

**BEFORE THE PENNSYLVANIA UTILITY COMMISSION**

PETITION OF CSX )  
TRANSPORTATION, )  
INC. TO REASSIGN MAINTENANCE )  
RESPONSIBILITY FOR THE BRIDGE ) P-2015-2465847  
STRUCTURE WHERE BORT ROAD (T- )  
270) CROSSES ABOVE CSX )  
TRANSPORTATION, INC.'S TRACKS )  
(DOT 524 035 A) IN NORTH EAST )  
TOWNSHIP, ERIE COUNTY )

**NORTH EAST TOWNSHIP’S THIRD STATUS REPORT**

North East Township (the “Township”), through its counsel, Knox McLaughlin Gornall & Sennett, P.C., submits this Third Status Report pursuant to Interim Order #4.

Over the past several months, CSX Transportation Inc. (“CSX”) has made several settlement offers to the Township that involve CSX making certain repairs to the Bort Road Bridge. However, CSX has conditioned these settlement offers on the Township also agreeing to undertake repairs or maintenance on the bridge’s substructure, superstructure or decking. The Township has consistently refused to assume any responsibility for repairs or maintenance on the bridge—consistent with the Public Utility Commission October 27, 1988 Opinion. Accordingly, the Township has rejected CSX’s settlement offers as inconsistent with that 1988 Opinion.

Now—after apparently realizing that there is no state or federal funding to replace the bridge—CSX’s position in this case has changed. Instead of seeking to reassign maintenance responsibility of the bridge to the Township, CSX purports to assert claims against the Township related to alleged damage caused to the bridge decking by Township snow plows. Alternatively, CSX is seeking an order demolishing the bridge.

These novel requests are not in CSX’s pending petition and, the Township contends, not properly before the PUC. To the extent CSX intends to pursue these claims, the Township

believes CSX should either initiate a new action or amend its current petition to set forth the legal and factual bases for such claims.

The Township requests that the PUC issue deadlines for CSX to amend its petition or, alternatively, schedule a status conference to discuss next steps.

Respectfully Submitted,

KNOX McLAUGHLIN GORNALL &  
SENNETT, P.C.

BY: 

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Attorneys for Respondent,  
North East Township


# 2606245.v1

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 30<sup>th</sup> day of May, 2025, a copy of the within document was served on all counsel of record and unrepresented parties in accordance with the applicable rules of court.

  
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Michael J. Musone