



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

IN REPLY PLEASE
REFER TO OUR FILE

November 13, 2024

A-2021-3026537

TO ALL PARTIES OF RECORD

Application of Reading Blue Mountain and Northern Railroad for approval of the alteration of the crossing where State Route 0061 crosses, at grade, the single track of Reading Blue Mountain and Northern Railroad (DOT 592 477 N) located in Muhlenberg Township, Berks County.

To Whom It May Concern:

By Secretarial Letter dated October 20, 2021, we directed the alteration of the at-grade crossing (DOT 592 477 N) by replacing the existing warning devices and installing a new railroad crossing surface required to re-establish rail service on the subject crossing. All work at the subject crossing was to be completed on or before December 31, 2022.

By letter-petition filed with the Commission on November 16, 2022, Reading Blue Mountain and Northern Railroad (RBMN) requested the Commission grant an extension of time in which to complete the project. By Secretarial Letter dated December 16, 2022, the Commission granted an extension of time that established a revised completion date of December 31, 2023.

By letter-petition filed with the Commission on September 25, 2023, RBMN requested the Commission grant an additional extension of time in which to complete the project. By Secretarial Letter dated October 17, 2023, the Commission granted an extension of time that established a revised completion date of December 31, 2024.

By letter-petition received by the Commission on October 17, 2024, RBMN requests the Commission grant a third extension of time in which to complete the work. RBMN did not provide a reason for the time extension request, however, a Commission staff engineer familiar with this application is aware of property and non-carrier utility issues at the site that continue to be worked through by the parties.

We have carefully reviewed the record in this proceeding and will grant RBMN an extension of time to December 31, 2025.

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

THEREFORE:

The letter-petition received by the Commission on October 17, 2024, from Reading Blue Mountain and Northern Railroad, be and is hereby granted to the extent herein directed:

1. Paragraph 13 of our Secretarial Letter dated October 20, 2021, last modified on October 17, 2023, which reads as follows, to wit:

“13. All work necessary to complete the alteration of the subject crossing be done in a manner satisfactory to this Commission on or before December 31, 2024, and that on or before said date, Reading Blue Mountain and Northern Railroad report to this Commission in writing the date of actual completion of the work.”

be and is hereby modified to read:

13. All work necessary to complete the alteration of the subject crossing be done in a manner satisfactory to this Commission on or before December 31, 2025, and that on or before said date, Reading Blue Mountain and Northern Railroad report to this Commission in writing the date of actual completion of the work.

2. In all respects not inconsistent herewith, our Secretarial Letter dated October 20, 2021, remain 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 written in a cursive, flowing style with a large initial "R".

Rosemary Chiavetta
Secretary