

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of	:	
Transportation of the Commonwealth of	:	
Pennsylvania to Alter the Public Above- Grade	:	
Crossing by Replacing the Existing Bridge	:	Docket No. A-2023-3037711
where State Route 3022 (Maclay Street)	:	
Crosses Above Grade the Tracks of Norfolk	:	
Southern Railroad (DOT 518 088 K) in the	:	
City of Harrisburg, Dauphin County, and the	:	
Allocation of Costs Incident thereto	:	

THIRD PREHEARING CONFERENCE
ORDER

In accordance with the provisions of 66 Pa.C.S. § 333 and 52 Pa. Code §§ 5.221-5.224, the Commission has rescheduled a prehearing conference in the above-captioned case.

THEREFORE,

IT IS ORDERED:

1. That a prehearing conference shall be held at **10:00 a.m.** on **Monday, November 10, 2025**. The call-in information is as follows:

Toll-free Bridge Number: 1-888-537-9826
PIN: 59951562

2. That on or before **Tuesday, November 4, 2025**, the parties shall file and serve prehearing conference memoranda which shall address:

- a. The history of the proceeding;
- b. A list of issues and sub-issues in this proceeding and your position on each issue or sub-issue listed;
- c. A statement indicating the last time a person physically set forth on the site to inspect the bridge;
- d. A statement indicating whether the funds to the project are “in-hand” or only “approved”;
- e. A list of what utilities are connected to the bridge and where they are connected;
- f. A proposed plan and schedule of discovery (if needed);
- g. A listing of your proposed witnesses and the subject of their testimony;
- h. The possibility of settlement;
- i. The amount of hearing time needed;
- j. A proposed litigation schedule, agreed to by all parties if possible; and
- k. Any other matter deemed appropriate.

The undersigned should be served by email at callenswor@pa.gov. **Parties represented by multiple attorneys should designate in their prehearing memorandum a lead representative for the purposes of the prehearing conference.**

3. That pursuant to 52 Pa. Code §§ 1.21 & 1.22, if you are an individual, you may represent yourself, or you may be represented by an attorney licensed to practice law in the Commonwealth of Pennsylvania or admitted *pro hac vice*. However, if you are a

partnership, corporation, trust, association, or governmental agency or subdivision, you must be represented by an attorney licensed to practice law in the Commonwealth of Pennsylvania or admitted *pro hac vice*. Unless you are an attorney, you may not represent someone else. Attorneys shall ensure that their appearance is entered in accordance with the provisions of 52 Pa. Code § 1.24(b).

4. That the parties shall review the regulations pertaining to prehearing conferences, at 52 Pa. Code §§ 5.222 and 5.224. The parties should especially focus on 52 Pa. Code § 5.222(d), which provides that parties and counsel will be expected to attend the conference fully prepared for useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. The preparation should include, among other things, advance study of all relevant materials, and advance informal communication between the participants, including requests for additional data and information, to the extent it appears feasible and desirable.

5. That the parties shall conduct discovery pursuant to 52 Pa. Code §§ 5.321-5.373. I encourage the parties to cooperate and exchange information on an informal basis. *See* and 52 Pa. Code § 5.322. The parties may also use alternative means of discovery, such as discovery conferences or depositions. All discovery requests should be as narrowly tailored as possible, and parties should coordinate their discovery if possible. Discovery responses are due on a best-efforts basis. The parties shall cooperate rather than engage in numerous or protracted discovery disagreements that require my participation to resolve. All motions to compel shall contain a certification by counsel setting forth the specific actions the parties have undertaken to resolve their discovery disputes informally. If a motion to compel does not contain this certification, I will contact the parties and direct them to resolve the matter informally and provide the certification if they are unsuccessful. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§ 5.361, 5.371-5.372.

6. That the parties shall stipulate to any matters they reasonably can to expedite this proceeding, lessen the burden of time and expense in litigation and conserve precious administrative hearing resources. 52 Pa. Code §§ 5.232, 5.234. All stipulations shall be reduced to writing, signed by the parties to be bound thereby, and moved into the record during the hearing(s) in this case. An exception to this requirement may occur when circumstances warrant. In those warranted circumstances, an oral presentation of a stipulation is permissible, if it is followed by a reduction to writing as herein directed.

7. That failure of a party to attend the initial prehearing conference, without good cause shown, shall constitute a waiver of all objections to the agreements reached and matters decided at the prehearing conference, including, but not limited to, any special discovery rules and the litigation schedule established for this case. 52 Pa. Code §§ 5.222(e) & 5.224.

8. That a request for a change of the scheduled initial prehearing conference date shall state the agreement or opposition of other parties, and shall be submitted in writing, via email, no later than five (5) days prior to the initial prehearing conference. 52 Pa. Code § 1.15(b). My email address is callenswor@pa.gov. Such changes are granted only in rare situations where sufficient cause exists. In accordance with the foregoing, absent a continuance for good cause, all parties must be prepared to participate in the scheduled prehearing conference.

9. That the parties are reminded that it is the Commission's policy to encourage settlements. 52 Pa. Code § 5.231(a). The parties are strongly urged to seriously explore this possibility. In the event of a settlement, a joint settlement petition executed by representatives of all parties to be bound thereby, together with statements in support of settlement by all signatory parties must be either eFiled with or provided to the Secretary's Bureau via a compact disc. The parties should also serve the documents on

A-2023-3037711 - APPLICATION OF THE DEPARTMENT OF TRANSPORTATION OF THE COMMONWEALTH OF PENNSYLVANIA TO ALTER THE PUBLIC ABOVEGRADE CROSSING BY REPLACING THE EXISTING BRIDGE WHERE STATE ROUTE 3022 (MACLAY STREET) CROSSES ABOVE GRADE THE TRACKS OF NORFOLK SOUTHERN RAILROAD (DOT 518 088 K) IN THE CITY OF HARRISBURG, DAUPHIN COUNTY, AND THE ALLOCATION OF COSTS INCIDENT THERETO.

KAREN CUMMINGS
PENNDOT
PO BOX 8212
HARRISBURG PA 17105-8212
717.787.3128
kcummings@pa.gov
Served via eService September 23, 2025

DOUGLAS STARLING PE
NORFOLK SOUTHERN RAILWAY
COMPANY
1200 PEACHTREE STREET NE
12TH FLOOR
ATLANTA GA 30309
douglas.starling@nscorp.com
Served via Email September 23, 2025

RICHARD REISINGER PE
DEPARTMENT OF
TRANSPORTATION
DESIGN ENGINEERING DISTRICT 8-0
2140 HERR STREET
HARRISBURG PA 17103-1699
717.772.0032
717.705.2262
ricreising@pa.gov
Served via Email September 23, 2025

CANDACE HAGER
THIRD PARTY DEVELOPMENT LEAD
NATIONAL RAILROAD PASSENGER
CORPORATION
AMTRAK'S 30TH ST STATION
4S BOX 64
PHILADELPHIA PA 19104
candace.cervino@amtrak.com
Served via Email September 23, 2025

AHMED LASLOUDJI ENGINEER
PENNDOT DISTRICT 8-0
GRADE CROSSING UNIT
2140 HERR STREET
HARRISBURG PA 17103
717.787.4732
alasloudji@pa.gov
Served via eService September 23, 2025

DANIEL LEONARD
GRADE CROSSING MANAGER
ENGINEER
PENNDOT
PO BOX 3362
400 NORTH STREET
HARRISBURG PA 17105-3362
717.214.4522
Served via eService September 23, 2025

PERCY BULLOCK SUPERVISOR
GOVERNMENT OFFICE
123 WALNUT STREET SUITE 212
HARRISBURG PA 17101-1695
prbullock@harrisburgpa.gov
Served via Email September 23, 2025

JULIANNE FREEMAN
NORFOLK SOUTHERN
650 WEST PEACHTREE ST NW
ATLANTA GA 30308
757.613.8136
julianne.freeman@nscorp.com
Served via eService September 23,
2025

RICHIE MARTZ ASSISTANT CHIEF
CLERK
DAUPHIN COUNTY COMMISSIONERS
DAUPHIN COUNTY ADMINISTRATIVE
BUILDING
2 SOUTH SECOND STREET
4TH FLOOR
HARRISBURG PA 17108
rmartz@dauphincounty.org
Served via Email September 23, 2025

BILAL MIAN
CROWN CASTLE FIBER LLC
2000 CORPORATE DRIVE
CANONSBURG PA 15317
bilal.mian@crowncastle.com
Served via Email September 23, 2025

JEFFREY BRACKEN
SUPERVISOR NETWORK
CONSTRUCTION
CROWN CASTLE FIBER
2000 CORPORATE DRIVE
CANONSBUR PA 15317
jeffrey.bracken@crowncastle.com
Served via Email September 23, 2025

LEWIS BORTHMAN
BRIGHTSPEED INTERNET
1765 WEST TRINDLE ROAD
CARLISLE PA 17015
lewis.borthman@brightspeed.com
Served via Email September 23, 2025

MIKE SWEIGARD
COMCAST CABLE
COMMUNICATIONS INC
4601 SMITH ST
HARRISBURG PA 17109
mike_sweigard@cable.comcast.com
Served via Email September 23, 2025

PAUL ERICKSON
LEVEL 3 COMMUNICATIONS LLC
5095 RITTER ROAD
MECHANICSBURG PA 17055
717.506.7405
paul.erickson@lumen.com
Served via Email September 23, 2025

CHARLOTTE KRUPA
PPL ELECTRIC UTILITIES
CORPORATION
2 NORTH NINTH STREET
ALLENTOWN PA 18101-1179
610.774.6287
cakrupa@pplweb.com
Served via Email September 23, 2025

ROBERT ZIMMEL
VERIZON PENNSYLVANIA INC
509 CHERRY DRIVE
HERSHEY PA 17033
robert_zimmel@verizon.com
Served via Email September 23, 2025

JEFF BOWRA
CAPITAL REGION WATER
3003 NORTH FRONT STREET
HARRISBURG PA 17110
jeff.bowra@capitalregionwater.com
Served via Email September 23, 2025

GEOFFREY IAN FERGUSON
MANAGER
UGI UTILITIES INC
1301 AIP DRIVE
MIDDLETOWN PA 17057
610.807.3118
484.955.5266
gferguson@ugi.com
Served via eService September 23,
2025

ROB JANUSZKO ENGINEER
FRONTIER COMMUNICATIONS/CTSI
LLC
67 SOUTH MAIN STREET
SHICKSHINNY PA 18655
robert.januszko@ftr.com
Served via Email September 23, 2025

KENNETH RUPERT
SHENTEL COMMUNICATION
COMPANY
PO BOX 459
500 SHENTEL WAY
EDINBURG VA 22824
ken.rupert@emp.shentel.com
Served via Email September 23, 2025

DEBORAH DELIA
VERIZON PENNSYLVANIA LLC
RIGHT-OF-WAY DEPARTMENT
15 EAST MONTGOMERY AVENUE
2ND FLOOR
PITTSBURGH PA 15212
412.237.2285
deborah.d.delia@verizon.com
Served via eService September 23,
2025

MIKE HUDDLESTON
AT&T CORPORATION
100 AIRSIDE DRIVE
MOON TOWNSHIP PA 15108
mhuddleston@mbakerintl.com
Served via Email September 23, 2025

GUY P BENEVENTANO ESQUIRE
LAW OFFICE OF GUY P
BENEVENTANO
4349 LINGLESTOWN ROAD
SUITE B
HARRISBURG PA 17112
717.652.4600
guy@guyblaw.com
Served via eService September 23,
2025

KELLY ROBERTS
FIRST LIGHT TECHNOLOGIES
3200 HORIZON DRIVE SUITE 150
KING OF PRUSSIA PA 19406
kroberts@firstlight.net
Served via Email September 23, 2025

BENJAMIN C DUNLAP JR ESQUIRE
COHEN SEGLIAS GREENHALL
AND FURMAN PC
240 N 3RD STREET 7TH FLOOR
HARRISBURG PA 17101
717.234.5530
717.480.5303
bdunlap@cohenseglias.com
Served via eService September 23,
2025
*(Counsel for Norfolk Southern Railway
Company)*

DENNIS BEVANS
VESTABURG NEW HILL
JOINT AUTHORITY
301 THIRD STREET
VESTABURG PA 15368
Served via USPS First Class Mail
September 23, 2025

JOSHUA D BONN ATTORNEY
NAUMAN SMITH SHISSLER
AND HALL LLP
PO BOX 840
HARRISBURG PA 17108-0840
717.236.3010
jbonn@cohenseglias.com
Served via eService September 23,
2025
*(Counsel for Norfolk Southern Railway
Company)*

LEAH JO BOBULA
GOVERNOR'S OFFICE OF
GENERAL COUNSEL
PENNSYLVANIA DEPARTMENT
OF TRANSPORTATION
400 NORTH STREET
HARRISBURG PA 17120
717.787.3128
lbobula@pa.gov
Served via eService September 23,
2025

MARK CHAPPELL PE CHIEF
PENNDOT UTILITIES & RIGHT-OF-
WAY SECTION
BUREAU OF PROJCT DELIVERY
PO BOX 3362
HARRISBURG PA 17105-3362
marchappel@pa.gov
Served via Email September 23, 2025