



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

February 21, 2025

IN REPLY PLEASE
REFER TO OUR FILE

A-2024-3051778

TO PARTIES OF RECORD

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the public crossing (DOT 262 836 S) by removing the existing railroad warning signals and installing new automatically operated LED flashing light railroad warning signals with gates and bell where State Route 0322 (13th Street) crosses, at grade, a track of Western New York and Pennsylvania Railroad in the City of Franklin, Venango 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 the submission of situation and circuitry plans and a letter requesting issuance of an updated Secretarial Letter filed by Pennsylvania Department of Transportation (Department) on January 15, 2025.

In accordance with numbered Paragraphs 3 and 4 of the Commission's Secretarial Letter dated January 9, 2025, in the above-captioned proceeding, the Department on behalf of the Western New York and Pennsylvania Railroad (WNYPRR) submitted situation and circuitry plans for the Commission's approval.

The situation and circuitry plans are entitled "13TH ST. (SR 322) - DOT # 262 836S - MP OC 24.77 FRANKLIN, VENANGO COUNTY, PA", and consist of eighteen (18) sheets.

The letter requesting issuance of an updated Secretarial Letter filed by the Department requests the addition of three (3) pedestrian gates, as shown on the situation plan submitted on January 15, 2025, be added to our Secretarial Letter dated January 9, 2025. The pedestrian gates will enhance public safety and ensure all four (4) sidewalk approaches to the subject crossing are gated. The full size gate in the northwest quadrant will span the sidewalk and roadway. The three (3) pedestrian gates will be constructed on sidewalk approaches to the subject crossing in the northeast, southeast and southwest quadrants. The WNYPRR agreed to maintain the three (3) pedestrian gates.

A certificate of service was provided with the Department's plan submission, averring copies of the plans were served to all parties of record. The Department served their letter requesting issuance of an updated Secretarial Letter by electronic mail to all parties of record. No party of record has advised that it objects to approving the plans or to updating our Secretarial Letter dated January 9, 2025.

We have carefully reviewed the Department's Letter-Petition and will grant its request to update our Secretarial Letter dated January 9, 2025, by modifying Numbered Paragraphs 5 and 16.

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

1. The situation and circuitry plans submitted on January 15, 2025, by the Pennsylvania Department of Transportation on behalf of the Western New York and Pennsylvania Railroad entitled "13TH ST. (SR 322) - DOT # 262 836S - MP OC 24.77 FRANKLIN, VENANGO COUNTY, PA", consisting of eighteen (18) sheets, are hereby approved.

2. The letter requesting issuance of an updated Secretarial Letter filed by Pennsylvania Department of Transportation on January 15, 2025, be granted as herein directed.

3. Paragraph 5 of our Secretarial Letter issued January 9, 2025, which reads as follows, to wit:

"5. Western New York and Pennsylvania Railroad, at the sole cost and expense of Pennsylvania Department of Transportation, furnish all material and do all work necessary to alter the subject crossing by (1) removing the existing cantilevers and flashing railroad warning signals, gates, bells and signal cabinet at the subject crossing; (2) installing new automatically operated cantilevered LED flashing-light warning signals with gates, bells, signal cabinet and equipment at the subject crossing; and (3) providing an interconnect cable from the signal cabinet to a junction box for railroad preemption; 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:

5. Western New York and Pennsylvania Railroad, at the sole cost and expense of Pennsylvania Department of Transportation, furnish all material and do all work necessary to alter the subject crossing by (1) removing the existing cantilevers and flashing railroad warning signals, gates, bells and signal cabinet at the subject crossing; (2) installing new automatically operated cantilevered LED flashing-light warning signals with gates, pedestrian gates, bells, signal cabinet and equipment at the subject crossing; and (3) providing an interconnect cable from the signal cabinet to a junction box for railroad preemption; all in accordance with the approved plans, Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter.

4. Paragraph 16 of our Secretarial Letter issued January 9, 2025, which reads as follows, to wit:

“16. Upon completion of construction of the project, Western New York and Pennsylvania Railroad, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its railroad facilities at the crossing, including the automatically operated cantilevered LED flashing-light warning signals with gates, bells, signal cabinet and equipment, and to maintain at all times in a smooth and satisfactory condition the railroad crossing surface located between the rails and for a distance of twenty-four (24) inches beyond the rails; and provide the City of Franklin and the Pennsylvania Department of Transportation at least ten (10) business days advance notice when performing any work that may affect their facilities, as directed by this paragraph; all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices, the approved plans and this Secretarial Letter.”

be and is hereby modified to read:

16. Upon completion of construction of the project, Western New York and Pennsylvania Railroad, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its railroad facilities at the crossing, including the automatically operated cantilevered LED flashing-light warning signals with gates, pedestrian gates, bells, signal cabinet and equipment, and to maintain at all times in a smooth and satisfactory condition the railroad crossing surface located between the rails and for a distance of twenty-four (24) inches beyond the rails; and provide the City of Franklin and the Pennsylvania Department of Transportation at least ten (10) business days advance notice when performing any work that may affect their facilities, as directed by this paragraph; all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices, the approved plans and this Secretarial Letter.

5. In all respects not inconsistent herewith, our Secretarial Letter issued January 9, 2025, 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 black ink, appearing to read "Rosemary Chiavetta". The signature is fluid and cursive, with the first name being more prominent.

Rosemary Chiavetta
Secretary