



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

December 24, 2024

IN REPLY PLEASE
REFER TO OUR FILE

A-2024-3049275

TO 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 Concern:

This matter is before the Commission by reason of Letter-Petition filed on behalf of CSX Transportation Inc. (CSXT) on October 8, 2024, requesting modification of our Secretarial Letter dated September 27, 2024.

The Letter-Petition of CSXT requested three (3) changes be made to our Secretarial Letter: 1) Numbered Paragraph 4 be modified to include an additional set of flashing light warning signals installed in the southeast quadrant of the Main Street crossing (DOT 145 454 B), 2) Numbered Paragraph 6 be modified to include automatically operated gates on the approaches to the Stauffer Street crossing (DOT 145 462 T), and 3) Numbered Paragraph 11 be modified to name the Pennsylvania Department of Transportation as the party responsible to bear all costs for the compensation of property owners due to damages caused by the alteration.

A certificate of service was provided with CSXT's Letter-Petition averring a copy was served to all parties of record. No party of record has advised that it objects to CSXT's request to modify our Secretarial Letter dated September 27, 2024.

We have carefully reviewed CSXT's Letter-Petition and will grant its request to alter our Secretarial Letter dated September 27, 2024, by modifying Number Paragraph 4 and 6, and deleting Numbered Paragraph 11.

The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code, THEREFORE:

1. The Letter-Petition filed on behalf of CSX Transportation Inc., on October 8, 2024, by CSX Transportation Inc., be granted as herein directed.

2. Paragraph 4 of our Secretarial Letter issued September 27, 2024, which reads as follows, to wit:

“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.”

be and is hereby modified to read:

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, and 3) installing a new post-mounted automatically operated flashing-light signal in the southeast quadrant; all in accordance with the approved plans, Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter.

3. Paragraph 6 of our Secretarial Letter issued September 27, 2024, which reads as follows, to wit:

“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.”

be and is hereby modified to read:

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, and 2) installing new post-mounted automatically operated flashing-light signals with gates on both approaches to the crossing; all in accordance with the approved plans, Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter.

4. Paragraph 11 of our Secretarial Letter issued September 27, 2024, be and is hereby deleted.
5. 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 for any work they perform in accordance with our Secretarial Letter issued September 27, 2024.
6. Pennsylvania Department of Transportation, 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 for any work they perform in accordance with our Secretarial Letter issued September 27, 2024.
7. Dawson Borough, 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 for any work they perform in accordance with our Secretarial Letter issued September 27, 2024.
8. In all respects not inconsistent herewith, our Secretarial Letter issued September 27, 2024, 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.

Sincerely,

A handwritten signature in cursive script, reading "Rosemary Chiavetta". The signature is written in black ink and is positioned above the printed name.

Rosemary Chiavetta
Secretary