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December 9, 2024

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Re: Application of Norfolk Southern Railway Company for approval of the alteration of two at-grade crossings of its tracks at Burley Road (517 989 E) and Railroad Street (506 570 N) in Penn Township, and one below grade crossing where its tracks cross over S. Main Street (DOT No. 517 986 J), in the Borough of Marysville, Perry County
Docket No. A-2024-3051090

Dear Secretary Chiavetta:

Enclosed for electronic filing please find Veolia Water Pennsylvania, Inc.'s ("VWPA") Petition for Reconsideration of Staff Action and Request for Temporary Extension of Final Resolution with regard to the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,


Bryce R. Beard Esq.

BRB/lww
Enclosure

cc: Cert. of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of Veolia Water Pennsylvania's Petition of Reconsideration of Staff Action and Request for Temporary Extension of Final Resolution, upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email Only

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Dated: December 9, 2024

/s/ Bryce R. Beard

Bryce R. Beard, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Norfolk Southern Railway :
Company for approval of the alteration of two at- :
grade crossings of its tracks at Burley Road (517 :
989 E) and Railroad Street (506 570 N) in Penn : A-2024-3051090
Township, and one below grade crossing where :
its tracks cross over S. Main Street (DOT No. 517 :
986 J), in the Borough of Marysville, Perry :
County, Pennsylvania Bureau of Investigation :
and Enforcement :

**PETITION FOR RECONSIDERATION OF STAFF ACTION OF
VEOLIA WATER PENNSYLVANIA, INC. AND REQUEST FOR TEMPORARY
EXTENSION OF FINAL RESOLUTION**

AND NOW COMES Veolia Water Pennsylvania, Inc. (“VWPA” or “Veolia”), pursuant to 52 Pa. Code § 5.44 and in compliance with Pennsylvania Public Service Commission’s (“PUC”) Secretarial Letter dated November 19, 2024, to file this Petition of Reconsideration from Staff Action in the above-referenced matter. In support thereof, VWPA states as follows:

I. INTRODUCTION AND PROCEDURAL HISTORY

1. On September 10, 2024, by Norfolk Southern Railway Company (“Norfolk Southern”) sought Commission approval to alter the public crossing (DOT 517 986 J) where South Main Street crosses, below grade, the tracks of Norfolk Southern located in Marysville Borough, Perry County. (“the Application”)

2. On October 24, 2024, the Commission issued a secretarial letter, scheduling a field investigation and conference to be held on October 30, 2024. (the “Field Investigation Letter”)

3. On October 30, 2024, a field investigation and conference was held, which was arranged by a PUC staff engineer.

4. VWPA was not in attendance at the filed investigation meeting on October 30, 2024.

5. PUC issued a Secretarial Letter on November 19, 2024 indicating its approval of Norfolk Southern's application.

6. The Secretarial Letter indicates that petitioners have twenty (20) days to file a Petition for Reconsideration from Staff Action.

II. COUNSEL

7. Counsel for VWPA are:

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III. PETITION FOR RECONSIDERATION AND REQUEST FOR EXTENSION OF FINAL RESOLUTION

8. The Application, Field Investigation Letter, and correspondence from Norfolk Southern were served on an improper VWPA employee who is not designated by VWPA with the PUC as a person upon whom service of this type of application may be rendered. As such, VWPA objects to the Secretary Bureau's November 19, 2024 Staff Action being made final at this time on the basis that VWPA did not receive adequate service in the above referenced matter.

9. Based on this inadequate service, VWPA was not able to adequately review the Application or participate in the October 30, 2024 field investigation and otherwise adequately assess whether Norfolk Southern's project will negatively impact VWPA's critical water facilities, specifically VWPA's main that is attached to the Rockville Bridge.

10. Once appropriate individuals within VWPA became aware of this matter following the November 19, 2024 Staff Action, VWPA reviewed the application and found significant missing information regarding VWPA's infrastructure from Norfolk Southern's Application, specifically with Exhibit B to the Application.

11. Specifically, while Norfolk Southern's Application Exhibit B does identify an existing water main paralleling S. Main St. owned and operated by VWPA, Exhibit B critically does not include any reference to VWPA's existing facilities and water main directly attached to the Rockville Bridge itself.

12. Since November 19, 2024, VWPA has made multiple efforts to obtain the technical information it needs from Norfolk Southern's engineers in order to make a determination as to the impact on the affected portion of VWPA's main.

13. Since November 19, 2024, VWPA has not received any of the requested information from Norfolk Southern's engineering team regarding any impact to the affected portion of VWPA's main.

14. VWPA does not anticipate issues with Norfolk Southern's Rockville Bridge project or the ultimate disposition of the Application. However, VWPA must be allowed a chance to review the project's design and methods of construction before coming to such a conclusion. Additionally, it is a matter of critical importance that Norfolk Southern's project proceeds with complete and accurate information of utility facilities that may be impacted by the project, especially those like VWPA's main which are attached to the Rockville Bridge.

15. Therefore, VWPA requests that the Commission's November 19, 2024 Staff Action be temporarily extended and not made final as an operation of law until Norfolk Southern clarifies

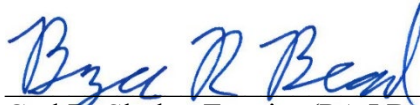
the lack of VWPA facilities identified in the Application and the potential impact and method of construction may have on VWPA's facilities.

IV. REQUEST FOR RELIEF

16. For the foregoing reasons, VWPA respectfully requests an extension of time before PUC Staff's decision can be determined as final, in order to continue attempts to receive information from Norfolk Southern relative to VWPA's main.

17. In the alternative, VWPA requests that the PUC reconsider its determination issued on November 19, 2024 in order to allow VWPA an opportunity to assess the project's impact on VWPA's existing infrastructure.

Respectfully submitted,

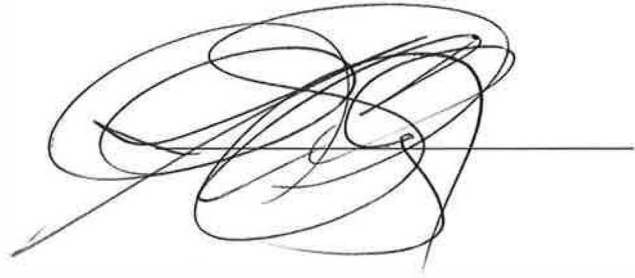


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VERIFICATION

I, James C. Cagle, hereby state that the facts set forth above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: December 9, 2024

A handwritten signature in black ink, appearing to be "James C. Cagle", written over a horizontal line. The signature is highly stylized and somewhat illegible due to its cursive and overlapping nature.