



August 5, 2025

VIA ELECTRONIC FILING

Mr. Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: **Objection to Application of D&J Fox Holdings, LLC for Approval of Alteration of the
Crossing 966 038 R
Docket No. A-2023-3043240****

Secretary Homsher:

On behalf of the Montour Trail Council (“*MTC*”), I hereby submit this letter to object to the proposed alteration of the crossing identified as DOT 966 038 R, located where State Route 0050 (Millers Run Road) intersects with the Montour Trail in Cecil Township, Washington County.

MTC is concerned that the submitted plans, as currently proposed, would result in the relocation of Gate #1 to a position in the middle of the Montour Trail, significantly obstructing trail traffic and posing a potential hazard to trail users. The Montour Trail is a heavily utilized recreational asset, and any impediment to its safe and accessible use is unacceptable.

Based on the foregoing, MTC hereby objects to the application of D&J Fox Holdings, LLC and respectfully request that the requested Approval of Alteration of the Crossing 966 038 R be rejected in its current form. In no event can Gate #1 (or any similar mechanism) be located within the boundaries of the trail itself, and any repositioning of the same must ensure a minimum of two feet of clearance from the edge of the trail or, alternatively, be left in its current location. Such an adjustment is necessary to preserve the uninterrupted and safe enjoyment of the trail.

Thank you for your attention to this matter. Please do not hesitate to contact me with any questions or for further clarification.

Sincerely,

Adam B. Diaz

ABD/rec

Attachments

Cc: Parties of Record

**BEFORE THE
PENNSYLVANIA UTILITY COMMISSION**

Objection of Montour Trail Council to the
Application of D&J Fox Holdings, LLC

Application
Docket No. A-2023-3043240

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of 52 Pa. Code § 1.54, as follows:

<p>Via U.S. First Class-Mail, postage prepaid William M. Sinick, P.E., C.B.S.I. Rail Safety Division Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street Harrisburg, PA 17120 with copy to: wsinick@pa.gov</p>	<p>Via U.S. First Class-Mail, postage prepaid Utilities and Right-of-Way Section Bureau of Design Pennsylvania Department of Transportation PO Box 3362 Harrisburg, PA 17105-3362 with copy to: dojsmith@pa.gov & danleonard@pa.gov</p>
<p>Via U.S. First Class-Mail, postage prepaid Rachel D. Duda, P.E. Assistant District Executive – Design Pennsylvania Department of Transportation 825 N. Gallatin Ave. Uniontown, PA 15401-2105 with copy to: rduda@pa.gov</p>	<p>Via U.S. First Class-Mail, postage prepaid Jeffrey M. Spotts Office of Chief Counsel Pennsylvania Department of Transportation PO Box 8218 Harrisburg, PA 17105-8212 with copy to: jespotts@pa.gov</p>
<p>Via U.S. First Class-Mail, postage prepaid Washington County Commissioners c/o Diana Irey Vaughan, Commissioner Chairperson Courthouse Square Suite 702 Washington, PA 15301 with copy to: ireydl@co.washington.pa.us</p>	<p>Via U.S. First Class-Mail, postage prepaid Babst, Calland, Clements and Zomnir, P.C. Two Gateway Center 603 Stanwix Street, 6th Floor Pittsburgh, PA 15222 with copy to: jschaeffer@babstcalland.com</p>
<p>Via U.S. First Class-Mail, postage prepaid Columbia Gas of Pennsylvania PO Box 2318 Columbus, OH 43216-2318 <i>and</i> 121 Champion Way, Suite 100 Canonsburg, PA 15317-5817 with copy to: tjgallagher@nisource.com & rdanhires@nisource.com</p>	<p>Via U.S. First Class-Mail, postage prepaid West Penn Power 76 South Main Street Akron, OH 44308 <i>and</i> 800 Cabin Hill Drive Greensburg, PA 15601-1689 with copy to: hsullivan@firstenergycorp.com</p>

<p>Via U.S. First Class-Mail, postage prepaid MPLX G&P c/o Sam Papa Right-of-Way Manager – East Region 4600 J. Barry Court, Suite 500 with copy to: sjpapa@marathonpetroleum.com & jtkoehler@marathonpetroleum.com</p>	<p>Via U.S. First Class-Mail, postage prepaid Wheeling and Lake Erie Railway c/o Ed Steiner, Superintendent of Safety, Rules, and Training 100 East First Street with copy to: edsteiner@wlerwy.com</p>
<p>Via U.S. First Class-Mail, postage prepaid Cecil Township c/o Donald A. Gennuso, Township Manager 3599 Millers Run Road Cecil, PA 15321 with copy to: manager@ceciltownship.com</p>	<p>Via U.S. First Class-Mail, postage prepaid Pennsylvania American Water 852 Wesley Drive Mechanicsburg, PA 17055 with copy to: matthew.macek@amwater.com</p>
<p>Via U.S. First Class-Mail, postage prepaid Windstream 4001 N. Rodney Parham Road, Suite 101 Little Rock, AR 72212-2490 with copy to: Windstream.jointuse@windstream.com</p>	<p>Via U.S. First Class-Mail, postage prepaid Comcast Cable Communications, Inc. 1701 John F. Kennedy Blvd. Philadelphia, PA 19103 with copy to: lloyd.crago@cable.comcast.com</p>
<p>Via U.S. First Class-Mail, postage prepaid Verizon Pennsylvania, LLC c/o Suzan DeBusk Paiva, Associate General Counsel 900 Race Street 6th Floor Philadelphia, PA 19107 with copy to: deborah.d.delia@verizon.com & suzan.d.paiva@verizon.com</p>	<p>Via U.S. First Class-Mail, postage prepaid Verizon Pennsylvania, LLC c/o Kathleen Meeks, Right-of-Way Department 40 S. Mercer Street New Castle, PA 16101 with copy to: Kathleen.meeks@verizon.com</p>

Dated this 5th day of August 2025.

Adam B. Diaz