



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

IN REPLY PLEASE
REFER TO OUR FILE

September 19, 2024

A-2024-3050598

TO ALL PARTIES OF RECORD

Application of UGI Utilities, Inc. – Gas Division for the approval of the alteration of public crossing (DOT 518 165 H) where Greenfield Road (T-549) crosses, below grade, the tracks of National Railroad Passenger Corporation (Amtrak) by the installation of an eight-inch (8”) PE gas line in an existing twelve-inch (12”) steel casing in East Lampeter Township, Lancaster County.

To Whom It May Concern:

By application filed with the Commission on August 6, 2024, UGI Utilities, Inc. – Gas Division (UGI) seeks Commission approval to alter the crossing (DOT 518 165 H) by the installation of a 8-inch plastic gas main within an existing 12-inch steel casing pipe where Greenfield Road (T-549) crosses, below grade, the tracks of National Railroad Passenger Corporation (Amtrak) located in East Lampeter Township, Lancaster County.

UGI proposes to install an underground 8-inch diameter high density polyethylene (HDPE) gas line within an existing 12-inch diameter steel casing pipe and provide a minimum of 5.0-feet of cover from the top of the casing pipe to the roadway surface within the public right-of-way of Greenfield Road.

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, UGI states that the proposed installation is necessary to re-establish a redundant feed to the existing distribution system to improve system pressures following the retirement of an older pipeline within the right-of-way that is the subject of Commission docket A-2024-3050340. UGI 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 \$290,297.00.

UGI has served a copy of the application and plan on the Pennsylvania Department of Transportation, Amtrak, Comcast Communications, Verizon Pennsylvania LLC, AT&T, TREC Group, East Lampeter Township Sewer Authority, PPL Electric Utilities, Lancaster City Water Bureau, East Lampeter Township and Lancaster County. All parties in interest were queried by letter dated August 13, 2024, sent via electronic mail, as to any objection to the subject application and plan.

On August 20, 2024, Amtrak filed a copy of a letter addressed to UGI to provide comments to the EXHIBIT A filed with the application, though the letter contained no objection to the project.

On September 5, 2024, UGI filed a response to the Amtrak comments via a letter to the Commission that included a revised “Exhibit A” consisting of one (1) sheet.

All work is proposed to be performed in accordance with the revised plan entitled: “EXHIBIT A,” consisting of one (1) sheet submitted to the Commission on September 5, 2024, in response to Amtrak comments.

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 UGI Utilities, Inc. – Gas Division is approved as herein directed:

1. The caption of the subject proceeding is hereby revised as shown herein.
2. The crossing where Greenfield Road crosses, below grade, the tracks of National Railroad Passenger Corporation (DOT 518 165 H) in East Lampeter Township, Lancaster County be altered generally in accordance with the revised installation plans entitled: “EXHIBIT A” consisting of one (1) sheet provided to the Commission on September 5, 2024, as an attachment to a comment response document; which plan is made part hereof and is hereby approved except insofar as they 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. UGI Utilities, Inc. – Gas Division, at its sole cost and expense, furnish all material and perform all work necessary to alter the crossing by the installation of an underground 8-inch diameter plastic gas main contained within an existing 12-inch diameter steel casing pipe, within the right-of-way of the highway where Greenfield Road crosses, below grade, the tracks of National Railroad Passenger Corporation, all in accordance with the approved plan and this Secretarial Letter.
4. UGI Utilities, Inc. – Gas Division, 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 UGI Utilities, Inc. – Gas Division, 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. National Railroad Passenger Corporation, at the sole cost and expense of UGI Utilities, Inc. – Gas Division, 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. UGI Utilities, Inc. – Gas Division, 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 September 30, 2025, and that on or before said date UGI Utilities, Inc. – Gas Division, 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. UGI Utilities, Inc. – Gas Division, 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. UGI Utilities, Inc. – Gas Division, 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. UGI Utilities, Inc. – Gas Division, 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, UGI Utilities, Inc. – Gas Division, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain the new gas main and existing casing pipe and any ancillary facilities installed in accordance with the approved plan and this Secretarial Letter.

14. Upon completion of the alteration of the crossing, National Railroad Passenger Corporation, at its sole cost and expense, furnish all material and perform all work necessary to inspect and maintain its railroad bridge and other railroad facilities at the subject crossing; and provide East Lampeter Township 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, East Lampeter Township, at its sole cost and expense, furnish all material and do all work necessary thereafter to maintain its highway through the subject crossing area; and provide National Railroad Passenger Corporation 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.

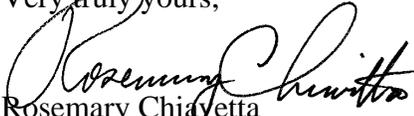
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax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


Rosemary Chialetta
Secretary