



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

IN REPLY PLEASE
REFER TO OUR FILE

September 10, 2024

A-2022-3036113

TO ALL PARTIES OF RECORD

Application of Short Brothers, Inc. for approval to alter the public crossing (DOT 517 664 V) by the installation of a force main sanitary sewer where Thompson Road (T-402) crosses, at grade, the track of East Penn Railroad LLC located in New Garden Township, Chester County.

To Whom It May Concern:

By Secretarial Letter dated November 30, 2022, modified on November 29, 2023, Short Brothers, Inc. was directed to complete the crossing alteration on or before November 30, 2024.

By letter-petition received by the Commission on August 16, 2024, Short Brothers, Inc. requests an additional extension of time to complete the alteration of the crossing involved in the above captioned proceeding.

In its letter-petition Short Brothers, Inc. stated that NPDES permits were recently received, and they are working with the Township to finalize their developer's agreements, financial securities, and homeowners association documents. Project groundbreaking is anticipated to begin within 30 days of the receipt of the letter-petition which does not allot enough time to complete the work at the subject crossing by the completion date. Short Brothers, Inc. is therefore requesting an additional extension of time that establishes a completion date of November 30, 2025.

We have carefully reviewed the record in this proceeding and will grant Short Brothers, Inc. an additional extension of time to November 30, 2025, 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 letter-petition of Short Brothers, Inc. received by the Commission on August 16, 2024, requesting an additional extension of time, be and is hereby granted to the extent herein directed:

1. Paragraph 9 of our Secretarial Letter dated November 30, 2022, modified on November 29, 2023, which reads as follows, to wit:

“9. The alteration of the crossing be completed on or before November 30, 2024, and that on or before said date Short Brothers, Inc. 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 plans and this Secretarial Letter.”

be and is hereby modified to read:

9. The alteration of the crossing be completed on or before November 30, 2025, and that on or before said date Short Brothers, Inc. 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 plans and this Secretarial Letter.

2. In all respects not inconsistent herewith, our Secretarial Letter dated November 30, 2022, 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.

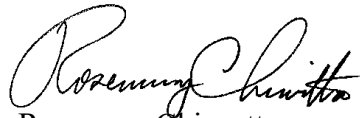
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax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

Very truly yours,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is fluid and cursive, with a large initial "R" and a distinct "Chiavetta" ending.

Rosemary Chiavetta
Secretary