities Corporation, 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. PPL Electric Utilities Corporation, 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 plan and this Secretarial Letter.

8. The alteration of the crossing be completed on or before August 31, 2025, and that on or before said date PPL Electric Utilities Corporation, report in writing the date of actual completion of the work to this Commission and certify to the parties of record and this Commission that the work has been satisfactorily completed in accordance with the approved plan and this Secretarial Letter.

9. PPL Electric Utilities Corporation, at its sole cost and expense, pay all compensation for damages, if any, due to owners of property taken, injured, or destroyed by reason of the alteration of the crossing in accordance with this Secretarial Letter.

10. 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 so that the requirements of each of the parties will be provided for and accommodated insofar as possible.

11. PPL Electric Utilities Corporation cooperate with the non-carrier utilities involved, so that during the alteration of the involved crossing, the facilities of the non-carrier utilities will not be endangered or unnecessarily interrupted.

12. PPL Electric Utilities Corporation, at least seven (7) days prior to the start of work, notify all parties in interest of the actual date on which work will begin.

13. Upon completion of the alteration of the crossing, PPL Electric Utilities Corporation, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain their new aerial facilities and any ancillary facilities installed in accordance with the approved plan and this Secretarial Letter.

14. Upon completion of the alteration of the crossing, Delaware and Lackawanna Railroad Company, at its sole cost and expense, furnish all material and perform all work necessary to maintain its railroad facilities at the subject crossing, including the warning devices and all appurtenant equipment, and maintain at all times in a smooth and satisfactory the high-type concrete surface, all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter; and provide the Pennsylvania Department of Transportation and the City of Carbondale at least ten (10) business days advance notice when performing any work as directed under this paragraph.

15. Upon completion of the alteration of the crossing, Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and do all work necessary thereafter to maintain its highway approach roadways to the subject crossing to points up to the high-type concrete surface and in addition, maintain the grade crossing advance warning signs, stop lines and pavement markings, if required, all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter; and provide Delaware and Lackawanna Railroad Company and the City of Carbondale at least ten (10) business days advance notice when performing any work as directed by this paragraph.

16. 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, reading "Rosemary Chiavetta".

Rosemary Chiavetta  
Secretary