



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

September 10, 2025

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
400 North Street 2nd FL
Harrisburg, PA 17120

A-2021-3028115

RE: Application of the Pennsylvania Department of Transportation for approval to abolish the public crossing (DOT 472 971 P) and to remove the railroad bridge structure carrying the abandoned railroad tracks of Wheeling & Lake Erie Railway Company, where it crosses, above grade, SR 0376 and SR 0019 in the City of Pittsburgh, Allegheny County and the allocation of costs incident thereto.

Dear Secretary Homsher,

Enclosed for filing please find the Department's *Petition for Time of Extension and Amendment of Project Scope* in the above-captioned matter.

I hereby certify that a copy has been sent to all parties of record as indicated by the Certificate of Service.

Very truly yours,

A handwritten signature in black ink, appearing to read "Elizabeth K. Rall".

Elizabeth K. Rall
Assistant Counsel

Cc: Parties of Record
Mark J. Chappell, P.E., Utilities and Right of Way Section (*Email*)
Michael Grace, P.E., District Grade Crossing Engineer, D 11-0 (*Email*)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**RE: Application of the Pennsylvania : Docket No. A-2021-3028115
Department of Transportation for approval to :
abolish the public crossing (DOT 472 971 P) : Electronically Filed
and to remove the railroad bridge structure :
carrying the abandoned railroad tracks of :
Wheeling & Lake Erie Railway Company, :
where it crosses, above grade, SR 0376 and SR :
0019 in the City of Pittsburgh, Allegheny :
County and the allocation of costs incident :
thereto. :
:**

**PETITION FOR EXTENSION OF TIME AND REQUEST TO MODIFY SCOPE
LANGUAGE AND MAINTENANCE RESPONSIBILITIES**

The Commonwealth of Pennsylvania, Department of Transportation (Department), by its counsel, Elizabeth K. Rall, files the following Petition for Extension of Time and Request to Modify Scope Language and Maintenance Responsibilities, pursuant to 52 Pa. Code § 5.41, in the above referenced matter and states as follows:

1. The name and address of the Petitioner is:

Commonwealth of Pennsylvania
Department of Transportation
Bureau of Project Delivery
P.O. Box 3362
Harrisburg, Pennsylvania 17105-3362

2. The name and address of Counsel for the Petitioner is:

Elizabeth K. Rall, Assistant Counsel
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
P.O. Box 8212
Harrisburg, Pennsylvania 17105-8212
erall@pa.gov

3. By Secretarial Letter entered February 11, 2022, the Pennsylvania Public Utility Commission (“Commission”) directed that “All work necessary to complete the bridge removal project within the Commission’s jurisdiction be done in a manner satisfactory to this Commission on or before December 31,…”
4. The December 31, 2026, completion date is not anticipated to be met based on the design changes, budgetary restraints and potential future use leading to the decision to leave the existing piers/abutments in place, which is stated in the petition below.
5. For the reasons stated above, the Department respectfully requests an extension of time from the December 31, 2026, date contained in the February 11, 2022, Secretarial Letter to the extended date of December 31, 2029, and that the Secretarial Letter dated February 11, 2022, be modified as follows:
 17. All work necessary to complete the bridge removal project within the Commission’s jurisdiction be done in a manner satisfactory to this Commission on or before ~~December 31, 2026~~ December 31, 2029, and that on or before said date, Pennsylvania Department of Transportation notify this Commission in writing the date of actual completed work.
6. The Department is seeking approval of the amendment of the overall project estimate, which has increased to \$162,000,000.
7. Additionally, the Department originally requested approval to abolish the existing public crossing and remove the structure where it crosses above grade.
8. The Department is now seeking approval to change the language and scope to “abolish the existing public crossing (DOT 472 971 P) and remove *a portion of* the railroad structure where it crosses, above grade, SR 0376 and SR 0019 in the City of Pittsburgh, Allegheny County.”

9. The Department proposes to remove a portion of the abandoned railroad structure inclusive of the five (5) span, two (2) steel thru girder type superstructure. The existing substructure concrete piers and abutments are now to remain in-place and protective fencing will be added at each abutment to negate the drop-off hazard. The piers and abutments to remain will be adequately protected from the motoring public. Details of such safety features will be rendered as part of the design process.

10. For the reasons stated above the Department respectfully requests that the Secretarial Letter dated February 11, 2022 be modified as follows:

2. The application of the Pennsylvania Department of Transportation for approval to abolish the public crossing (DOT 472 971 P) and to remove portion of the railroad bridge structure carrying the abandoned railroad tracks of Wheeling & Lake Erie Railway Company, where it crosses, above grade, SR 0376 and SR 0019 in the City of Pittsburgh, Allegheny County, be and is hereby approved to the extent provided herein.

3. Pennsylvania Department of Transportation, at its sole cost and expense and prior to the start of construction, prepare and submit to this Commission for approval and to all parties of record for examination, complete detailed traffic control plans, ~~and~~ bridge removal plans, and protective fence details.

4. Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work required to remove portion of the subject railroad bridge structure, inclusive of the five (5) span, two (2) steel thru girder type superstructure and install protective fencing along the terminated interfaces at each of the abutments that are to remain ~~including the steel superstructure and the reinforced concrete substructures in their entirety to below grade~~, generally in accordance with the approved plans and this Secretarial Letter.

11. Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and do all work necessary to remove portion of the abandoned railroad structure inclusive of the five (5) span, two (2) steel thru girder type superstructure and install protective fencing along the terminated interfaces at each of the abutments that are to remain, generally ~~complete the remainder of the removal project, including finish grading and removal of all~~

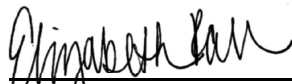
~~railroad bridge material generally~~ in accordance with the approved plans and this Secretarial Letter.

21. Upon completion of the bridge removal project and abolition of the public crossing (DOT 472 971 P), Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and do all work necessary thereafter to maintain the remaining portions of the structure, including the four (4) reinforced concrete piers and the two (2) reinforced concrete abutments, SR 0376 and SR 0019 approach roadways, signing, lighting, protective fencing, concrete barriers, retaining wall, pavement markings, ITS structures, guiderail, drainage facilities and any other of its roadway facilities, all in accordance with the Manual on Uniform Traffic Control Devices, approved plans and this Secretarial Letter.

WHEREFORE, the Department of Transportation respectfully requests that the Public Utility Commission Secretarial Letter, entered on February 11, 2022, be modified consistent with this Petition.

Respectfully submitted,

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



Elizabeth K. Rall, Esq.
Assistant Counsel
Office of Chief Counsel
P.O. Box 8212
Harrisburg, PA 17105-8212
Pennsylvania Attorney I.D. Number 328725
erall@pa.gov

DATED: September 10, 2025

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RE: Application of the Pennsylvania : Docket No. A-2021-3028115
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and to remove the railroad bridge structure : :
carrying the abandoned railroad tracks of : :
Wheeling & Lake Erie Railway Company, : :
where it crosses, above grade, SR 0376 and SR : :
0019 in the City of Pittsburgh, Allegheny : :
County and the allocation of costs incident : :
thereto. : :
: :

VERIFICATION

I, Michele Acitelli, District Utility and Grade Crossing Manager, Commonwealth of Pennsylvania, Department of Transportation, in the foregoing document, make the following statement subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsifications to authority, and do state that as the Grade Crossing Engineer for the Commonwealth of Pennsylvania, Department of Transportation, I am authorized to make this statement on behalf of the Commonwealth of Pennsylvania, Department of Transportation, and that the facts set forth in the foregoing document are true and correct to the best of my information, knowledge, and belief.

DATED: 9/10/25

Digitally signed by
miacitelli
Date: 2025.09.10
11:19:44 -04'00'

Michele Acitelli, P.E.
District Utility and Grade Crossing
Manager

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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0019 in the City of Pittsburgh, Allegheny : :
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thereto. : :
: :

CERTIFICATE OF SERVICE

I hereby certify that I have on this day served a true copy of the foregoing document upon the participants listed below by electronic mail pursuant to 52 Pa. Code §1.54:

ADAM NULPH
DQE COMMUNICATIONS LLC
424 SOUTH 27TH STREET STE 220
PITTSBURGH PA 15203

AMIE DOWNS
ALLEGHENY COUNTY
101 COUNTY COURTHOUSE
436 GRANT STREET
PITTSBURGH PA 15219

BEN GRUNAUER
PWSA
ENGINEERING & CONSTRUCTION DIV
1200 PENN AVE
PENN LIBERTY PLAZA 1
PITTSBURGH PA 15222

CHRIS HORNSTEIN
CITY OF PITTSBURGH
414 GRANT STREET, 3RD FL
RM 301 CITY COUNTY BLDG
PITTSBURGH PA 15219

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Hilary Dailey

Hilary Dailey, Legal Analyst
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P.O. Box 8212
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Telephone No. (717) 787-7014

Dated: September 10, 2025