



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

IN REPLY PLEASE  
REFER TO OUR FILE

July 25, 2025

A-2023-3043240

**TO ALL PARTIES OF RECORD**

Application of D&J Fox Holdings, LLC for approval of the alteration of the crossing (DOT 966 038 R) where State Route 0050 (Millers Run Road) crosses, at grade, the tracks of Mark West Liberty Midstream & Resources LLC through lease agreement/easement with property owner Montour Trail Council, operated thereon by Wheeling & Lake Erie Railway Company, located in Cecil Township, Washington County.

To Whom It May Concern:

By Secretarial Letter dated February 15, 2024, we directed the alteration of the crossing (DOT 966 038 R) where State Route 0050 (Millers Run Road) crosses, at grade, one (1) track of Wheeling & Lake Erie Railway Company, located in Cecil Township, Washington County. All work at the subject crossing was to be completed on or before June 30, 2025.

By petition filed on June 26, 2025, D&J Fox Holdings, LLC requests the Commission grant an extension of time in which to complete the work due to the availability of resources, delays in obtaining necessary permits and/or design drawings and other matters.

We have carefully reviewed the record in this proceeding and will grant D&J Fox Holdings, LLC an extension of time to June 30, 2026.

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

THEREFORE:

The petition received by the Commission on June 26, 2025, from D&J Fox Holdings, LLC, be and is hereby granted to the extent herein directed:

1. Paragraph 15 of our Secretarial Letter dated February 15, 2024, which reads as follows, to wit:

“15. The alteration of the crossing be completed on or before June 30, 2025, and that on or before said date, D&J Fox Holdings, LLC report to this Commission in writing the actual date of completion of the work.”

be and is hereby modified to read:

15. The alteration of the crossing be completed on or before June 30, 2026, and that on or before said date, D&J Fox Holdings, LLC report to this Commission in writing the actual date of completion of the work.

2. In all respects not inconsistent herewith, our Secretarial Letter dated February 15, 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 black ink that reads "Matthew L. Homsher". The signature is written in a cursive style with a large, stylized initial "M".

Matthew L. Homsher  
Secretary