



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

IN REPLY PLEASE
REFER TO OUR FILE

August 27, 2024

C-2023-3041133

TO ALL PARTIES OF RECORD

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.

To Whom It May Concern:

By Secretarial Letter dated December 1, 2023, Bessemer & Lake Erie Railroad Company was directed to complete the crossing alteration on or before August 31, 2024.

By petition received by the Commission on August 5, 2024, Bessemer & Lake Erie Railroad Company requests an extension of time to complete the alteration of the crossing involved in the above captioned proceeding.

In its petition Bessemer & Lake Erie Railroad Company stated that the project was delayed unexpectedly. Bessemer & Lake Erie Railroad Company is therefore requesting an extension of time that establishes a completion date of September 30, 2024.

We have carefully reviewed the record in this proceeding and will grant Bessemer & Lake Erie Railroad Company an extension of time to September 30, 2024, to complete the alteration of the above captioned crossing.

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

THEREFORE:

The petition of Bessemer & Lake Erie Railroad Company received by the Commission on August 5, 2024, requesting an extension of time, be and is hereby granted to the extent herein directed:

1. Paragraph 10 of our Secretarial Letter dated December 1, 2023, which reads as follows, to wit:

“10. All work necessary to complete the repair and alteration of the subject crossing be done in a manner satisfactory to this Commission on or before August 31, 2024, and that on or before said date, Bessemer & Lake Erie Railroad Company report to this Commission and the Pennsylvania Department of Transportation the date of actual completion of the work.”

be and is hereby modified to read:

10. All work necessary to complete the repair and alteration of the subject crossing be done in a manner satisfactory to this Commission on or before September 30, 2024, and that on or before said date, Bessemer & Lake Erie Railroad Company report to this Commission and the Pennsylvania Department of Transportation the date of actual completion of the work.

2. In all respects not inconsistent herewith, our Secretarial Letter dated December 1, 2023, remains in full force and effect.

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.

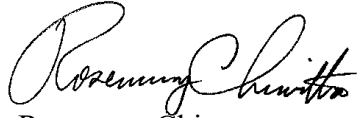
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is written in a cursive style with a large initial "R".

Rosemary Chiavetta
Secretary