



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

September 27, 2024

IN REPLY PLEASE
REFER TO OUR FILE

A-2024-3049275

TO ALL PARTIES OF RECORD

Application of the Pennsylvania Department of Transportation for approval to alter three (3) public crossings by the installation of new warning devices where Main Street, Galley Street and Stauffer Street (DOT Nos. 145 454 B, 145 457 W and 145 462 T, respectively) cross, at grade, two (2) tracks of CSX Transportation Inc. in Dawson Borough, Fayette County, all in accordance with the Federal Grade Crossing Program and the allocation of costs incident thereto.

To Whom It May Concern:

This matter is before us by reason of an application filed May 28, 2024 by the Pennsylvania Department of Transportation for approval to alter three (3) public crossings by the installation of new warning devices where Main Street, Galley Street and Stauffer Street (DOT Nos. 145 454 B, 145 457 W and 145 462 T, respectively) cross, at grade, two (2) tracks of CSX Transportation Inc., (CSXT) in Dawson Borough, Fayette County, all in accordance with the Federal Grade Crossing Program and the allocation of costs incident thereto.

Upon receipt of the application, a field investigation and conference was arranged by a Commission staff engineer and held at the site of the subject crossings on July 17, 2024. Representatives of CSXT, the Department, Verizon and Dawson Borough were in attendance. Columbia Gas, North Fayette Water Authority, Yough Sanitary Authority, Comcast Cable Communications Inc., Pennsylvania Electric Company, United Telephone Co. (also known as Century Link) and Fayette County were notified of the time and place but did not attend.

At the existing Main Street crossing (DOT 145 454 B), the two-lane asphalt roadway is crossed by two (2) tracks of CSXT with a rubber flangeway and asphalt crossing surface. On the north side of the crossing is the four-way intersection of Main Street and Railroad Street (State Route 0819). The warning facilities on both approaches to the crossing consist of a crossbuck (R15-1), a Two-Tracks sign (R15-2), and a Yield sign (R1-2). There are no stop lines, grade crossing pavement markings or Grade Crossing Advance Warning signs (W10-1) on the approaches to the crossing.

At the existing Galley Street crossing (DOT 145 457 W), the two-lane asphalt roadway with sidewalks, on the southern side of the crossing, is crossed by two (2) tracks of CSXT with a rubber flangeway and asphalt crossing surface. On the northern side of the crossing is the four-way intersection of Galley Street and Railroad Street (S.R. 0819). The warning facilities on both approaches to the crossing consist of a Crossbuck (R15-1), a Two-Tracks sign (R15-2), and a Yield sign (R1-2). The northbound approach to the crossing also has a Stop sign (R1-1). There are no stop lines, grade crossing pavement markings or Grade Crossing Advance Warning signs (W10-1) on the approaches to the crossing.

At the existing Stauffer Street crossing (DOT 145 462 T), the two-lane asphalt roadway with sidewalks, on the south side of the crossing, is crossed by two (2) tracks of CSXT with a rubber flangeway and asphalt crossing surface. On the northern side of the crossing is the three-way intersection of Stauffer, Howell and Railroad Streets. The warning facilities on both approaches to the crossing consist of a Crossbuck (R15-1), a Two-Tracks sign (R15-2), and a Yield sign (R1-2). The northbound approach to the crossing also has a Stop sign (R1-1). There are no stop lines, grade crossing pavement markings or Grade Crossing Advance Warning signs (W10-1) on the approaches to the crossing.

At the field conferences, the Department described the proposed work. The project will be done at the Department's sole cost and expense. The overall project will upgrade the warning devices at the three (3) subject crossings with new active post-mounted railroad warning devices with flashing-lights and bells.

At the Main Street crossing (DOT 145 454 B), CSXT, at the sole cost and expense of the Department, will remove the existing crossbucks and yield signs and install a new post-mounted automatically operated flashing-light signal with three (3) pairs of flashing-lights in the northeast quadrant. Dawson Borough agreed to install a stop line and a Grade Crossing Advance Warning sign (W10-1) on the northbound approach to the crossing. Due to the close proximity of Railroad Street (S.R. 0819), a stop line will not be installed on the southbound approach to the crossing. The Department will install Grade Crossing Advance Warning signs (W10-3) along southbound Main Street (S.R. 0819) and eastbound Railroad Street (S.R. 0819) on the approaches to the Main Street crossing.

At the Galley Street crossing (DOT 145 457 W), CSX, at the sole cost and expense of the Department, will remove the existing crossbucks and yield sign and install a new post-mounted automatically operated flashing-light signal with four (4) pairs of flashing-lights in the southeast quadrant. Dawson Borough will install a stop line and a Grade Crossing Advance Warning sign (W10-1) on the northbound approach to the crossing. Due to the close proximity of Railroad Street (S.R. 0819), a stop line will not be installed on the southbound approach to the crossing. The Department will install Grade Crossing Advance Warning signs (W10-2) along Railroad Street (S.R. 0819) on both approaches to the Galley Street crossing.

At the Stauffer Street crossing (DOT 145 462 T), CSX, at the sole cost and expense of the Department, will remove the existing crossbucks and yield sign and install a new post-mounted automatically operated flashing-light signals on both approaches to the crossing. Dawson Borough will install stop lines and Grade Crossing Advance Warning signs (W10-1) on both approaches to the crossing.

CSX, at the sole cost and expense of the Department, and prior to the start of construction, shall submit a situation plan and circuitry plan for the three (3) subject crossings to all parties of record for review and to the Commission for approval. All work shall be in accordance with the approved plans and this Secretarial Letter.

The Department will be providing funding through the Federal Highway Grade Crossing Safety Program. The estimated cost of this project is \$1,300,000.00.

The Department agreed to maintenance of the Grade Crossing Advance Warning (W10-2 and W10-3) signs along Main Street (S.R. 0819) and Railroad Street (S.R. 0819) in accordance with the Manual on Uniform Traffic Control Devices.

Dawson Borough agreed to maintenance of the Grade Crossing Advance Warning (W10-1) signs and stop lines installed at the three (3) subject crossings, in accordance with the Manual on Uniform Traffic Control Devices.

CSX agreed to maintain its facilities at the crossings including the rubber rail seal and asphalt crossing surfaces, the new automatically operated flashing-light signals and bells and all appurtenant equipment installed in accordance with this Secretarial Letter.

It does not appear that any facilities of any non-carrier public utility will be affected by the alteration of this crossing.

Upon full consideration of the matters involved and inasmuch as no objection has been filed with the Commission, we find that a Secretarial Letter can be issued approving the application without a formal hearing.

The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that the alteration of the subject crossing is necessary and proper for the service, accommodation, convenience or safety of the public.

The application of Pennsylvania Department of Transportation is approved as herein directed:

1. The caption of the subject proceeding is hereby revised as shown.
2. The crossings where Main Street, Galley Street and Stauffer Street (DOT Nos. 145 454 B, 145 457 W and 145 462 T, respectively) cross, at grade, two (2) tracks of CSX Transportation Inc. in Dawson Borough, Fayette County, be altered as herein directed.
3. CSX Transportation Inc., at the sole cost and expense of Pennsylvania Department of Transportation and prior to the start of construction, submit final situation and circuitry plans for the alteration of the three (3) subject crossings to all parties of record for review and to the Commission for approval.

4. CSX Transportation Inc., at the sole cost and expense of Pennsylvania Department of Transportation, furnish all material and do all work necessary to alter the Main Street crossing (DOT 145 454 B) by 1) removing the existing crossbucks and yield signs; 2) installing a new post-mounted automatically operated flashing-light signal with three (3) pairs of flashing-lights in the northeast quadrant; all in accordance with the approved plans, Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter.

5. CSX Transportation Inc., at the sole cost and expense of Pennsylvania Department of Transportation, furnish all material and do all work necessary to alter the Galley Street crossing (DOT 145 457 W) by 1) removing the existing crossbucks, yield and stop signs; 2) installing a new post-mounted automatically operated flashing-light signal four (4) pairs of flashing-lights in the southeast quadrant; all in accordance the approved plans, Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter.

6. CSX Transportation Inc., at the sole cost and expense of Pennsylvania Department of Transportation, furnish all material and do all work necessary to alter the Stauffer Street crossing (DOT 145 462 T) by 1) removing the existing crossbucks, yield and stop signs; 2) installing new post-mounted automatically operated flashing-light signals on both approaches to the crossing, all in accordance with the approved plan; all in accordance the approved plans, Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter.

7. Dawson Borough, at its sole cost and expense, perform all work necessary to install a stop line and a Grade Crossing Advance Warning sign (W10-1) on the on the northbound approach to the Main Street (DOT 145 454 B) and Galley Street (DOT 145 457 W) crossings, and on both approaches to the Stauffer Street (DOT 145 462 T) crossing; all in accordance with the approved plans, Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter.

8. Pennsylvania Department of Transportation, at its sole cost and expense, install Grade Crossing Advance warning signs (W10-2) on Railroad Street (S.R. 0819) on both approaches to the Galley Street crossing, and install Grade Crossing Advance Warning signs (W10-3) on southbound Main Street (S.R. 0819) and eastbound Railroad Street (S.R. 0819) on the approaches to the Main Street crossing; all in accordance with the approved plans, Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter.

9. CSX Transportation Inc., at sole cost and expense of Pennsylvania Department of Transportation, furnish all material and perform all work necessary to establish and maintain any detours or traffic controls at the subject crossings that may be required to properly and safely accommodate highway and pedestrian traffic during the time the crossings are being altered.

10. CSX Transportation Inc., at sole cost and expense of Pennsylvania Department of Transportation, furnish and maintain any flagmen, watchmen, inspectors and/or engineering services, which may be necessary to protect and safeguard its railroad operations or facilities during the time the project is being constructed

11. CSX Transportation Inc., pay all compensation for damages due to the owners of any property taken, injured or destroyed by reason of the alteration of the subject crossings in accordance with this Secretarial Letter.

12. Any relocation of, changes in and/or removal of any adjacent structures, equipment or other facilities of any non-carrier public utility company, which may be required as incidental to the alteration of the subject crossings, be made by said public utility at its initial cost and expense and in such manner as will not interfere with the alteration of the crossings; and such relocated or altered facilities thereafter be maintained by said public utility at its sole cost and expense.

13. CSX Transportation Inc., notify all parties of record at least fourteen (14) days prior to performing any work in accordance with this Secretarial Letter.

14. 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.

15. All work necessary to complete the alteration of the subject crossings be done in a manner satisfactory to this Commission on or before September 30, 2026, and that on or before said date, CSX Transportation Inc., report the date of actual completion of the work.

16. All costs, which are to be reimbursed by the Department of Transportation consistent with this Secretarial Letter, shall be reimbursed pursuant to the provisions of 23 C.F.R. §§ 140, 646. The aforesaid Federal reimbursement shall not supersede, delay or, in any manner, postpone the effect of any paragraph contained in this or any related Secretarial Letter or Order.

17. Upon completion of the alteration of the three (3) subject crossings, CSX Transportation Inc., at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its railroad facilities at the three (3) subject crossings, including the post mounted automatically operated flashing-light warning signals with bells and all appurtenant equipment and circuitry, and maintain at all times in a smooth and satisfactory condition the railroad crossing surfaces located between the rails and for a distance of twenty-four (24) inches beyond the outermost rails and the area in between the tracks; and provide Dawson Borough and the Pennsylvania Department of Transportation ten (10) business days advance notice when performing any work as directed by this paragraph.

18. Upon completion of the alteration of the subject crossing on S.R. 0819, Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and do all work necessary to maintain the Grade Crossing Advance Warning signs (W10-2 and W10-3) along Railroad Street (S.R. 0819), southbound Main Street (S.R. 0819) and eastbound Railroad Street (S.R. 0819), all in accordance with the Manual on Uniform Traffic Control Devices and this Secretarial Letter.

19. Upon completion of the alteration of the subject crossings, Dawson Borough, at its sole cost and expense, furnish all material and do all work necessary to maintain the highway approaches to the three (3) subject crossings to points twenty-four (24) inches beyond each outside rail and, in addition, maintain the stop lines and Grade Crossing Advance Warning (W10-1) signs on the northbound approaches to the crossings on Main Street and Galley Street and on both approaches to the crossing on Stauffer Street, in accordance with the Manual on Uniform Traffic Control Devices and this Secretarial Letter; and provide at least ten (10) business days of advance notice to CSX Transportation Inc., when performing any work that may affect their facilities, as directed by this paragraph

20. This Secretarial Letter is without prejudice to the right of any party to recover part or all of any costs incurred by said party in compliance with the provisions of this Secretarial Letter, in accordance with any lawful agreement between it and any other party.

21. The terms of any agreement established in accordance with this Secretarial Letter shall not preclude the Pennsylvania Public Utility Commission from taking any action necessary to protect the public interest, including but not limited to the reassignment or enforcement of any costs or responsibilities assigned or transferred as a result of this Secretarial Letter.

22. 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 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.

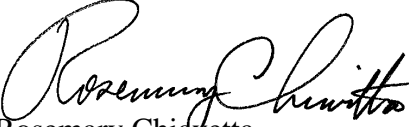
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax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