BEFORE THE PENNSYLVANIA PUBLIC

UTILITY COMMISSION

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A. 98061 - Airport High-Speed Line

A. 99374 - 58th Street Bridge

- - -

Tuesday, March 22, 1977

NO REPLY FILE

- - -

State Office Bldg.

Broad & Spring Garden Streets

Philadelphia, Pennsylvania

DOCKETED
APPLICATION DOCKET
MAY 4 - 1977
ENTRY No. BW

- - -

BEFORE: RUDOLPH S. PALLASTRONE,
Administrative Law Judge

RECORD FOLDER

SHORTHAND SERVICE
EVERETT G. RODEBAUGH
COURT REPORTERS
PHILADELPHIA

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BEFORE THE PENNSYLVANIA PUBLIC
UTILITY COMMISSION

- - -

A. 98061 - Application of the City of Philadelphia for approval of (1) the construction, alteration or reconstruction of the crossings of Penn Central Transportation Company, Debtor, Reading Company, Debtor; The Baltimore and Ohio Railroad Company and SEPTA involved in the construction of a high-speed passenger line from Suburban Station to the Philadelphia International Airport, in the City of Philadelphia, (2) the allocation of the costs and expenses incident thereto and (3) exemptions from the minimum overhead and side clearance requirements of Part III of the Commission's Railroad Regulations.

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A. 99374 - Application of the City of Philadelphia for approval of (1) the alteration of the crossing by the reconstruction of the bridge carrying 58th Street over and above the grade of the tracks of Penn Central Transportation Company in the City of Philadelphia, (2) an exemption from the minimum overhead and side clearance requirements of Part III of the Commission's Railroad Regulations and (3) the allocation of the

costs and expenses incident thereto.

- - -

Held at

State Office Building
Broad & Spring Garden Streets
Philadelphia, Pennsylvania

- - -

Tuesday, March 22, 1977

- - -

Commencing at 2:00 P.M.
and
Concluding at 5:20 P.M.

- - -

BEFORE: RUDOLPH S. PALLASTRONE,
Administrative Law Judge

- - -

APPEARANCES:

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Philadelphia Pennsylvania 19107

Representing SEPTA

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Representing Philadelphia Gas Works

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532 Suburban Station Building
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Philadelphia, Pennsylvania 19103

Representing Amtrack

- - -

ADMINISTRATIVE LAW JUDGE: I assume we are going to proceed with 98061 and 99374?

MR. SMOLEN: That is right.

ADMINISTRATIVE LAW JUDGE: Do you have any opening statement, Mr. Smolen?

MR. SMOLEN: Perhaps for clarification. I should say that basically these are two different applications. They still are two different applications and, of course, that explains the two different docket numbers. One regards the crossing of the Airport high-speed line and the other relates to the upgrading of the 58th Street Railroad-owned bridge.

Final conclusion of the last hearing in 99374, the Commission issued an Order adopted February 26, 1976, and entered March 8, 1976, and in Paragraph 4 of that Order, the Commission orders further hearings in both proceedings, be consolidated for the purpose of taking testimony. That is the reason why we have the two docket numbers

for the hearings today but bearing in mind that they are essentially two different projects.

ADMINISTRATIVE LAW JUDGE: What is the date of that Order, Mr. Smolen?

MR. SMOLEN: That was adopted February 26, 1976 and entered March 8, 1976, in A. 99374.

ADMINISTRATIVE LAW JUDGE: Are you ready to proceed, Mr. Smolen?

MR. SMOLEN: I would like to call a witness Mr. Neiman.

- - -

LEOPOLD NEIMAN, having been duly sworn, was examined and testified as follows:

ADMINISTRATIVE LAW JUDGE: Give your full name and address for the record, please, and spell your last name.

THE WITNESS: Leopold Neiman, N-e-i-m-a-n, Room 913 Municipal Services Building, Philadelphia, Pennsylvania 19107.

DIRECT-EXAMINATION

BY MR. SMOLEN:

Q By whom are you employed, Mr. Neiman?

A I have been employed by the City of Philadelphia for twenty-eight years and I have been with the Department of Streets in the capacity of design engineer and chief bridge engineer for the past sixteen years.

Q And would you state your educational background briefly?

A I have an associate degree of Construction Technology from Temple University Engineering School.

Q You are a registered Professional Engineer?

A Yes, I am.

Q In the State of Pennsylvania?

A Yes.

Q And are you authorized to testify on behalf of the City?

A Yes.

Q And you are familiar with these applications?

A Yes, I am.

MR. SMOLEN: Now, if Your Honor please, I would like to mark for identification the one sheet set of plans which we have already marked as City Exhibit A-1. Now,

we put the letters as prefixes so that it will not confuse the exhibits numbered in these proceedings. So, this is A-1, and it is a one-sheet document bearing the legend at the bottom right-hand "58th Street Bridge over Consolidated rail main line south of Woodland Avenue PUC Plan". I have three copies for the Reporter. They have been distributed before to the other parties. If anyone else needs one, we have them here.

ADMINISTRATIVE LAW JUDGE: I direct the Stenographer to mark the A-1 for the 58th Street Bridge.

(A-1, One-sheet document re: 58th Street Bridge marked for identification.)

MR. SMOLEN: I would also like to have marked for identification at this time a multi-sheet document which has been marked City Exhibit A-2, bearing the legend at the right-hand corner "58th Street Bridge, General Plans" and I have three copies for the Reporter.

ADMINISTRATIVE LAW JUDGE: I direct

the Stenographer to mark the second multi-page sheet Exhibit A-2, the City of Philadelphia.

(A-2, Multi-sheet document re: 58th Bridge General Plans, marked for identification.)

MR. SMOLEN: I would, also, at this time request marking for identification, a multi-sheet document entitled, -- which we have labeled City Exhibit A-3 and it bears the legend in the right-hand corner "General Notes-Bill of Material and Drawing List". I have three copies for the Stenographer.

ADMINISTRATIVE LAW JUDGE: I direct the Stenographer to mark the multi-page document entitled "General Notes, Bill of Material and Drawing List", as A-3.

(A-3, Multi-page document entitled "General Notes, Bill of Material and Drawing List, marked for identification.)

MR. SMOLEN: I would like to have marked for identification a one-sheet document entitled, "City -- marked "City Exhibit A-4

and it is entitled "58th Street Bridge Construction Stage A - Detailed Cost Estimate".

ADMINISTRATIVE LAW JUDGE: I direct the Stenographer to mark the one sheet entitled "58th Street Bridge Construction Stage A - Detailed Cost Estimate".

(A-4, Document entitled "58th Bridge Construction Stage A - Detailed Cost Estimate" marked for identification.)

MR. SMOLEN: Next, I would request marking for identification as City Exhibit A-5, a one-sheet document entitled "Detailed Cost Estimate for Railroad Electrification Facilities, Stage A".

ADMINISTRATIVE LAW JUDGE: I direct the Stenographer to mark the exhibit as related by Counsel.

(A-5, One-sheet document entitled "Detailed Cost Estimate for Railroad Electrification Facilities, Stage A", marked for identification.)

MR. SMOLEN: Next for identification City Exhibit A-6, a one-sheet document

entitled, "Construction Stage B - Detailed Cost Estimate".

ADMINISTRATIVE LAW JUDGE: I direct the Stenographer to mark A-6, Construction Stage B - Detailed Cost Estimate.

(A-6, One-page document entitled, "Construction Stage B - Detailed Cost Estimate," marked for identification.)

MR. SMOLEN: I next request marking for identification as City Exhibit A-7, a letter permit dated January 14, 1928, from J. H. Neeson, Chief of the Borough of Philadelphia, addressed to William T. McCouch, Pennsylvania Railroad.

ADMINISTRATIVE LAW JUDGE: I direct the Stenographer to mark as City Exhibit A-7 a letter dated January 14, 1928.

(A-7, Letter permit dated January 14, 1928 from J. H. Neeson, addressed to William T. McCouch, marked for identification.)

MR. SMOLEN: I request that marking for identification as City Exhibit A-8, a copy of a letter from E. C. Lawson, Chief

Engineer of the National Railroad Passenger Corporation, addressed to Mr. David J. Damiano, Commissioner of Streets, City of Philadelphia, dated July 27, 1976.

ADMINISTRATIVE LAW JUDGE: I direct the Stenographer to mark as City's Exhibit A-8, a letter from Mr. Lawson directed to Mr. William Damiano, dated July 27, 1976.

(A-8, Letter from Mr. Lawson addressed to Mr. Damiano, dated July 27, 1976, marked for identification.)

BY MR. SMOLEN:

Q Now, Mr. Neiman, would you please describe the subject matter of these applications?

A These are, essentially, two different projects. That explains the two different dockets, one, the number -- Airport high-speed line crossing construction and the other is upgrading the deteriorated railroad-owned bridge. The construction of the Airport high-speed line crossing was to be undertaken as a separate project.. Sometime later the City of Philadelphia was going to request the Public Utility Commission to order the upgrading of the 58th Street

Bridge over the main line track of Conrail and Amtrak. And in view of the fact that considerable cost savings would be achieved and the public less inconvenienced, the City of Philadelphia thought it best to move ahead with both at the same time.

The Bridge in question (15) and the existing five span truss and the railroad-owned highway bridge at 58th Street over the main line of the Amtrak, Conrail Northeast Corridor.

The superstructure of the Bridge consists of five spans with a main span being a deck truss 59 feet long. There are two support approach spans on each end of the main span. The approach spans the same deck and stringers, but no floor beam and truss. The structure is supported by three steel bents, rubble abutments which now acts as a pier between the two southerly approach spans and two abutments, one rubble stone and the other concrete.

The deck and the main span consists of I-beam lock armored slab, supported by steel stringers which are in turn framed into floor beams which then transmit the load to the deck truss.

The roadway west of the existing bridge is

36 feet 2 inches curb to curb with 7 feet 9 inches clear sidewalks on each side.

The existing condition of the Bridge is such that the north abutment is reinforced with concrete which was built approximately 50 years after the original structure, is in fair to good condition.

In addition, the highway approaches to the Bridge are in fair to poor condition.

The adjacent roadway approaches to the structure are presently paved to a width of 40 feet 1 inch curb to curb.

The north approach to the Bridge ascends at a 3.27 per cent grade to a point approximately 50 feet south of the north abutment, which at that location the grade descends to a 1.76 per cent slope and a vertical curve continuing to a point approximately 25 feet north of the south abutment where another vertical curve creates a descending grade 5.545 per cent onto the south approach.

The Bridge was constructed by and at the expense of the Pennsylvania Railroad which then became Penn Central Transportation Company and now is Conrail and/or Amtrak.

MR. MAZOR: Objection to that as a legal conclusion not supported on the record that it means Penn Central and now is Conrail or Amtrak. I move that be stricken.

ADMINISTRATIVE LAW JUDGE: I sustain that and direct the Stenographer to strike it.

A In 1892, and also this had been maintained by and at the sole expense of the railroad from the date of its construction. It is to be noted that the City planned for 58th Street states that it was opened by deed of dedication dated July 2nd, 1866, to a width of 70 feet in which there are two 15-foot sidewalks and a 40-foot roadway.

The exemption overhead and side ramp requirements of Part III of the Commission's Railroad Regulations was approved by the Commission Order and Docket No. A. 909374 dated February 26, 1976, and the clearance as shown in Exhibit A-2, conform or are in excess of the clearance in the Commission Order for the two spans in this construction stage.

For the single span over the Airport high-speed line, the exemption from Part III of the

Commission's Railroad Regulations was granted by Order of the Commission under Docket No. A. 98061, dated July 24th, 1974, and these clearances also conform or are in excess to the restrictions noted in that Order also shown in City Exhibit A-2.

The tracks for the Airport high-speed line will be located under the Stage B construction area described in later testimony and will be installed after completion of the work at the crossing and in conformity with the aforesaid Order.

The tracks will be constructed of tie and ballast construction according to the American Railway Engineering Association Standards.

BY MR. SMOLEN:

Q Now, will you please describe the extent and scope of the approach construction?

A The reason of the poor conditions of the existing railroad-owned highway bridge as I have described, it is necessary in the public interest to remove the superstructure and modify the substructure in order to have a modern structure to replace the existing facility that was built in 1892.

To that end an application was filed in

Docket No. A. 99374. Coincidentally, there, too, was another application Docket No. A. 98061 pending before the Commission relating to the crossing of the Airport high-speed line which requires for its operation, the construction of an additional span adjacent to the existing structure which will carry 58th Street over the tracks of the Airport high-speed line.

It is to be noted with emphasis that there are different means of funding for each of the two stages of construction which will be more fully explained in later testimony.

The work contemplated consists of two separate stages. Stage A, PUC A. 99374, which is the Amtrak Conrail Section involves the removal of and reconstruction of the existing five-span truss and stringer railroad-owned structure at 58th Street over Amtrak, Conrail tracks. And Stage B, PUC A. 98061 involves the construction of a new structure adjacent to Stage A, over the proposed tracks of the Airport high-speed line.

Under the construction in Stage A, as proposed, the existing south abutment will remain with certain modifications and a new south pier will be built.

Furthermore, the portions of the existing structure will be removed except that the existing stone abutment north of the south abutment is to remain.

The precast, prestressed concrete beam superstructure will be erected in the southerly two spans of the proposed structure.

The roadway will consist of a 5 inch thick composite concrete slab; the sidewalks will be of reinforced concrete supported by prestressed concrete beams. The span length for this stage will be 77 feet 11 3/4 inches and 47 feet and 3/4 inches center to center of the bearings. The roadway width of the reconstructed crossing will be 40 feet 1 inch curb to curb with a 5 feet clear sidewalk on each side.

A utility bay approximately 8 feet 9 inches wide will carry main and gas facilities on the east side of the bridge adjacent to the east sidewalk.

In addition to the foregoing, the railroad catenary and signal transmission attachments, which are attached to and adjacent to the existing bridge and which were installed by the Pennsylvania Railroad pursuant to a letter permit issued by the City, dated January 14, 1928, must be supported on temporary

structures detached from the existing bridge and re-attached on the Stage A portion of the rebuilt structure.

Under Construction Stage B, a new north pier will be built and the existing north abutment removed and replaced with a new north abutment. The deck construction will be similar to that noted earlier under Stage A.

In Stage B, the span length will be 66 feet center to center of bearings. The total improvement involved in Stages A and B will restricted to the area from the north curbline on the south approach to a point approximately 14 feet south of the most southerly rail of the Baltimore & Ohio grade crossing tracks on the north approach. The total length of the improvement will be approximately 503 feet. The grade of the proposed improvement on the approaches will meet the existing grades at the limit of work at both ends of the project.

Q Now, Mr. Neiman, do you have the City Exhibit A-1? Will you please describe A-1?

A City Exhibit A-1 is a PUC plan describing the existing and proposed condition at this crossing

and as I identified at the lower right-hand corner and B- 7502,PUC, this exhibit is merely a General Plan describing the work to be done under both construction Stages A and B.

Q Would you please look at City Exhibit A-2 and identify that?

A This is a 23-page set of construction drawings of the proposed bridge for construction of Stages A and B which includes a superstructure -- which includes the superstructure to be reconstructed over Amtrak-Conrail and the new structure over the proposed Airport high-speed line.

Each of the 23 drawings bears the legend at the right-hand corner, B7502-1 through B7502-23 consecutively.

Q Mr. Neiman, I show you a set of construction drawings which have been marked for identification as City Exhibit A-3 and I ask you to identify it please.

A This is a 12-page set of construction drawings which are the final construction drawings for the temporary support detachment and reattachment of the Amtrak Railroad electric tracks, electric track feeder and signal transmission wire and insulator

attachments.

In construction Stage A, none of the work contemplated under these drawings is necessary for Airport high-speed line crossing under construction stage B.

The drawings are indentified on the lower right-hand corner by numbers E7502-1 through E7502-12 consecutively.

Q Will you please look at what has been marked as City Exhibit A-4 and will you please explain and describe it.

A It is a detailed cost estimate of construction Stage A, PUC A.99374, which was prepared under my direction. It should be noted that this estimate does not include the cost of the Amtrak railroad electrification work which are included. However, as City Exhibit A-5 -- as can be seen by City Exhibit A-4, the total estimated cost for construction of Stage A is 660 thousand dollars.

Q Now, will you please look at City Exhibit A-5 and describe that?

A City Exhibit A-5 is a detailed cost estimate of work for the temporary attachment and reattachment

of the presently existing Amtrak Railroad electrification facilities including engineering, for Stage A, PUC A.99374.

It should be noted that the total cost is $176,306.00. And these costs do not include certain items of work that are required to be performed by Amtrak forces as more fully outlined in the exhibit.

I would like to emphasize that the work on the existing Amtrak Railroad electrification facilities has nothing to do with and is not required by the Airport high-speed line.

MR. ARMENTROUT: Your Honor, I would like to object to that conclusion. There is no basis for that.

MR. SMOLEN: He is an engineer. He has identified the plans and that is his opinion.

ADMINISTRATIVE LAW JUDGE: I will overrule the objection.

THE WITNESS: This work is solely required to reconstruct the existing Amtrak-Conrail Bridge under Stage A.

BY MR. SMOLEN:

Q Now, would you please describe what has been marked as City Exhibit A-6 and will you please identify it and explain it.

A City Exhibit A-6 is a detailed cost estimate of construction Stage B, PUC A.98061, which was prepared under my direction.

As can be seen by City Exhibit A-6, the total estimated cost for construction Stage B is 740 thousand dollars ($740,000).

Q Now, Mr. Neiman, in your previous testimony you stated that you are chief bridge engineer for the Department of Streets in the City of Philadelphia; is that correct?

A Yes.

Q Now, what department of the City of Philadelphia issues permits for installation of railroad electrification facilities attached to bridges?

A The Forwarder, Department of Public Works, which is now the Department of Streets, is now the agency responsible for issuing such permits.

Q In whose possession and custody and control are the copies of permits previously issued?

A The permits are in the possession of the

Department of Streets.

Q And did you make a search of your records to ascertain whether or not a permit was ever issued by the City of Philadelphia in connection with the installation of the railroad electrification facilities on the 58th Street Bridge?

A Yes.

Q And did you locate such a permit?

A Yes.

Q In what form is this permit?

A It is in the form of a copy of a letter from the then Chief of the Bureau of Highway Department of Public Works of the City of Philadelphia, John S. Neeson, addressed to William McCouch, Special Agent, Pennsylvania Railroad under date of January 14, 1928.

Q And did you bring it with you?

A Yes.

Q Now, would you please look at what has been identified as City Exhibit A-7 and I ask you if this is the letter, the permit to which you have referred in your previous answer?

A Yes.

Q Now, will you please explain it?

A This letter gives permission by the City to the Pennsylvania Railroad to install their electrification facilities on a number of structures, one of which is the 58th Street Bridge, under this proceeding.

You will note the permit requires the railroad to remove all wires and attachments upon receiving notice from the City. It further requires the railroad to repair any wires, plates or other appurtenances based on the bridge without cost to the City.

The permit also requires the railroad to bear all expenses for supporting or maintaining the attachments temporarily in order that maintenance or replacement work be done on the bridge.

And finally, the permit requires the railroad to save the City harmless from any cause, whatsoever.

Q Now, pursuant to the letter permit, what action, if any, did the City take in connection with the railroad electrification facilities involved in this proceeding?

A The City attempted to ascertain the present owner of the 58th Street Bridge as well as the owner of the railroad electrification facilities on that bridge.

The City was advised by Penn Central Transportation Company that it had transferred its interest to Conrail. Thereupon -- upon further investigation, it was ascertained that Conrail had transferred their interest to Amtrak and, accordingly, the City requested -- the City to Amtrak to temporarily remove its electrification facilities and to that end to prepare engineering and construction drawings for same.

Q Now, what happened after that?

A The City received a letter from Amtrak admitting that Amtrak owned the electrification facilities but that Amtrak did not receive ownership of the 58th Street Bridge.

Q Would you please refer to City Exhibit A-8 and please identify that.

A This is a two-page letter dated July 28, 1976, from E. C. Lawson, Chief Engineer of the Northeast Corridor of Amtrak to David Damiano, Commissioner of Streets, City of Philadelphia. And it was received in connection with the request that the railroad temporarily remove its electrification facilities from the 58th Street Bridge. And it said that Amtrak owned

the electrification facilities but not the bridge itself. It also stated that Amtrak would not undertake the engineering work for the removal, replacement, of its electrification facilities.

Q What did your department do then?

A The Department of Streets engaged its engineering consultant to prepare railroad electrification drawings providing temporary support attachment and reattachment of the Amtrak electrification facilities for which the City seeks reimbursement in the sum of $67,648.00 for the consultant design fees and $8,661.00 for the consultant construction fees aggregating a total of $76,306.00 which is shown on City Exhibit A-5.

The City also requests that Amtrak or the party who is the actual owner of the electrification facilities be ordered to pay for the construction costs necessary for work on the electrification facilities as required by the terms of the permit issued in this case.

Q Now, by reason of the proposed construction, will any streetcar lines be affected?

A No.

Q Do you have a vehicular and pedestrian traffic count?

A The average daily vehicular traffic count for this crossing is 8,000 vehicles per day. After completion of the reconstructed crossing, it is anticipated that the daily traffic count will become 9,000 per day by 1985.

The pedestrian count for this crossing is 150 per day.

Q Are any highways to be vacated?

A No highways are to be vacated.

Q Are any new highways to be laid out?

A No new highways are to be laid out.

Q Is the City requesting the Commission to appropriate any property?

A It will not be necessary for the Commission to appropriate any property with respect to the 58th Street crossing.

With respect to other Airport high-speed line crossings, the City's position will be made known at the further hearings in connection with those crossings.

Q Will it be necessary to establish any highway or railroad traffic detours and if so, who will set

up and maintain such detours?

A The pedestrian and highway traffic detours will be necessary and the City will establish and maintain such detours. No railroad detours will be required in the City's opinion. During the course of the construction it will be required to coordinate this construction work with the operation of the railroad.

Q Will the City require any railroad flagmen, watchmen and inspectors?

A The City will not necessitate railroad flagmen, watchmen or inspectors.

Q What is the anticipated date of completion?

A The anticipated day of completion of both stages is two years after the start of the construction.

Q Now, will the highway after construction be a limited access highway?

A The highway will not be a limited access highway.

Q Who is presently responsible for maintenance of the existing crossing?

A Since the railroad built the structure in 1892, it had the sole responsibility for maintenance

of it and they have actually performed maintenance work on the structure.

Q When were the electric facilities installed on the bridge and by whom?

A The electric facilities were installed by the railroad in 1928 at the sole cost and expense of the railroad and at no cost to the City.

Q Who has the present responsibility for maintenance of the electrical facilities on the bridge?

A Since the installation of the electrification facilities on the bridge, the railroad has been responsible for maintenance at its sole cost and expense.

Q Now, are there any public utilities to be relocated in this proceeding?

A The following utilities will have to be relocated: Philadelphia Electric, Bell Telephone, railroad electrification facilities, and in addition to the foregoing utilities, certain facilities of the Philadelphia Gas Works and SEPTA also must be relocated.

Q And what is the City's position with respect to the cost of the public utility relocations?

A With respect to the facilities of Bell

Telephone Company, the City should not be responsible and does not assume any responsibility for the cost of Bell Telephone utility relocation.

It is to be noted that there are City permits covering Bell Telephone utility relocation costs which will be testified to by a subsequent witness.

With respect to the facilities of Philadelphia Electric Company, ordinarily, the City's position would be that Philadelphia Electric Company utility relocations be paid for at the sole cost and expense of the Philadelphia Electric Company under the terms of the City permit authorizing their installation. We are not introducing permits for the non-renewal of them because the City and the Philadelphia Electric Company are presently negotiating the final stages of a proposed agreement to cover the cost of relocation of the Philadelphia Electric Company facilities. Under the proposed agreement, the City will receive from Philadelphia Electric Company certain rights and easements including but not limited to easements for relocation of ARCO and Mobil Oil lines; easements at 63rd Streets, and 70th Streets for future bridge construction; easements from the 60th Street to 94th

Street for development of Airport high-speed line drainage, fencing, landscaping and catenary foundations and by agreeing to construct electrification facilities as will more fully and at large appear in the proposed agreement.

In return for the foregoing, the City is proposing to agree to pay for the relocation of Philadelphia Electric facilities exclusive of betterment and less salvage value.

The amount of Philadelphia Electric relocation costs is further subject to the execution by all appropriate parties of the proposed City-Philadelphia Electric Agreement which in turn is subject to the approval of the Urban Mass Transit Administration of the U.S. Department of Transportation. In the event that the proposed agreement is not approved and executed, then the City requests further hearings on the Philadelphia Electric Company relocation costs.

With respect to the work on the railroad electrification facilities, as I will more fully explain later, it is the City's position that in view of the fact that the existing bridge and the electrification facilities thereon are owned by the railroad and were

built at the railroad's sole cost and expense as aforesaid, and that the railroad has been responsible for maintenance thereof at the railroad's sole cost and expense, that all costs of the bridge reconstruction as well as for the work on the electrification facilities should be the sole responsibility of the present owners of those facilities.

Accordingly, to reiterate, it is the City's position that since no facilities of the railroad are required to be relocated under construction Stage B, which is the Airport high-speed line crossing portion, that all the Stage A work, including the bridge construction and the railroad electrification, should be the sole responsibility of the present owners of the said facilities.

It is the further position of the City that all other costs of construction under Stage A, including watchmen, flagmen and inspectors, should also be paid for by parties requiring same.

Q Now, can you or will you break down the City's position with respect to payment of cost of construction between Stages A and B?

A As aforesaid, with respect to construction

Stage A, which is noted in City Exhibit A-4 and A-5, the City's position is that the entire cost of the bridge construction and of the railroad electrification work including watchmen, flagmen and inspectors, should be the sole responsibility of Amtrak and/or Conrail and/or Penn Central Transportation Company because the existing bridge was built and owned and maintained by the railroad at its own cost and expense and by further reason that the superstructure of this bridge had been permitted by the railroad to deteriorate into its present deficient condition.

As recently as 1952, the railroad at its sole expense recognizing its duty and obligation to maintain this bridge undertook major strengthening of this superstructure. However, at the present time some of the bridge members rate somewhat lower than the presently posted 15 tons.

It is to be further noted that during the past 50 years, since the railroad was electrified, all costs involving temporary and/or permanent, the railroad electrification work wherever situated have been paid by the Pennsylvania Railroad or the Penn Central Transportation Company respectively and not by

the City.

It is the City's understanding that Amtrak is now the owner of the electrification facilities on the bridge.

Q What about construction B costs?

A With respect to construction Stage B costs, the Airport high-speed line which is shown on City Exhibit A-8, the said construction of Bell Telephone utility reconstruction be allocated as follows: Number one, U.S. Urban Mass Transportation Administration, 80 per cent. Two, Pennsylvania Department of Transportation, 16 2/3 per cent. Three, City of Philadelphia, 3 1/3 per cent.

See p. 38

With respect to Philadelphia Gas Works cost on both stages of construction A and B, they will be reimbursed to the Philadelphia Gas Works on the basis of the above percentages pursuant to a proposed written agreement between the City and the Philadelphia Gas Works.

And Philadelphia Electric costs were covered in prior testimony.

Q Now, in your testimony that you have just given, you referred to various percentage allocations.

Would you please explain how those percentages were determined?

A Those percentages were determined under a capital assistance grant from the United States Department of Transportation, Urban Mass Transit Administration.

Under the terms of that grant, the Federal Government will provide 80 per cent of the eligible cost. The remaining costs by agreement between the Commonwealth of Pennsylvania and the City is to be borne as follows: The Commonwealth of Pennsylvania, 16 2/3 per cent. The City of Philadelphia 3 1/3 per cent.

Q Now, in the budget is there any provision for public utility relocation?

A It is to be noted that UMTA has excluded from the approved budget any cost for relocating public utilities. However, UMTA, or the Urban Mass Transportation Administration will be requested by the City to approve the aforementioned proposed agreement between the City and Philadelphia Electric Company relative to relocation of the Philadelphia Electric Company facilities and also for the relocation of Philadelphia

Gas Works facilities.

Q What is the City's position with respect to maintenance responsibilities?

A Under the work contemplated for Stage A, since all of the existing structures and railroad electrification facilities are owned by and are presently the maintenance responsibility of Conrail and/or Amtrak and/or Penn Central and the City's position is that the maintenance responsibility of the new bridge superstructure and structure and sub-structure and the railroad electrification facilities remain the responsibilities of Amtrack and/or Conrail and/or Penn Central. With respect to Stage B, PUC A.98601, Airport high-speed line, the City will agree to be responsible for the maintenance of the new bridge superstructure and substructure. Any utility and agency having facilities on this crossing should be required to maintain same.

Q Now, what is the City requesting at this time?

A The City is requesting that the Public Utility Commission issue orders in each of docket numbers as follows: With respect to Docket No. A.99374, Stage A,

approval of construction plans for Stage A --

Q Why don't you number these are you testify?

A No. 1, approval of construction plans for Stage A. No. 2, Bell Telephone Company relocation cost, initially, and finally to be ordered paid by Bell Telephone Company. No. 3, City of Philadelphia should be reimbursed for the cost of preparation of railroad electrification drawings which include the design and construction in the amounts of $76,306.00.

No. 4, cost of the entire bridge construction in Stage A including engineering in the amount of approximately $660,000 to be paid initially, and finally by the owner or owners of the structure.

No. 5, cost of the railroad electrification work in the approximate amount of $100,000 to be ordered paid for initially and finally by the owner of the electrification facilities which is Amtrak.

No. 6, that certain railroad electrification work as shown on City Exhibit A-5 be ordered performed by the owner which is Amtrak of said electrification facilities at its own cost and expense initially and finally.

No. 7, that maintenance of railroad

electrification facilities be the responsibility of the owner of said electrification facilities and the owner is Amtrak.

No. 8, that maintenance of the bridge be the responsibility of the owner of the said bridge.

No. 9, that the cost of any watchman, flagman, and inspectors required by any party be paid for initially and finally by the party so requiring them.

No. 10, that the maintenance of all other utility facilities be ordered upon said utility.

Q What is the City requesting with respect to the Airport high-speed line portion, the Stage B construction?

A The Stage B construction which is Docket A.98061, Airport high-speed line crossing, number one, the approval of construction plans for Stage B. No. 2, Bell Telephone Company relocation cost initially and finally to be ordered paid by Bell Telephone Company.

No. 3, the costs of construction work on Stage B, exclusive of Bell Telephone Company relocation costs should be allocated as follows: Urban Mass Transportation Administration, 80 per cent; Pennsylvania Department of Transportation, 16 2/3 per cent; City of

Philadelphia, 3 1/3 per cent.

No. 4, maintenance of Stage B construction is to be the responsibility of the City of Philadelphia.

No. 5, Philadelphia Electric Company relocations to be paid for in accordance with proposed agreement between the parties to be filed with the Public Utility Commission when executed and approved by the Urban Mass Transportation Administration.

In the event that the proposed agreement is not approved and executed, then the City requests further hearings on the issue of the Philadelphia Electric Company relocation costs.

No. 6, Philadelphia Gas Works relocation is to be paid initially by the Philadelphia Gas Works and finally,in accordance with the proposed agreement between Philadelphia Gas Works and the City of Philadelphia.

No. 7, cost of any watchmen, flagmen and inspectors, required by any party is to be paid for intially and finally by the party requiring them.

No. 8, that further hearings on the other Airport high-speed line crossings be held.

Q All right. Now, so that the record is clear,

Mr. --

MR. SMOLEN: Your Honor, with respect to City Exhibit A-7, I did request Counsel to attempt to locate the original January 14, 1928 letter. They have informed me that they are unable to do so, and therefore, we have introduced a copy which is in essence of the public record. The witness is submitted for cross-examination.

ADMINISTRATIVE LAW JUDGE: Let's go down the line according to how the appearance sheet was signed.

Mr. Zahn?

CROSS-EXAMINATION

BY MR. ZAHN:

Q Mr. Neiman, in Application A. 99374, which is the Stage A, there is no involvement there with the high-speed line, is there?

A That is correct.

Q Now, with regard to Application A. 98061, the B stage, you requested that 16 2/3 per cent of the 20 per cent be allocated to Penn Dot?

MR. SMOLEN: I do not think that is

a correct characterization of his testimony. It is not 16 2/3 of the 20 per cent. It is 16 2/3 of the hundred per cent.

MR. MAZOR: That is what I thought he said.

MR. ZAHN: I stand corrected.

BY MR. ZAHN:

Q You asked that be allocated to Penn Dot. Now, actually, the Pennsylvania Department of Transportation has several division. And those funds are to come from the Mass Transit funds of the department; is that correct?

A I am not familiar with how that is to be funded by Penn Dot. I do know that the Pennsylvania Department of Transportation is the agency that has been noted as being responsible for 16 2/3 per cent of the cost.

Q And is there an agreement between the Penn Dot and the City in that regard?

A It is my understanding there is such an agreement.

Q And that would come out -- the Mass Transit funds that are allocated to the Department of

Transportation --

MR. SMOLEN: I do not want to make needless objections, but this witness -- how the Department -- Pennsylvania Department of Transportation operates he knows that there is an agreement and he so testified.

ADMINISTRATIVE LAW JUDGE: Unless he is a privileged individual to that agreement, I think Mr. Smolen's objection is well taken.

MR. ZAHN: I believe there is such an agreement.

ADMINISTRATIVE LAW JUDGE: That may be so, but I do not know whether Mr. Neiman --

MR. ZAHN: I will not ask Mr. Neiman anything further in that. I will make a statement for the record.

ADMINISTRATIVE LAW JUDGE: Okay, fine.

BY MR. ZAHN:

Q Now, in this B stage construction, what portion of the project or where is the high-speed line involved or between what stations on the high-speed line, if you know?

A We do not have our drawing station on the high-speed line. I do not have the high-speed line stationing with me. However, it is stationed on 58th Street between stations 13 and approximately 14, as shown on City Exhibit A-1.

Q But, would you know how far it goes up and down the track at that -- at those stations?

A How far the construction goes up and down the tracks?

Q Yes.

A Well, the actual bridge construction will be contained within the house lines or right-of-way lines, of 58th Street which is 70 feet wide. Any other work outside of those areas would have to be performed in connection with the railroad electrification removal attachment and reattachment.

Q What I really want to know is how much of the high-speed line will be built under this B stage?

A Just the crossing of 58th Street or 58th Street will cross above the proposed track of the Airport high-speed line.

Q So there will be nothing done to the high-speed line itself or the tracks? It is just the bridge

that is involved; is that it?

A Under this proceeding, just the bridge is involved; that is correct.

MR. ZAHN: Thank you.

ADMINISTRATIVE LAW JUDGE: Any more questions, Mr. Zahn?

MR. ZAHN: One further question.

BY MR. ZAHN:

Q What is the City's position regarding who should maintain that portion of the bridge carrying 58th Street over the high-speed line?

A The City testified that it is in agreement that it be responsible to maintain the crossing over the Airport high-speed line.

MR. ZAHN: Thank you.

ADMINISTRATIVE LAW JUDGE: Gentlemen, we will take a recess.

(A short recess was taken.)

ADMINISTRATIVE LAW JUDGE: Mr. Mazor?

CROSS-EXAMINATION

BY MR. MAZOR:

Q Mr. Neiman, do I understand your testimony

that the application with respect to the 58th Street Bridge is twofold; to accommodate the high-speed line and to replace what you claim is an existing inadequate structure; is that correct?

A There are two docket numbers, one for each.

Q Now, in what respect is this inadequate?

A The structure is inadequate in that it is presently posing for 15 tons that some of the members are rated lower than 15 tons, and it was originally built in 1892. It was strengthened but not completely replaced in 1952. And in our opinion, we consider this bridge to be a deficient bridge.

Q Right. It is deficient or inadequate to carry the class and volume of vehicular traffic that would normally use the bridge; is that not correct?

A Yes. I think that statement would be correct.

Q And of course, at the time it was built, it was built for the horse-and-buggy era because at that time, if I recall, there were very few motor vehicles at all.

A The bridge was originally designed for 15 tons.

Q Now, if this 8,000 estimated daily traffic that you say now use the bridge, do you know what

percentage, if any, of those vehicles are trucks?

A I do not know exactly, but I understand that it is greater than fifty per cent.

Q And if the bridge is reconstructed for 20 ton loads rather than 15 tons that it is restricted, now may we assume that more heavier trucks may use the structure?

A It is possible.

Q Now, with respect to the span that is going to cross over the proposed Airport high-speed line, has the City or any other agency acquired that right-of-way for construction of the high-speed line under the bridge?

A The area required for the construction of the Airport high-speed line is presently in the process of being acquired; whether or not they have acquired this particular parcel, I cannot answer.

Q All right. Now, with respect to your Exhibit A-7, the letter to Mr. McCouch, that is addressed to the Pennsylvania Railroad, is it not?

A That is right. Mr. McCouch, Special Agent, Pennsylvania Railroad.

Q Now, is there anything in that letter which

has been marked for identification as A-7 that says that the permit or the condition under which it was issued is binding on any other successors or assigned to the Pennsylvania Railroad?

ADMINISTRATIVE LAW JUDGE: Doesn't the letter really speak for itself, Mr. Mazor?

MR. MAZOR: I want him to answer that for the record because it will be important later when it is attempted to be introduced as an exhibit.

THE WITNESS: The letter speaks for itself.

BY MR. MAZOR:

Q Now, you mentioned that the railroad built the bridge and the railroad has maintained the bridge. I assume by that that you mean the old Pennsylvania Railroad of the Penn Central Transportation Company; is that not correct?

A Yes, that is correct.

Q Conrail did not build the bridge, did it?

A No.

Q Conrail has never maintained the bridge, has

it?

A I do not know. They may have maintained it. I have no knowledge of that.

Q Do you know what period of time Conrail, if any, and without conceding that they ever owned the bridge -- in what period of time it was in such ownership?

A I cannot answer that.

MR. MAZOR: That is all I have, now.

ADMINISTRATIVE LAW JUDGE: Mr. Smolen? Mr. Armentrout?

MR. SMOLEN: I think it would be clearer if I asked them now.

ADMINISTRATIVE LAW JUDGE: In other words, you want to redirect after each?

MR. SMOLEN: Well, I did not after Mr. Zahn.

ADMINISTRATIVE LAW JUDGE: Because you did not have anything to redirect on. Okay. Go ahead.

REDIRECT-EXAMINATION

BY MR. SMOLEN:

Q What was the original rating of the bridge,

if you know, when it was originally built?

A The original plans indicate that the bridge was designed to 15 tons.

MR. SMOLEN: That is all.

ADMINISTRATIVE LAW JUDGE: Mr. Armentrout?

CROSS-EXAMINATION

BY MR. ARMENTROUT:

Q Mr. Neiman, when did you -- did you make an examination of the bridge which led you to conclude that it is now deteriorating?

A Yes.

Q Did you do that personally, or did you hire a consultant?

A We did it personally. By "we" I am talking about the Department of Streets.

Q When was that done?

A Oh, I guess about two-and-a-half years ago.

Q Was there a report done?

A An inspection report.

Q Yes?

A Yes.

Q Do you have that with you?

A I do not have a copy of the inspection report. I do have a copy of the rating.

What I have with me is a copy that an inspection was made in 1970.

Q 1970? That is the most recent inspection?

A We have had more recent inspections than this but this is only copy I brought with me.

Q Do you know when the most recent inspection was?

A As I say, about three years ago.

Q So, that would be in seventy? Was it in 1974 or 1973?

A I would say 1974.

I might also add, in connection with that question, our bridge maintenance unit inspects this bridge twice a year. They also report on the condition of the bridge.

Q This is regular?

A It is ongoing.

Q Is this every bridge in the City?

A That is correct, every bridge.

Q Not just the railroad?

A No, no, every bridge.

Q Do you know of a firm that has been retained by the City called Urban Engineers Incorporated?

A Urban Engineers Incorporated has been retained by the City for two reasons.

The first reason is in connection with Stage A, which is the -- at 99374 Conrail-Amtrak portion and which the Urban Engineers was retained to perform the engineering for the temporary attachment, removal and reattachment of the railroad electrification facilities on the 58th Street Bridge.

Q When were they retained?

A When?

Q When? What date?

A They were retained six to eight months ago.

Q It was in the year of '76?

A It was in '76, yes.

Now, the other reason that Urban Engineers was retained is as the overall design divide consultants for the high-speed line on not only 58th Street Bridge, but also the other crossings on the Airport high-speed line.

Q When were they retained for that?

A I am not certain, but I would venture it would be about three to four years ago, or perhaps even

longer than that.

Q When was it that the City first came to the conclusion that it was necessary to rebuilt or substantially modify the existing bridge? And what events led up to that conclusion?

A Well, the events that led up to the conclusion was the reports of the bridge, the rating of the bridge, the condition of the bridge, and I would say that the City came to the conclusion that the 58th Street Bridge could be considered to be a deficient bridge, oh, I guess two-three years ago -- four years ago.

Q It was about the same time that the City was considering building this extension to the bridge for the high-speed line? Within the same time period?

A No. I think that the high-speed line came out later. You see, the design of the high-speed line -- they were not sure what the alignment would be. There was some question whether there would be a crossing at the 58th Street, so consequently I think the high-speed line determination came at a later time.

Q Was any request made of the Pennsylvania Railroad three or four years ago or the Penn Central

Transportation Company at that time to do any work on this bridge?

A Yes.

Q When?

A There were reports sent through from Bridge Maintenance outlining emergency measures that should be taken on the bridge to make the bridge safe for the traveling public; and these were sent,as a matter of fact, as recent as three months ago.

Q I am talking about three or four years ago.

A Three or four year ago?

Q Yes.

A Yes. From time to time there were reports sent to Murphy Noon (phonetically) who was of the Penn Central Transportation Company of conditions on the bridge reported by our Bridge Maintenance Inspectors that required their attention.

Q And was work done subsequent to those?

A It is my understanding that there was, yes.

Q Was there every any demands made on the Penn Central Transportation Company to replace the bridge?

A No. I am not aware of that.

Q This is essentially what you are talking about, the complete replacement and rebuilding --

A Yes.

Q -- of the existing bridge today?

A That is correct except for modifications of the substructure which we retain.

Q And the modifications for the substructure are -- are they or isn't it correct that those modifications to the substructure are caused by the construction of the extension for the high-speed line?

A No. I am talking about modifications of the substructure on the A.99374 portion, which is the Conrail-Amtrak portion.

Q All right. But those -- that substructure supports, also, this extension that would go over the high-speed line, right?

A We are talking about the modifications to an existing abutment which will remain, will be strengthened. We are talking about a new pier which will support both the Airport high-speed line crossing span and also the 58th Street span, the Conrail and Amtrak span, if you want to call it that; and also, a new abutment that will be built in connection with the high-speed line

crossing alone.

Q But you have not proposed any proration in your version of the allocation? You have not proposed any proration for the new pier as between what you call Phase A and Phase B?

A The new pier is required by Stage B which is the Airport high-speed line portion, it supports -- it is a support for that span.

Q So, you are saying that the cost of that is solely included in Phase B?

A Yes.

Q I believe you testified that there would be no need for any railroad detours during the total construction, both A and B?

A Yes, that is correct.

Q Upon what was that statement based?

A We do not propose to do anything that would required any railroad detours. We propose to rebuild the structure in such a manner so that we will coordinate what has to be done with the operation of the railroad.

Q What is it that occasions the need to re-locate the electrical facilities?

A The electrification facilities of the railroad are presently attached to the existing bridge. In order for the existing bridge to be removed and replaced, temporary supports must be made for the railroad electrification facilities. They then will be removed from the bridge and placed on the -- on these temporary supports and then the bridge work is done -- removed; a new bridge is replaced there and then the electrification facilities can be removed from their temporary supports into a permanent attachment onto the bridge.

Q And if you did not build a new bridge you would not have to worry about moving the electrical facilities?

A That is correct.

Q In the process of preparing the plans, I believe you testified earlier that one of the first phases of this proceeding was the request for exemption from the Commissions clearance requirements for electrification. Did you, or anybody at the City at any time go to any of the railroads involved in this, any one or the other, or the third Penn Central, Amtrak or Conrail to see about the developing joint plans for

one, the bridge, and two, the electrical facilities attached to the bridge?

A No.

Q This was all done on the City's initiative?

A The work that was required to prepare for the initial hearing in connection with the clearances, horizontal, vertical exemptions was done by the City, yes.

Q And it was the City proposal for new clearances?

A The City was the applicant and the City worked with the railroad in order to get clearances which the railroad would approve.

Q Did you ever reach an agreement with any railroad on these clearances?

A We did.

MR. SMOLEN: Wait a minute, Your Honor, please.

The issue of the clearances is pursuant to Public Utility Commission Order as a result of previous hearings --

MR. ARMENTROUT: I understand that. I understand there was and I am trying to

elicit whether there was any agreement or any attempt to jointly plan this thing between the railroad and the City.

MR. SMOLEN: I think the earlier testimony from the previous hearings, both City testimony and railroad testimony is generally to the effect that they tried to work it out together, but somehow they reached some sort of an impasse over a small matter and then it went to the Commission for decision.

MR. ARMENTROUT: Well, --

MR. SMOLEN: But I am sorry for interrupting the question.

ADMINISTRATIVE LAW JUDGE: Answer, Mr. Neiman, if you know.

MR. ARMENTROUT: Do you want the question?

THE WITNESS: What was the question?

BY MR. ARMENTROUT:

Q Was there ever, to your knowledge, any agreement with any railroad as to the clearances for the electrical facilities for the bridge?

A We are not talking on electrification facilities. We are talking about clearance from the structure, the underside of the structure. There was an agreement at one time, and subsequent to that the railroad had a change of heart, for whatever reason, I cannot answer, and they asked for additional clearance over and above what could be supplied under the proposed design. And at the time of the PUC hearing, the City presented its case; the railroad presented its case and the Commission issued an Order for the clearance that should be used at this proposed crossing. And the exhibits that we submitted today contain those clearances are greater than those clearances.

Q In other words, your plans have been redone consistent with the Commission's prior Order?

A Oh, yes, absolutely.

Q Did I understand correctly that you are proposing to build a 58th Street Bridge that is across the railroad, that is 70 feet in width?

A The thing is 70 feet in width, the legal right-of-way that the City has for the 58th Street.

Q How wide is the new bridge?

A The new bridge is --

ADMINISTRATIVE LAW JUDGE: Is the width of the bridge on the plans?

THE WITNESS: Yes. The width of the bridge --

ADMINISTRATIVE LAW JUDGE: Can't you refer to the plans, Mr. Armentrout?

MR. ARMENTROUT: I thought he would know. He can read plans better than I can.

ADMINISTRATIVE LAW JUDGE: Why are we putting things on the record which you can read yourself?

MR. ARMENTROUT: Well, I thought it would be easy enough for him to answer that.

ADMINISTRATIVE LAW JUDGE: Do you have it?

THE WITNESS: It is approximately 61 feet.

BY MR. ARMENTROUT:

Q And how wide is the existing bridge?

A The existing bridge is about 58 feet and there

is a gas main truss immediately adjacent to the bridge which is approximately 6 feet. Now, this gas main facility is incorporated into the new bridge which accounts for the wider structure that we are building to have room for the utilities and the east footwalk, sidewalk.

MR. ARMENTROUT: That is all I have.

ADMINISTRATIVE LAW JUDGE: Thank you.

Mr. Schachman?

MR. SCHACHMAN: Yes, sir.

I just have a few questions. I am with the Philadelphia Gas Works.

CROSS-EXAMINATION

BY MR. SCHACHMAN:

Q You have mentioned that UMTA has approved a project except for certain portions and that for the relocation of certain utilities, including PGW?

MR. SMOLEN: Can I make an objection here for clarification?

Which part of the project are you talking about?

MR. SCHACHMAN: That is what I am trying to get from the witness, exactly what

he testified to.

THE WITNESS: I testified that with regard to utility relocation costs, UMTA did not include funds for this purpose. However,--

BY MR. SCHSCHMAN:

Q Excuse me, for what purpose?

A For utility costs.

Q Okay.

A However, the City is involved in processing an agreement with the Philadelphia Electric Company and also with the Philadelphia Gas Works to provide funds for the relocation of those two utilities.

Q And are those funds in any portion supposed to come from UMTA? That is how I understood your earlier testimony.

A Yes.

Q But UMTA has not yet agreed to that; is that correct?

A I do not know if they formally agreed. Let me say that I am not qualified to answer that question.

Q Well, sir, --

A There may be a witness here.

MR. SMOLEN: He answered it. He

does not know.

MR. SCHACHMAN: I am understanding that his earlier testimony is that UMTA has not approved --

MR. SMOLEN: That is right.

MR. SCHACHMAN: -- the funding relocation of certain utilities, one of which is PGW. The witness is now stating that he is not qualified to testify from this area.

MR. SMOLEN: Counsel will represent that statement is correct that UMTA has not approved the funding of PE or PGW utilities relocation to the Airport high-speed line crossings.

MR. SCHACHMAN: Do you have any witness here who is qualified to testify as to what the City intends to do with the cost of UMTA if it does not agree --

ADMINISTRATIVE LAW JUDGE: It is the City's burden.

MR. SCHACHMAN: I understand that PGW is here with the certain understanding, that is, prepared to testify based on that

understanding. Now, we have a different understanding.

ADMINISTRATIVE LAW JUDGE: So, you will testify based on that understanding, whatever that may be.

MR. SMOLEN: So that Counsel -- and he probably knows this already, in the unlikely event or in the event that this should occur that no approval is given, a policy decision would have to be made by engineers or by attorneys who are here in the Courtroom. So, there really are no witnesses to answer specifically what would happen if -- simply because it is a policy decision that would have to be made and we do not have any policy witness available.

MR. SCHACHMAN: I have no further questions of this witness.

ADMINISTRATIVE LAW JUDGE: Thank you. Mr. Granbery?

CROSS-EXAMINATION

BY MR. GRANBERY:

Q Continuing on that line of questioning, I

understand you are attempting or you will be attempting to get funds from Urban Mass Transportation Administration for PGW and Philadelphia Electric and for the relocation of the cost associated with work that you will be doing?

MR. SMOLEN: I am going to object to the characterization of the witness's testimony because the witness did testify to that but with respect to the Airport high-speed line crossing of his testimony.

MR. GRANBERY: I stand corrected on that. I think the record will speak for itself.

BY MR. GRANBERY:

Q The City is not making any attempt to get funding from the Urban Mass Transportation Administration for Bell of Pennsylvania relocation crossing; is that true?

A That is correct.

MR. GRANBERY: No furthere questions.

ADMINISTRATIVE LAW JUDGE: Mr. Chillemi?

BY MR. CHILLEMI:

Q Is it correct that the north end of the crossing that the property will be required to take even from Philadelphia Electric Company for the abutment?

A I believe that is correct.

Q And that taking will be done by the agreement that you referred to appending between the parties?

A Yes.

Q Is it correct, Mr. Neiman, that there may also have to be some minor pole relocation at the area of Lindburg Boulevard and that the pavement, if such reloaction is required, that the pavement for this relocation work will also be included in this agreement in which you referred to?

MR. SMOLEN: Wait. I would like to ask Counsel something. I do not think there has been any testimony about Lindburg Boulevard.

Lindburg was the subject matter of additional Airport high-speed line hearings which we have requested but certainly not in today's -- in the witness's testimony.

MR. CHILLEMI: Well, he referred to

the 60th and 70th Streets.

MR. SMOLEN: Well, he was, as I recall, that was the consideration -- the consideration of granting of various easements by PE as the witness testified; that the City and the PE were negotiating this agreement whereby the City would pay the relocation costs. And of course, that agreement, once entered into and approved by UMTA, would have to be filed by the PUC for approval as a PUC agreement.

MR. CHILLEMI: I thought maybe the witness knew whether Lindburg Boulevard was included.

BY MR. CHILLEMI:

Q Now, also you submitted this testimony concerning watchmen and flagmen in that no expenses would be incurred by the City for this. Isn't it also correct, Mr. Neiman, that watchmen or flagmen may be needed at 58th Street, the 58th Street Bridge as work is being done in the proximity of the Philadelphia Electric Company of 150,000 volt lines?

A My watchmen and flagmen -- you mean railroad

watchmen and flagmen or PE watchmen and flagmen?

Q PE.

A You are talking about PE?

Q PE.

A Well, with respect to PE cost on the Airport high-speed line project, if those costs are justifiable costs, I assume that they will be approved, the same as any other costs; that PE will be reimbursed for under the terms of the agreement.

MR. CHILLEMI: I have no other questions.

ADMINISTRATIVE LAW JUDGE: Soken?

CROSS-EXAMINATION

BY Ms. SOKEN:

Q Just a couple of questions, Mr. Neiman.

You testified earlier that no streetcar lines would be affected by any of this reconstruction work; is that correct?

A That is correct.

Q Are you aware of the existence of a Route 36 approximate to the 58th Street Bridge?

A A trolley crossing?

Q A SEPTA City Transit Route, 36 is the car.

A By streetcar, I am making reference to a trolley car.

Q It is the same thing as far as SEPTA is concerned.

A Well, I believe there is a SEPTA route that crosses the 58th Street Bridge, yes.

Q That answers my question.

Are you aware that this is a power line that is necessary to operate that streetcar that --

A What streetcar?

Q We are talking about the Route 36 that you have acknowledged.

A That is the trolley -- the trolley goes on 58th Street.

Q It goes on Elmwood Avenue.

A Elmwood Avenue? There is a streetcar route on Elmwood Avenue?

Q That is right. What I am asking: We have already established the existence of the streetcar route and that is Route 36.

A Now wait a minute. You are confusing me. The question that I answered was "Are any streetcar routes involved on 58th Street?"; the answer was "No

streetcar routes are involved on 58th Street". I am prepared to answer "yes" on the question. I think there is a rush-hour bus that crosses the 58th Street Bridge.

Now, I do not know about the streetcar on Elmwood Avenue.

Q We were concerned with the streetcar -- the streetcar route that would be affected by anything -- by any reconstruction work on the bridge on 58th Street.

The question did not concern whether there was a streetcar running on 58th Street.

Do you know of any streetcar in the proximity of 58th Street that might be affected by the construction work on the bridge?

A No. I am not aware of any that might be affected.

Q Well, Route 36 that you mentioned a few minutes --

A You mentioned it.

Q -- the Route that you acknowledged existed -- that happens to be Route 36, which is a streetcar that runs on Elmwood Avenue in the vicinity of the 58th Street Bridge, is operated by a power line which goes

over the 58th Street -- the bridge at 58th Street.

Now, if there is reconstruction work on that 58th Street Bridge, is it not correct that that power line will be affected?

A There is a power line -- there is a SEPTA line across the bridge. It will be affected; that is correct.

Ms. SOKEN: Thank you.

ADMINISTRATIVE LAW JUDGE: Any redirect?

MR. MAZOR: Your Honor, may I have one more question, just one.

ADMINISTRATIVE LAW JUDGE: Yes.

RECROSS-EXAMINATION

BY MR. MAZOR:

Q One thing that bothers me, you stated that the bridge was built by Penn Central, maintained by Penn Central; if that is true, why or was it necessary for Penn Central to get permission from you to attach its own catenary wires to its own bridge?

A The railroad is required to get permission from the City for electrification facilities in this State.

Now, the particular letter permit that was entered into this proceeding, included the approval of approximately ten bridges of which one was 58th Street. A number of these bridges are railroad-owned and the remainder are City-owned.

Q Is that a requirement of any provision of the then 1928 City Code; do you know?

A No, I do not know.

Q You do not know?

MR. SMOLEN: He did not say that was not a requirement, he said he did not know if it was a requirement.

ADMINISTRATIVE LAW JUDGE: Thank you Mr. Neiman.

(The witness was excused.)

ADMINISTRATIVE LAW JUDGE: Do you have another witness, Mr. Smolen?

- - -

JAMES J. HAHN, having been duly sworn, was examined and testified as follows:

THE WITNESS: James J. Hahn, H-a-h-n, 820 Municipal Services Building, Philadelphia, Pennsylvania.

MR. SMOLEN: Mr. Hahn, will you please keep your voice up so that everyone can hear you.

I would like to have marked for identification as City Exhibit A-9, a multi-page document which is entitled, "Application for permit for opening and structural occupancy of highways," and the applicant's name is shown thereon, the Bell Telephone Company. And it is dated May 10, 1935. I would like to have that marked for identification as Exhibit A-9.

ADMINISTRATIVE LAW JUDGE: I direct the Stenographer to mark as City Exhibit A-9, a document dated May 10, 1935.

(A-9, Document dated May 10, 1935, "Application for permit for opening and structural occupancy of highways"; application of Bell Telephone Company was marked for identification.)

MR. SMOLEN: I would also request marking for identification as City Exhibit A-10, a multi-page document entitled,

"Application for permit for opening and structural occupancy of highways," the applicant, Bell Telephone Company, and it is dated January 14, 1949.

ADMINISTRATIVE LAW JUDGE: I direct the Stenographer to mark for identification Exhibit A-10, a document dated January 14, 1949.

(A-10, Multi-page document dated January 14, 1949, "Application for permit for opening and structural occupancy of highways", application of Bell Telephone Company was marked for identification.)

MR. SMOLEN: I request marking for identification as City Exhibit A-11, a multi-page document entitled, "Application for permit for opening and structural occupancy of highways," the applicant Bell Telephone Company of Pennsylvania, dated July 25, 1952.

ADMINISTRATIVE LAW JUDGE: I direct the Stenographer to mark as City Exhibit A-11, a document dated July 25, 1952.

(A-11, Multi-page document, "Application for permit for opening and structural occupancy of highways," application of Bell Telephone Company dated July 25, 1952, marked for identification.)

MR. SMOLEN: I request marking for identification a multi-page document entitled "Application for permit for opening and structural occupancy of highways," applicant Bell Telephone Company of Pennsylvania, dated August 22, 1952.

I request that it be marked as A-12.

ADMINISTRATIVE LAW JUDGE: I direct the stenographer to mark Exhibit A-12, dated August 22, 1952.

(A-12, Document dated August 22, 1952, "Application for permit for opening and structural occupancy of highways," application of Bell Telephone Company, marked for identification.)

MR. SMOLEN: And finally, City Exhibit A-13. I request marked for identification a multi-page set of forms which are in

current use and it is entitled, "Application for permit for opening and structural occupancy of highways," attached to which are the regulations of the Department of Streets for the City of Philadelphia, A-13.

ADMINISTRATIVE LAW JUDGE: I direct the Stenographer to mark as Exhibit A-13, that designation made by Counsel.

(A-13, Multi-page set of form in current use entitled, "Application for permit for opening and structural occupancy of highways," and attached regulations of the Department of Streets of Philadelphia, marked for identification.)

DIRECT-EXAMINATION

BY MR. SMOLEN:

Q Now, Mr. Hahn, by whom are you employed?

A The City of Philadelphia, Department of Streets.

Q And in what capacity?

A I am engineering technician in charge of issuance of all street-use permits.

Q For how long?

A I have been in this capacity for approximately

eight years.

Q And you are authorized to testify on behalf of the City?

A Yes.

Q Would you describe your duties?

A I am responsible for processing, handling and executing all street-use permits pertaining to the Department of Streets; specifically included in my duties is the processing of highway supervisory utility permit applications. This includes direct contact with the various applicant utilities, coordination of the meaning agenda, conducting highway supervisory meetings, and direct supervision of custody and control of the permit application.

Q Would you please describe the procedure for applying for a highway supervisor permit to use and occupy a portion of the street?

A The highway supervisor permits are obtained upon submission of a special application for the Contract and Permit Office in the Department of Streets. The application includes a detailed description of the location of the facility applied for along with an acceptance of the rules and regulations of the Committee

and Highway Supervisor by an officer or member of the firm which makes application.

The Committee Highway Supervisor then meets bi-monthly and acts on applications submitted. Upon approval of such applications, the applicant is so notified and also informed that the permit is available at the applicant's disposal.

Q When a permit is once granted, when must construction begin?

A Permits provide that the applicant must start construction within one year from the date of the permit. The regulations are the Board of Highway Supervisors which are part of the highway.

MR. GRANBERY: Your Honor, he is discussing every content of every permit. If he wants to examine the contents of the permit of this hearing, I would -- I will produce the permit itself.

MR. SMOLEN: We are discussing the application rather than the permit. The permit is in the hands of the utility. We have only the applications and the originals are here in the Courtroom. But we distributed

our photocopies of the original applications signed in the original by the utility.

ADMINISTRATIVE LAW JUDGE: Don't the applications speak for themselves, Mr. Smolen? Didn't you make them an exhibit?

MR. SMOLEN: Yes.

I am only asking how for what length of time the regulations, the highway supervisor regulations, are enforced. It takes a one-word answer.

ADMINISTRATIVE LAW JUDGE: I will overrule the objection. I do not think it is damaging.

THE WITNESS: The regulation of the Board of Highways Supervisors are part of the highway application, are enforced pertinently (?) pertinently.

BY MR. SMOLEN:

Q In the marked Exhibits, A-9 through A-13, can you please tell us what they are?

A Yes. These are photocopies of the highway supervisor applications submitted by the Bell Telephone Company requesting permission of the Highway Supervisor

to open and structurally occupy a portion of the legally opened highway and bridge with utility facilities encompassed in the proceeding. Attached to each application is a set of the then current rules and regulations of the Committee Board and Supervisor which regulations were accepted by applicant utility company as evidenced by the signature and official.

Q Official of whom?

A An official of the utility company.

Q And that appears in each application?

A Yes.

Q Now, you stated that those documents are photocopies of the original. Where are the original permit applications?

A I have the originals in my possession right now.

Q And you brought them with you here today?

A Right.

Q Now, from the various locations shown on these applications which you have -- which have been marked for identification as A-9 and A-13, would you please indicate the specific location applied for by Bell Telephone as they relate to this proceeding.

And would you also please state the specific paragraph or clause in the application relating to the responsibility for same of the utility costs.

MR. GRANBERY: Well, I would --

MR. SMOLEN: I did not ask him to read it, I only asked him to point out the paragraph.

ADMINISTRATIVE LAW JUDGE: Overruled. Are you objecting?

MR. GRANBERY: (Indicating)

ADMINISTRATIVE LAW JUDGE: Overruled.

THE WITNESS: In Exhibit A-9, the paragraph that refers to the location would be Item 3. And, --

BY MR. SMOLEN:

Q Now, what location is that you are talking about, Exhibit A-9?

A Right.

Q Which you have in front of you. What date appears on that?

A The date on the application is May 10, 1935.

Q And who is the applicant?

A Bell Telephone Company of Pennsylvania.

Q And what portion of this application relates to the 58th Street Bridge? That is portion or portions?

A The specific location is outlined in red on the application.

Q And on Page 1, which location is involved? What number?

A Item No. 3.

Q And what about on Page 1-A, that is also an added item?

A It is between 3 and 4.

Q All right. Now, is there attached to these -- you have testified there is an acceptance of regulations. What page does that appear on?

A Page 8.

Q And that is the next to the last page?

A Yes. It is numbered at the bottom.

Q All right. Now, in the application itself, is there a paragraph which relates to the responsibility for the cost of relocation of the facilities?

A Paragraph 2; on Page 6 of the regulations, it specifically provides that the applicant is responsible --

MR. GRANBERY: Objection.

A -- for the cost of the relocation.

MR. SMOLEN: Now wait a minute. There is an objection. Okay, you can --

THE WITNESS: The applicant is responsible for cost of relocation of its facility if such relocation is occasioned by construction of a water or gas main source or any other municipal work.

BY MR. SMOLEN:

Q Who is the applicant in this one?

A Bell Telephone Company.

Q Now, would you turn to A-10. Now, this is an application by whom?

A Bell Telephone Company.

Q Under what date?

A January 14, 1949.

Q Can you tell what application relates to the 58th Street Bridge?

A Yes. Items No. 14 and also the added item underneath it.

Q Does this application also contain an acceptance of regulations?

A Yes, it does.

Q On what page?

A Page 9.

Q And is there any clause in the regulations relating to relocation costs and the responsibility thereof?

A Yes.

Q What page is that and what paragraph?

A Page 6, Paragraph 22 provides that the applicant is responsible for costs of relocation, of costs of its facility and if relocation is occasioned by water or gas main or source, or other municipal work.

Q Would you turn to A-11; and this is an application by whom?

A Bell Telephone Company of Pennsylvania.

Q Under what date?

A July 25, 1952.

Q And what locations in this application relate to the 58th Street Bridge?

A Item NO. 18.

Q And is there an acceptance of regulations in among these papers?

A It would be on Page 9.

Q And is there a clause in the regulations relating to relocation costs and responsibility for payment thereof?

A Yes, that would be on Page 6.

Q And what paragraph?

A Paragraph 22.

Q Would you please turn to Exhibit A-12 and this is another application and by whom?

A Bell Telephone Company of Pennsylvania.

Q Under what date?

A August 22nd, 1952.

Q And are acceptance of regulations attached?

A Acceptance, yes; on Page 9.

Q And is there a paragraph, a clause in here relating to utility relocation costs and the responsibility for payment thereof?

A Yes, that would be on Page 6. Paragraph -- Paragraph 22.

Q Now, would you please look at the A-13 and identify A-13?

A A-13 is a highway supervisor's application.

Q And is this the current form that is used today? This is not filled in. This is just a sample

form?

A Just a sample form.

Q And this is current?

A That is correct.

Q And are regulations attached here?

A Yes, they are.

Q And is there a particular regulation relating to the responsibility for relocation of costs, of utility costs?

A Yes, there is.

Q And what page is that on and what paragraph?

A That is on Page 5, Paragraph 25.

Q Now, in addition to the specific permit applications which you have identified and described, are there other applications which are filed in the Department of Streets?

A Yes.

Q Now, in order to install a -- in order to install a public utility facility in a street, are one of those applications and permits required?

A Yes.

Q And how is that process initiated?

A The utility companies would file an applica-

tion for placement of utilities in the street.

Q Now, to the best of your knowledge -- you have been employed for eight years, you say?

A Yes.

Q In connection with these permits, do the utility companies regularly file applications for payment of utility facilities in the street?

A Yes, they do.

Q And do the utility companies, to the best of your knowledge, abide to the regulations of these highway supervisor --

MR. MAZOR: Objection.

A Yes, they do.

ADMINISTRATIVE LAW JUDGE: I will sustain the objection. I do not see the purpose.

MR. MAZOR: What has that got to do with this case.

ADMINISTRATIVE LAW JUDGE: I already sustained it, Mr. Mazor.

MR. SMOLEN: No further questions.

ADMINISTRATIVE LAW JUDGE: Mr. Zahn?

MR. ZAHN: No questions.

ADMINISTRATIVE LAW JUDGE: Mr. Mazor?

CROSS-EXAMINATION

BY MR. MAZOR:

Q These various permits or applications of Bell Telephone, were they to occupy the street or the bridge or both?

A Both.

Q So, there were some which asked for occupancy of the bridge structure; is that right?

A That is right.

Q Well, how come the City is giving permits to utilities to occupy a bridge which the City charges is owned by the railroad?

MR. SMOLEN: It is argumentative. I will object to it.

ADMINISTRATIVE LAW JUDGE: I will sustain it.

MR. MAZOR: No further questions.

ADMINISTRATIVE LAW JUDGE: Mr. Armentrout?

MR. ARMENTROUT: No questions.

ADMINISTRATIVE LAW JUDGE: Mr. Granbery?

CROSS-EXAMINATION

BY MR. GRANBERY:

Q Now, these applications you have here are for permission to occupy highways; is that right? And only highways?

A That is the title of it. But, we would consider a bridge as part of the highway system.

Q So the applications were made for occupying the bridge and the highway?

A Right.

Q Are you aware that Bell of Pennsylvania facilities located on Phildelphia Electric property, currently located on Philadelphia Electric property which I understand you plan to acquire an agreement?

A No. I am not familiar.

Q Assuming that there were such facilities, then these applications would not cover such facilities; is that correct?

A Would you repeat that question?

Q Assuming that there were facilities on the Philadelphia Electric Property rather than in the highways, these applications which only pertain to highways and bridges would not be covered?

A That is correct.

MR. GRANBERY: I have no further questions.

ADMINISTRATIVE LAW JUDGE: Mr. Schachman?

MR. SCHACHMAN: No questions.

ADMINISTRATIVE LAW JUDGE: Ms. Soken?

MR. BERDAN: She apologizes. She is on the phone.

MR. SMOLEN: Can I ask this question? Although they have not been identified, Bell Telephone has distributed some exhibits and it would be appropriate at this time to ask this witness about the exhibits and the facilities shown thereon as it relates to these permits.

ADMINISTRATIVE LAW JUDGE: Well, I do not know if this is the proper time, Mr. Smolen, because the Bell Telephone is going to present a case with exhibits. We should have the exhibits in and they should be marked and there should be direct testimony on the

exhibits. And I think they, you may then call Mr. Hahn back to ask him questions.

I think procedurally that would probably make an unconfused record, so to speak.

(Discussion off the record)

ADMINISTRATIVE LAW JUDGE: A-1 to A-13?

MR. SMOLEN: So moved.

ADMINISTRATIVE LAW JUDGE: Any objections?

MR. MAZOR: Yes, sir. I am going to object to the admission marked for identification as A-7, unless it is clearly understood and conceded that it is binding only upon the Pennsylvania Railroad to whom that permit was ostensibly made.

I would like to state the reasons for that on the record.

ADMINISTRATIVE LAW JUDGE: I think the letter speaks for itself -- in the January 14, 1948 --

MR. MAZOR: That is correct.

ADMINISTRATIVE LAW JUDGE: The letter speaks for itself and I deny your request.

MR. MAZOR: I would have one further argument to protect in that respect. It may become important.

The Pennsylvania Railroad since 1928, at the time of the issuance of that permit, first merged with the New York Central and became Penn Central and later underwent reorganization. In the course of that reorganization, the Trustees of the bankrupt railroad had the privilege under the Bankruptcy Act to that portion of the permit that might be an executory contract. We have no evidence whether they did so on objection and affirm -- I respectfully submit that the burden is on the City; that the portion of the property of Penn Central was transferred in turn to Conrail and then to Amtrak. But the conveyance was not on a volunteer basis but under the provisions of the Regional Reorganization Act of 1973 and its amendment, and only such obligations and assets of the

railroad as were spelled out in that Act could be transferred either to Conrail and hence to Amtrak. And there is nothing in that Act, and again, the burden would be on the City to prove to the contrary that any such obligations as Penn Central might have had were so transferred. And for that reason I am making my motion to exclude A-7 and object that it be binding on anybody other than the Trustees of Penn Central.

ADMINISTRATIVE LAW JUDGE: I think you made your position very clear on the record. I deny your request.

MR. MAZOR: All right.

MR. SMOLEN: So the record is clear, we concede.

ADMINISTRATIVE LAW JUDGE: I denied it, Mr. Smolen. What more can I say? Exhibit A-7 is part of the record.

Mr. Armentrout, any objection?

MR. ARMENTROUT: No objection.

ADMINISTRATIVE LAW JUDGE: Mr. Chillemi? Any objection?

MR. CHILLEMI: No objection.

ADMINISTRATIVE LAW JUDGE: Mr. Granbery?

MR. GRANBERY: I will object on A-9 through A-13, on the grounds they the application, the exhibits, are clearly designed to show the contents of the permits and the City of Philadelphia has not laid adequate foundation to show why the permit -- the original permits are unavailable.

ADMINISTRATIVE LAW JUDGE: I deny your motion of A-9 through A-13.

Mr. Schachman?

MR. SCHACHMAN: I will make it very simple. I have no objection.

ADMINISTRATIVE LAW JUDGE: Ms. Soken?

All right.

Now that City Exhibit A-1 through A-9 and all counted objections are on the record, the next business I foresee is what other parties to these applications intend to present a case so that we can, maybe, start to set up some dates in the future.

MR. ZAHN: We may have one witness for about three minutes.

ADMINISTRATIVE LAW JUDGE: Okay. You are going to put on a case then, Mr. Zahn?

MR. ZAHN: We are not going to put on a case. We are going to put on a witness.

ADMINISTRATIVE LAW JUDGE: Mr. Mazor, do you intend to put on a case?

MR. MAZOR: No, sir. I believe my colleague from Amtrak will and we will do nothing.

ADMINISTRATIVE LAW JUDGE: Mr. Armentrout?

MR. ARMENTROUT: We have one witness.

ADMINISTRATIVE LAW JUDGE: What time frame do you estimate your case will take?

MR. ARMENTROUT: I have his testimony. It is prepared. And I am prepared to offer it in it's prepared form.

ADMINISTRATIVE LAW JUDGE: In other words, your case will only be to qualify the witness and cross-examination by probably the City and maybe some other Counsel?

MR. ARMENTROUT: Yes.

ADMINISTRATIVE LAW JUDGE: Mr. Chillemi?

MR. CHILLEMI: Yes. I have one witness and his testimony is prepared and it would be very brief.

ADMINISTRATIVE LAW JUDGE: Then your case will probably be very short?

MR. CHILLEMI: Very short.

ADMINISTRATIVE LAW JUDGE: Counsel for Bell Telephone, do you intend to present a case?

MR. GRANBERY: We have one witness and we also have prepared testimony.

ADMINISTRATIVE LAW JUDGE: Mr. Schachman?

MR. SCHACHMAN: I take it, Your Honor, you are contemplating that we will not continue today; is that correct, sir?

ADMINISTRATIVE LAW JUDGE: Well, I do not know. It is 4:15. Do you want to go to 4:30? It would seem if we set aside another day in the very near future, we would

be able to finish in the morning.

MR. MAZOR: That would be preferable.

MR. SCHACHMAN: We originally intended to put a witness on but based on the testimony today, we will have to re-evaluate our position.

ADMINISTRATIVE LAW JUDGE: Does SEPTA -- gentlemen, what day do you want to schedule?

MR. SMOLEN: Tomorrow morning as it was originally scheduled.

ADMINISTRATIVE LAW JUDGE: Fine, let's start 9:30 tomorrow morning.

MR. ARMENTROUT: I have to be in Washington tomorrow and if we can be brief, I can do that.

ADMINISTRATIVE LAW JUDGE: I will certainly put you on first, Mr. Armentrout, if you have some obligation in the afternoon. The question is I do not know how long we are going to take in the morning. You may have to leave and should have someone here to protect the interests of Amtrak.

MR. ARMENTROUT: Can you be around?

MR. MAZOR: I will be here. I will be glad to protect it.

ADMINISTRATIVE LAW JUDGE: It's agreed to by all Counsel; I do not see how it will take more than an hour and a half to finish.

MR. ZAHN: I did not make arrangements to be in Philadelphia tomorrow and I must be in Harrisburg.

ADMINISTRATIVE LAW JUDGE: Well, if we are going to reschedule for Mr. Zahn, then we will reschedule it for all.

MR. ARMENTROUT: I would suit me better to have a day other than tomorrow.

MR. SMOLEN: Is there any possibility that we continue now with the canned testimony and see how far we can go? Perhaps it can be concluded if Mr. Zahn does not have a witness.

You have a witness here today?

(Discussion off the record)

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MILTON H. DAVIS, called as a witness on behalf of Penn Dot and having been duly sworn, was examined and testified as follows:

DIRECT-EXAMINATION

BY MR. ZAHN:

Q Your official office address?

A Room 1120, Department of Transportation Bldg., Harrisburg, Pa.

Q By whom are you employed?

A Department of Transportation, Assistant Grade Crossing Engineer.

Q And are you authorized to testify on behalf of the Department of Transportation?

A Yes, sir.

Q Are you familiar with the application in today's hearing?

A Yes, sir.

Q Now, first, Mr. Davis, in regard to the statement that Mr. Neiman made that the Pennsylvania Department of Transportation is bear 16 2/3 of the cost of the 58th Street Bridge, where will those funds come from?

A From the Mass Transportation.

Q They will not come out of the highway funds or the trust funds of the Department?

A That is correct, sir, they will not.

Q Now, in regard to the 58th Street crossing, is there anything that you want to add to the testimony here today?

A Yes, sir. Only that any costs incurred by the high-speed line should solely be for the high-speed line and there should be no cost assigned to the high-speed line because of the 58th Street crossing over the tracks of the railroads, other than the Airport high-speed line.

Q Would you explain that? I do not understand.

ADMINISTRATIVE LAW JUDGE: Re-define your answer, please.

A Mr. Neiman in one instance said that the cost of the piers supporting both the one end of the span carrying the 58th Street Bridge over the high-speed line and the cost of the pier carrying the high-speed line -- 58th Street over the other part, the railroad, is to be borne in toto by the Airport high-speed line. And we object to that.

BY MR. ZAHN:

Q I see.

ADMINISTRATIVE LAW JUDGE: Is that all, Mr. Zahn?

MR. ZAHN: The witness is available for cross-examination.

ADMINISTRATIVE LAW JUDGE: Mr. Smolen?

CROSS-EXAMINATION

BY MR. SMOLEN:

Q With respect to the two stages of construction, your testimony is that the cost is applicable to one stage, should not be attributable to the other side?

A That is correct.

Q Is that correct?

A That is correct.

Q Is that the essence of your testimony?

A That is correct.

ADMINISTRATIVE LAW JUDGE: Mr. Zahn?

MR. ZAHN: No questions.

ADMINISTRATIVE LAW JUDGE: Mr. Mazor?

MR. MAZOR: No questions.

ADMINISTRATIVE LAW JUDGE: Mr. Armentrout?

MR. ARMENTROUT: No questions.

ADMINISTRATIVE LAW JUDGE: Mr. Granbery?

MR. GRANBERY: (Indicating)

ADMINISTRATIVE LAW JUDGE: Mr. Schachman?

MR. SCHACHMAN: No questions.

ADMINISTRATIVE LAW JUDGE: Mr. Chillemi?

MR. CHILLEMI: No questions.

ADMINISTRATIVE LAW JUDGE: I think SEPTA Counsel is not here, so obviously she has no questions.

Mr. Mazor, do you have any questions?

MR. MAZOR: I defer to Mr. Armentrout.

ADMINISTRATIVE LAW JUDGE: Mr. Armentrout?

MR. CHILLEMI: I thought we were going to continue tomorrow morning.

ADMINISTRATIVE LAW JUDGE: Everyone wanted to finish today.

MR. SCHACHMAN: Not to create a problem, sir, but unless the other parties agree that the PGW may later submit testimony,

we are not -- are not prepared to go forward this afternoon.

ADMINISTRATIVE LAW JUDGE: Why don't we just do this. Mr. Armentrout obviously has a commitment tomorrow. If we get rid of his witness and Mr. Mazor will be here --

MR. MAZOR: I will be here.

ADMINISTRATIVE LAW JUDGE: -- I imagine he can protect Mr. Armentrout's interest and we can present your testimony tomorrow. We will -- I will not foreclose you, but let me try to get the witness in today since Mr. Armentrout has a commitment tomorrow which obviously he cannot break at this late date or this late hour.

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LOUIS CHEIFETZ, having been duly sworn, was examined and testified as follows:

DIRECT-EXAMINATION

BY MR. ARMENTROUT:

Q Would you state your name and business address?

A Louis Cheifetz, Room 560, Suburban Station Building, Philadelphia, Pennsylvania.

Q And by whom are you employed?

A National Railroad Passenger Corporation, also known as Amtrak.

Q In what capacity?

A As a structural engineer.

Q Are you authorized to testify on behalf of National Railroad Passenger Corporation here today?

A Yes, I am.

Q And have you prepared in written question and answer form, testimony to be submitted at this proceeding?

A Yes, I have.

MR. ARMENTROUT: Your Honor, I offer for the record, the written questions and answers prepared for submission by Mr. Cheifetz and ask him if he adopts these answers to the questions and if he were to testify to them singly --

THE WITNESS: I will.

BY MR. ARMENTROUT:

Q Do you have anything to add to the prepared

questions and answers, Mr. Cheifetz?

A Yes.

There is just one item in which Amtrak requests reimbursement for all our engineering costs in connection with the 58th Street project.

Q What is the nature of those costs?

A They are preliminarily engineering costs incurred by engineer examinations presented by the City.

ADMINISTRATIVE LAW JUDGE: Are those costs included in the prepared testimony?

THE WITNESS: No, they are not.

ADMINISTRATIVE LAW JUDGE: I think you are going to ask him that and we are going to have to pass on that. I think those figures are going to have to be submitted. I will give you a week to prepare.

MR. ARMENTROUT: I was going to ask him if you have an estimate of what those figures were.

ADMINISTRATIVE LAW JUDGE: Is it your request, Mr. Armentrout, in conjunction with this witness's testimony that you are

going to submit an exhibit which will be Amtrak Exhibit 1, which will be a cost estimate for the engineering costs?

MR. ARMENTROUT: It will be Amtrak's Exhibit 2.

ADMINISTRATIVE LAW JUDGE: 2? Okay.

MR. ARMENTROUT: We have an exhibit entitled, "Proposed or Estimated Cost of Work to be Performed by Amtrak Forces".

ADMINISTRATIVE LAW JUDGE: That will be Exhibit 2. The new exhibit.

MR. ARMENTROUT: It would be exhibit, Amtrak's Exhibit 2.

ADMINISTRATIVE LAW JUDGE: I will give you one week to file that exhibit which will be attached to this witness's direct testimony. Any objections?

I direct the Stenographer to make part of the exhibits that will be furnished by Mr. Armentrout within one week.

ADMINISTRATIVE LAW JUDGE: Any further questions of this witness, Mr. Armentrout?

MR. ARMENTROUT: No.

[The following is the prepared testimony submitted to the Reporter to be entered into the record.]

1. Q. What is your name and business address?

A. Louis Cheifetz, Room 560 Suburban Station Building, Philadelphia, Pennsylvania.

2. Q. By whom are you employed?

A. National Railroad Passenger Corporation, also known as Amtrak.

3. Q. In what capacity?

A. Structural Engineer.

4. Q. Are you familiar with the proposed improvement insofar as it concerns Amtrak?

A. Yes.

5. Q. Are you authorized to appear and testify in this proceeding on behalf of Amtrak?

A. Yes.

6. Q. What line of railroad is involved in this proceeding?

A. The line of railroad here involved is the Northeast Corridor, owned and operated by the National Railroad Passenger Corporation.

7. Q. Would you describe the number, speed and type of train movements and the number of tracks at the crossing?

A. At the crossing the proposed construction will pass over 5 tracks of the Northeast Corridor. Amtrak usually operates over the two westerly tracks and Conrail usually operates over the remaining tracks. There are approximately 24 freight train movements daily operating at a maximum speed of 50 miles per hour. There are approximately 152 passenger trains per day, both long-haul Amtrak trains and Conrail commuter trains, operating at a maximum authorized speed of 80 miles per hour.

8. Q. Has Amtrak had the opportunity to review the plans of the proposed construction?

A. Yes, the general bridge plans and the electrification plans as they pertain to Amtrak.

9. Q. Does Amtrak have any objections to the proposed construction?

A. No, so long as rail operations are maintained.

10. Q. Will any work be required of Amtrak forces in

connection with this improvement?

A. From the plans reviewed, Amtrak forces shall provide all labor, materials and equipment for the shifting, relocation, and changing of support points of 11 kv catenary, 11 kv feeder, 6.6 kv signal power, and aerial ground wires; the erection and removal of temporary timber poles; and the installation of the grounding system on the new bridge.

11. Q. Who shall perform and pay for this work?

A. This work should be performed by Amtrak forces. The cost estimated to be $56,400 should be reimbursed by the applicant.

(PRESENT ESTIMATE TO EXAMINER)

12. Q. Will the services of watchmen, flagmen or construction inspectors of Amtrak be required in connection with this improvement?

A. Yes.

13. Q Do you have an estimate of the cost of such services?

A. No. The expenses of these services depend entirely upon the Contractor's method of operation.

14. Q. Who should bear the cost of such services?

A. We request reimbursement for such services from the applicant.

15. Q Is Amtrak agreeable to bear any of the construction or damage costs in connection with the proposed improvement?

A. No, Amtrak is not agreeable to bear any of the costs of this project.

16. Q. Will Amtrak agree to release damages for any of its property taken, injured or destroyed as a result of the proposed construction?

A. We agree to waive damages for that portion of our property that is operating right-of-way.

17. Q. What portion of the completed project will Amtrak agree to maintain?

A. Upon completion of the project, we agree to continue to maintain our own facilities at the crossing, at our own expense.

18. Q Are you aware of the "Permit", dated January 14, 1928, issued by the City of Philadelphia to the Pennsylvania Railroad, concerning installation and maintenance of the electrification facilities presently attached

to the bridge (as mentioned in the City's Witness's testimony)?

A. Yes.

19. Q. What is Amtrak's position with regard to this "Permit"?

A. The railroad facilities at this location have been transferred from Conrail to Amtrak. The assumption that Amtrak is the successor to Penn Central Transportation Company in all matters pertaining to the property of that Company in the locations where a conveyance to Amtrak was made by Conrail is not correct. Specifically with regard to the site in question, Amtrak did not receive the 58th Street Bridge or any Penn Central obligations with respect to that bridge, although we did receive the electrification facilities in the conveyance.

Whatever the merits of the Permit, we note that the Pennsylvania Public Utility Commission has taken jurisdiction over the alteration of the crossing and we believe the allocation of costs of electrification

adjustments, both temporary and permanent, are properly included within this jurisdiction. As to the view that Amtrak should bear the costs of engineering and construction associated with any temporary or permanent catenary work, we are of the opinion that this work cost is necessitated by the alteration of the crossing and should be borne by the interests funding the highway bridge construction.

20. Q. Is the completion date as proposed by the applicant satisfactory to Amtrak?

A. Yes.

21. Q. Do you have any other relevant testimony?

A. No.

- - -

ADMINISTRATIVE LAW JUDGE: Mr. Smolen?

MR. SMOLEN: Yes. I am just wondering since it will be a late file exhibit, in the event he -- we should have any questions --

ADMINISTRATIVE LAW JUDGE: I always give you the right to recall the witness if

after reviewing the exhibit you find additional questions; you certainly are not foreclosed in acting on the application in asking additional questions on the exhibit. And I tell you now, I will grant the exhibit.

CROSS-EXAMINATION

BY MR. SMOLEN:

Q Were outside engineers to perform the work?

A Yes, they were.

Q This is all in-house?

A Yes.

Q On regular time?

A Yes.

Q As part of their regular duties to do that kind of work?

A The duties were performed specifically in connection with this project.

Q You own the electrification facilities, Amtrak does, that is?

A Yes.

Q Do you know who owns the bridge?

A No.

Q Does Amtrak own the bridge?

A No. I am sorry. I have no idea who owns the bridge.

Q Does Amtrak own the bridge?

A I do not know that.

Q Does Conrail?

A I do not know that Penn Central Transportation Company owns that. I do not know that.

Q Does the City of Philadelphia?

A I do not know that.

Q Does the Commonwealth of Pennsylvania own the bridge?

MR. ZAHN: I object.

(Discussion off the record)

ADMINISTRATIVE LAW JUDGE: Objection overruled.

BY MR. SMOLEN:

Q Do you know whether the Commonwealth of Pennsylvania owns it?

A I do not know that.

ADMINISTRATIVE LAW JUDGE: Do you know who owns the bridge?

THE WITNESS: I do not know who owns

the bridge. I stated that before.

BY MR. SMOLEN:

Q Was this Amtrak Exhibit No. 1 prepared by you or under your direction and control?

A Yes, it was.

Q How did you arrive at $25,000 total for revision to the catenary, et cetera, as appears thereon?

A The estimate was prepared by a member of our electric traction. He did not have a breakdown at the time we prepared this total.

Q So you do not know where he got that figure?

A No, I do not.

Q Did you prepare any of those figures in this exhibit?

A No, I did not personally.

Q Do you have any knowledge of how they were prepared?

ADMINISTRATIVE LAW JUDGE: Or how the figures were apprised?

BY MR. SMOLEN:

Q Or how the figures were apprised?

ADMINISTRATIVE LAW JUDGE: He obviously knows they were prepared by someone

in his department.

BY MR. SMOLEN:

Q Do you know that?

A No.

MR. SMOLEN: No further questions.

I object to the witness as not being qualified to --

ADMINISTRATIVE LAW JUDGE: Do you want to answer that?

MR. ARMENTROUT: Did you request forces, did Amtrak and the Department, working under their direction and control to develop figures based on those four categories?

THE WITNESS: Yes, sir.

MR. ARMENTROUT: And these were the figures prepared at your request?

THE WITNESS: They were. Yes, they were.

MR. ARMENTROUT: I think based on that, they were stated to be estimates.

ADMINISTRATIVE LAW JUDGE: Well, the only problem I foresee, Mr. Armentrout, I assume that Mr. Smolen wants to cross-

examine as to the legitimacy of these figures.

Now, if the witness discussed those with the persons in his department who compiled these, so he has a working knowledge of the basis of the estimate, I think it would be admissible. But I think Mr. Smolen's objection is that he does not know how valid these figures are. If the witness does not know what the contents of that bottom figure is, then he cannot really adopt those figures as his testimony. Is that your position, Mr. Smolen?

MR. SMOLEN: That is correct, Your Honor.

May I make a suggestion? Perhaps, a breakdown of these figures may be submitted as an exhibit, Exhibit 3.

ADMINISTRATIVE LAW JUDGE: I will give you another week to do that. I do not think that Mr. Smolen's objection is to the figure; the only thing he objects to is that there is no basis that he can draw any conclusion to as to the validity of these

figures. At the same time, if you feel that the exhibit is that important as far as Amtrak's case, then you will permit, even over Mr. Smolen's objection, to present an exhibit which will show the breakdown of the various figures included to reach that bottom-line figure.

Do you have an objection to that figure?

MR. SMOLEN: No.

ADMINISTRATIVE LAW JUDGE: I will permit you to late file on Amtrak's Exhibit 3, to be received at the same time as Exhibit 2 was received, which is a breakdown of the figure arrived in Exhibit 1; or if you want to revise Exhibit 1 and submit a new Exhibit 1 with a complete breakdown as to the contents as well as the bottom-line, that would be permissible. Whichever you prefer to do. You may submit a revised Exhibit 1 or a new Exhibit 3.

MR. SMOLEN: I have no other questions of this witness subject to his ability to be

recalled.

ADMINISTRATIVE LAW JUDGE: Mr. Mazor?

MR. MAZOR: Nothing.

ADMINISTRATIVE LAW JUDGE: Bell Telephone?

MR. GRANBERY: No questions.

ADMINISTRATIVE LAW JUDGE: Mr. Schachman?

MR. SCHACHMAN: No questions.

ADMINISTRATIVE LAW JUDGE: Mr. Chillemi?

MR. CHILLEMI: Nothing.

ADMINISTRATIVE LAW JUDGE: Yes. We will be back here tomorrow at nine-thirty. At that time any Counsel who is going to present a case, have the testimony with you that you had intended to present today.

Let me, although there is no cross-examination to the testimony that was submitted by Philadelphia Gas Works --

MR. SMOLEN: I have not read it. I have not had a chance to read it. The other thing we had to do here, if I can have a few

minutes, to read it over.

ADMINISTRATIVE LAW JUDGE: Why don't you read it and we will put Mr. Chillemi's witness on.

Mr. Smolen, I assume you already read Mr. Chillemi's testimony?

MR. SMOLEN: Yes.

- - -

GERALD W. GORDON, having been duly sworn, was examined and testified as follows:

ADMINISTRATIVE LAW JUDGE: Give your full name and address for the record.

THE WITNESS: Gerald W. Gordon, P.E., Philadelphia Electric Company, 2301 Market Street, Philadelphia.

DIRECT- EXAMINATION

BY MR. CHILLEMI:

Q What capacity are you employed in by Philadelphia Electric Company?

A Senior Engineer, Electrical Engineering Division, Engineering and Research Department.

Q Are you authorized to testify on behalf of Philadelphia Electric Company in this proceeding?

A Yes, I am.

Q You have before you two pages of prepared testimony. Are you the one who prepared the questions and the answers thereto?

A Yes, I am.

Q If you were to testify at length, would your answers to the questions contained therein be the same?

A Yes, sir.

MR. CHILLEMI: Under the circumstances, Your Honor, I move that the prepared testimony be admitted as record as if it were testified to at length.

ADMINISTRATIVE LAW JUDGE: No objections?

I direct the Stenographer to transcribe into the record the prepared testimony as if the same were already given at this hearing.

[The following is the prepared testimony submitted to the Reporter to be entered into the record.]

1. Q. What is your name and address?

A. Gerald W. Gordon, P.E., N3-1, 2301 Market Street, Philadelphia, Pennsylvania 19101.

2. Q. By whom are you employed?

A. Philadelphia Electric Company.

3. Q. In what capacity?

A. Senior Engineer, Electrical Engineering Division, Engineering and Research Department.

4. Q. Are you authorized to testify on behalf of Philadelphia Electric Company?

A. Yes, I am.

5. Q. In the course of your duties, have you had occasion to familiarize yourself with the proposal by the City of Philadelphia for the reconstruction of 58th Street, including a bridge over the existing tracks of the former Penn Central Transportation Company and the proposed tracks of the Airport high-speed line?

A. Yes, I have.

6. Q. At the December 8, 1975 hearing before the Pennsylvania Public Utility Commission on Application No. 99374 by the City of Philadelphia did you describe the facilities Philadelphia Electric Company has in the area of the proposed highway work and how these facilities would be affected?

A. Yes, I did.

7. Q. Has there been any change in the facilities involved or the affect of the proposed work on these facilities?

A. No.

8. Q. Has there been any change in the estimated costs of relocating Philadelphia Electric Company facilities?

A. The costs given at the December 8, 1975 hearing were based on 1975 figures and did not consider excalation which might occur by the time the facilities have to actually be relocated.

9. Q. Does your testimony at the December 8, 1975 hearing still apply?

A. Yes, it does.

10. Q. Has the City agreed to pay for the cost of Philadelphia Electric Company's work in connection with the proposed highway improvement?

A. The Council of the City of Philadelphia has passed and the Mayor signed Bill No. 90, which authorizes the City to enter into an agreement with the Philadelphia Electric

Company to pay for all costs involved in relocating Electric Company facilities on both private and public right-of-way in conjunction with construction of the Airport high-speed line.

11. Q. Has the agreement authorized in Bill No. 90 been prepared?

A. Yes. The agreement is now circulating for approvals.

12. Q. Does the Philadelphia Electric Company have any objections to the proposed highway improvement as now designed?

A. No, providing that its facilities can be re-arranged, replaced, relocated and maintained as described today and at the December 8, 1975 hearing.

13. Q. Do you object to an order being issued by the Commission at this time?

A. No, providing that the rights of all parties to be heard regarding final allocation of costs be preserved in the event that the proposed agreement is not executed by the parties.

ADMINISTRATIVE LAW JUDGE: Mr. Smolen, any cross-examination of the witness?

CROSS-EXAMINATION

BY MR. SMOLEN:

Q The agreement that is now circulating is for approval for the Philadelphia Electric Company?

A Yes, sir.

Q And you understand from our City's testimony that UMTA is going to be requested to approve that for you?

A Yes.

MR. SMOLEN: No further questions.

ADMINISTRATIVE LAW JUDGE: Mr. Zahn? I will pass Mr. Zahn. Mr. Mazor?

MR. MAZOR: No questions.

ADMINISTRATIVE LAW JUDGE: Mr. Schachman?

MR. SCHACHMAN: No questions.

ADMINISTRATIVE LAW JUDGE: Bell Telephone, no questions.

Mr. Zahn, we are back to you again.

CROSS-EXAMINATION

BY MR. ZAHN:

Q Mr. Gordon, in your answer in which you stated that the Electric Company and the City are going to enter into an agreement to pay for all costs, in relocating your facilities in connection with the Airport high-speed line, do any of those costs refer to the reconstruction or replacement of the 58th Street Bridge?

A They include relocation of our facilities in connection with the reconstruction of the bridge.

Q And yet you say that this Bill No. 90 refers to payment of costs in conjunction with construction of the Airport high-speed line -- facilities in conjunction with the 58th Street Bridge?

A The agreement now circulating for approval provides for reimbursement for all Philadelphia Electric Company relocation costs as part of the overall package in which the City has obtained certain rights without charge from the Company and, likewise, the Company has, in turn, certain rights with the City. If it were not for this, the City would have to go to considerably greater expense to construct the high-speed line. It is a mutual-benefit-type of agreement.

Q But, what about the 58th Street Bridge;

that is what I am concerned with.

A The high-speed line portion would not be being built, we would not have relocated our facility. The Bridge presents significant problems to us.

Q If the existing 58th Street Bridge were to be reconstructed and nothing to do with the high-speed line, would your facilities have to be relocated?

A The plans are shown -- do not show the same type of bridge, so I am not really qualified to answer that question.

ADMINISTRATIVE LAW JUDGE: That is your answer?

MR. ZAHN: Thank you.

ADMINISTRATIVE LAW JUDGE: Any other questions of this witness by other Counsel?

Thank you, Mr. Gordon.

Bell Telephone, I believe, has a witness.

- - -

WILLIAM WEBSTER, having been duly sworn, was examined and testified as follows:

ADMINISTRATIVE LAW JUDGE: Give us your full name and address for the record,

please.

THE WITNESS: William Webster, W-e-b-s-t-e-r, 230 S. Hanson Street, Philadelphia, Pennsylvania.

MR. GRANBERY: Your Honor, we have a document consisting of one page with a schematic diagram on it that we would like to have marked for identification as Bell of Pennsylvania Exhibit No. 1.

ADMINISTRATIVE LAW JUDGE: I direct the Stenographer to mark the one-page schematic sketch as Exhibit 1.

(Bell's Exhibit No. 1, PE Company Elmwood Substation Schematic Sketch was marked for identification.)

DIRECT-EXAMINATION

BY MR. GRANBERY:

Q Mr. Webster, are you authorized to testify on behalf of your company?

A Yes.

Q And you have before you a three-page prepared testifmony?

ADMINISTRATIVE LAW JUDGE: Did you

prepare this testimony?

BY MR. GRANBERY:

Q Was this testimony prepared by you or under your direction?

A Yes, it was.

Q If the questions were asked of you now, would the answers be the same as appear therein?

A Yes, they would.

MR. GRANBERY: Your Honor, I move that this be placed in the record.

ADMINISTRATIVE LAW JUDGE: Any objections?

I direct the Stenographer to transcribe this as if the same were testified to at length.

MR. GRANBERY: Yes. With regard to the --

ADMINISTRATIVE LAW JUDGE: Are there any changes to that testimony, Mr. Webster?

THE WITNESS: Pardon?

ADMINISTRATIVE LAW JUDGE: Are there any changes that you wish to make to --

MR. ZAHN: Anything you wish to add?

BY MR. GRANBERY:

Q With regard to Bell of Pennsylvania's Exhibit No. 1, was this prepared by you or under your direction?

A Yes, it was.

Q And are there any corrections to it?

A Yes. The manhole in the lower right-hand corner is marked as a concrete manhole. That is actually a brick manhole.

Q With that correction, the information contained in there is true and correct?

A Yes, it is.

[The following is the prepared testimony submitted to the Reporter to be entered into the record.]

1. Q. Kindly state your name and business address.

A. William Webster, 230 S. Hanson Street, Philadelphia, Pennsylvania, 19139.

2. Q. Are you an employee of the Bell Telephone Company of Pennsylvania?

A. Yes.

3. Q. How long have you been so employed?

A. Twenty-five years.

4. Q. Please state your experience with the Bell Telephone Company and your present position.

A. All my experience with the Telephone Company has been in the design and construction of outside plant. At present, I am Supervising Engineer, Outside Plant Engineering, South City.

5. Q. Are you familiar with the reconstruction plans of the City of Philadelphia for the 58th Street bridge and how that reconstruction will affect the facilities of the Telephone Company?

A. I have reviewed the preliminary plans of the City of Philadelphia, dated January, 1977, and my testimony is based on that information.

6. Q. Please briefly describe the telephone facilities as they are presently located on the existing bridge structure on 58th Street.

A. In 1904, two wrought iron pipes were placed under the east footway area of the bridge. In 1952, four additional 3" transite conduits were placed, so that at present, we have two wrought iron pipes and four 3" transite

conduit in the bridge. There are no cables presently crossing the bridge. However, we have an existing manhole to the north of the existing bridge containing a 1200 pair feeder cable which serves the Philadelphia Electric Company's Emwood Substation west of 58th Street. This manhole is located in the area of the proposed north brige abutment.

7. Q. Briefly describe what work the Telephone Company will have to perform as a result of this proceeding.

A. In order to vacate and abandon the manhole within the area of reconstruction, new facilities will have to be established to serve the Philadelphia Electric Substation. This will require placing 50 feet of 4 inch conduit from our existing conduit in 58th Street at a point 74 feet north of the manhole to be abandoned to a point just inside the Philadelphia Electric property line. Philadelphia Electric has agreed to provide conduit from that point to their Substation. We propose to place a new 50 pair cable in

this conduit and in the existing conduit in 58th Street to connect the Philadelphia Electric Substation with our existing facilities at a manhole located 323 feet south of Woodland Avenue on 58th Street. The existing cable between that manhole and the manhole to be vacated will be removed, and 74 feet of the conduit running north from the manhole to be vacated will be abandoned. In addition, the Company will have to remove its existing facilities located on Philadelphia Electric property consisting of approximately 800 feet of 50 pair cable, the existing substation, and two 75 foot lengths of 25 pair cable connecting the existing substation with a Philadelphia Electric Company manhole. The Company's existing facilities and the facilities which the Company proposes to install, as I have just described them, are shown, in schematic form, in Bell of Pennsylvania Exhibit No. 1.

The net cost of the work required

by this project will be approximately $4,000.00. It will take about 20 working days to accomplish the work.

8. Q. Who will perform the work that you have described?

A. The Telephone Company or its designated contractor.

9. Q Would the Telephone Company make any of the changes or alterations in its equipment or facilities as referred to in your testimony if it were not constrained to do so as a result of this proceeding?

A. No. The present plant is of adequate size to serve present and anticipated growth needs in the area. The required changes will therefore not enable the Telephone Company to provide any additional service or to provide services any less expensively.

10. Q. Who should be responsible for the maintenance of the relocated facilities in the future?

A. The Telephone Company.

ADMINISTRATIVE LAW JUDGE: Mr. Smolen, any cross-examination?

CROSS-EXAMINATION

BY MR. SMOLEN:

Q This last correction you made in your Bell Exhibit No. 1 --

A Yes?

Q -- you are saying something in the lower left?

A The lower right-hand corner, the manhole is a 3.6 x 6 x 4.1 concrete manhole. That is actually a brick manhole.

Q And that is brick. Are you aware of the fact that these manholes are installed pursuant to the City permits issued?

A Yes, I am.

MR. SMOLEN: No further questions.

ADMINISTRATIVE LAW JUDGE: Mr. Mazor?

MR. MAZOR: No questions, Your Honor.

ADMINISTRATIVE LAW JUDGE: Any questions by other Counsel?

I believe SEPTA has a witness.

- - -

FRANK BERDAN, having been duly sworn, was examined and testified as follows:

EXAMINATION

BY ADMINISTRATIVE LAW JUDGE:

Q Would you give us your full name and address?

A Frank Berdan, B-e-r-d-a-n, Room 2028, PSFS Building, Philadelphia, Pennsylvania, 19107.

Q Mr. Berdan, as your Counsel has left, I have been handed a copy of your prepared testimony. I will ask you those questions that she normally would ask you.

Are you authorized to appear here on behalf of SEPTA today?

A Yes.

Q And were the answers to the questions which appear in your prepared testimony prepared by you or those persons which are under your direction and supervision?

A Yes.

Q And if you were asked by your Counsel those questions which appear in your prepared testimony, would the answers that appear in your prepared testimony -- would they be the same as if you already testified?

A Correct.

ADMINISTRATIVE LAW JUDGE: Mr. Smolen, you have a copy of this?

I want the record to reflect that Ms. Soken, if she is going to prepare testimony, she obviously knew the number of Counsel involved as well as their names and addresses. She certainly should have been prepared to have sufficient copies for all Counsel.

Would you kindly, Mr. Berdan, take that message to Ms. Soken for me?

THE WITNESS: Yes, sir.

ADMINISTRATIVE LAW JUDGE: She is to have sufficient copies for all Counsel.

May I also say that in all the hearings I have had with SEPTA, the prepared testimony was always with sufficient copies to distribute.

[The following is the prepared testimony submitted to the Reporter to be entered into the record.]

1. Q. Is that your business address?

A. Yes.

2. Q. By whom are you employed?

A. Southeastern Pennsylvania Transportation

Authority (SEPTA).

3. Q. Is SEPTA a party of interest in this proceeding?

A. Yes.

4. Q. How long have you been employed by SEPTA or its predecessor?

A. Twenty-eight years.

5. Q. What is your position with SEPTA?

A. Manager-Operational Planning.

6. Q. Would you please briefly describe your duties as Manager of Operational Planning?

A. I am responsible for the supervision of operational planning and route schedule development; in other words, the design of new transportation routes, desirable or necessary changes in existing routes both as to location, pattern and mode, as found desirable by the Authority or as the result of activities of others. I also serve as SEPTA representative before regulatory bodies, such as Pennsylvania Public Utility Commission in carrying out the Authority's participation in proceedings such as this in which SEPTA has an interest.

7. Q. Are you authorized to appear in this proceeding on behalf of SEPTA?

A. Yes.

8. Q. What is SEPTA's position with respect to this proceeding?

A. SEPTA supports the applications of the City of Philadelphia and has been cooperating with the City in the technical aspects of the Airport high-speed line in general and in the reconstruction of the 58th Street Bridge in particular.

9. Q. What specific interest does SEPTA have in the 58th Street Bridge which is unique to that crossing which is to be rebuilt?

A. SEPTA owns and maintains an overhead power transmission pole line which must be adjusted at least twice in the process of the two-steps reconstruction of the bridge. These facilities are for SEPTA's City Transit Division, transmitting power from its 58th & Woodland Avenue substation across the subject bridge to its Route 36 streetcar line on the southeast side of the bridge.

10. Q. What is SEPTA's position with respect to this installation?

A. SEPTA expects to make a two-step change in this facility as bridge construction progresses and will do so at its own initial expense. That expense, is expected to total a little more than $14,000, is requested to be re-compensed by the City of Philadelphia. SEPTA so petitions the Commission at this time.

11. Q. Are there any other elements of interest of SEPTA in this proceeding?

A. No.

CROSS-EXAMINATION

BY MR. SMOLEN:

Q Mr. Berdan, the facility to which you refer in your testimony, you say it transmits power from the 58th Street & Woodland Avenue substation across the bridge?

A Correct. The trolley line cannot function without it.

Q And that facility is in the public right-of-way?

A Yes, sir. It has been there before the

permit-system was inaugurated.

Q When was it installed?

A Approximately 1897.

Q Do you know when the permit-system started?

A About 1907 or 1908.

Q Are you saying your predecessor installed the facility in a public right-of-way without permission of some City agency?

A It is our belief that it was installed on the basis of a Pennsylvania Legislative Act permitting the installation of this streetcar route and its appendage support members; such as the Tranmission Act.

Q Do you have a reference to that Act?

ADMINISTRATIVE LAW JUDGE: Do you know the Act number?

THE WITNESS: No, sir. I do not. I can provide it.

MR. SMOLEN: I would appreciate it if you would.

BY MR. SMOLEN:

Q Now, you say SEPTA expects to make a two-step change?

A Yes.

Q Would you please explain what you mean by that?

A Only that the work done for Phase A will be --

Q When you say "Phase A," Construction Stage A?

A Correct. Phase A will be done in accordance with that and for Phase B a second change made.

Q Is there some breakdown of the 14,000 between Construction Stage A and Construction Stage B that you can make?

A Yes. I will distribute that with extra copies of the testimony.

Q Do you have any idea, now, of what that breakdown might be of this $14,000.00?

A Yes, indeed. The first stage is essentially the smaller, simply because of the fact that the Phase B includes support for the line. And therefore, it is only a matter of keeping out of the way of Phase A construction work by a slight relocation of one pole.

Q So you say --

A The Phase 4 involves reducing the height--- excuse me, Phase B involves reducing the height of the entire line and install 4 new poles.

Q So that for Stage B construction, you say

the bulk of this $14,000 will be expended?

A And for a -- almost $11,500 is the second half.

Q For Stage B?

A Correct.

Q And the balance of that?

A Correct. It is about one-fifth.

MR. SMOLEN: No further questions.

ADMINISTRATIVE LAW JUDGE: Mr. Zahn?

MR. ZAHN: No questions.

ADMINISTRATIVE LAW JUDGE: Mr. Mazor?

MR. MAZOR: No questions.

ADMINISTRATIVE LAW JUDGE: Bell Telephone?

MR. GRANBERY: No questions.

ADMINISTRATIVE LAW JUDGE: Do I take it from your testimony, Mr. Berdan, that you are going to submit an exhibit to accompany your direct testimony?

THE WITNESS: Yes. The A and B portion.

ADMINISTRATIVE LAW JUDGE: I will ask you to advise Ms. Soken that she must

submit that in one week. And, I reserve the right of all Counsel to re-examine Mr. Berdan.

Mr. Schachman, what are you prepared to do?

MR. SCHACHMAN: I am waiting for the City's position of the testimony.

ADMINISTRATIVE LAW JUDGE: What is the City's position, Mr. Smolen?

MR. SMOLEN: I am advised that there is no problem.

ADMINISTRATIVE LAW JUDGE: Why don't you bring your witness up?

MR. SCHACHMAN: Sir, what I am saying, I have to go back and make some determination before I can present the witness. And I am going to present the weight as --

ADMINISTRATIVE LAW JUDGE: Why don't you do this. Why don't you put him on now and we will take his direct testimony as prepared, if you go back and you find out that you are not going to present any additional testimony --

MR. SCHACHMAN: Unfortunately, the

question is not presenting additional testimony, it is whether I am going to present his testimony as it is; that is my problem. What I tried to do is prevent the necessity of bringing everybody back.

ADMINISTRATIVE LAW JUDGE: Well, that means that we will have to come back tomorrow. I thought we would get rid of everything today, but we will not.

MR. SMOLEN: I would like to put this witness on for a short period.

ADMINISTRATIVE LAW JUDGE: You can put him on tomorrow.

MR. ZAHN: If Your Honor please,since I will not be here tomorrow, I would like to make a statement on the record for the Department of Transportion.

(A recess was taken)

ADMINISTRATIVE LAW JUDGE: All right, Mr. Zahn, do you want to put your witness on?

MR. ZAHN: I defer my statement until the Gas Company puts on their witness.

ADMINISTRATIVE LAW JUDGE: Sir,

would you stand and raise your right hand, please?

JOHN ZIMMERMANN, III, having been duly sworn, was examined and testified as follows:

DIRECT-EXAMINATION

BY MR. SCHACHMAN:

Q Would you state your full name and address for the record, please.

A John Zimmermann, III.

Q And your business address?

A 1800 N. 9th Street, Philadelphia, Pennsylvania, 19122, Philadelphia Gas Works.

Q By whom are you employed?

A Philadelphia Gas Works.

Q Are you authorized to give testimony in behalf of the Gas Works?

A Yes.

Q You had in your possession a copy of a prepared testimony consisting of five pages, three copies of which will be given to the reporter.

A Yes.

Q If you were asked these questions contained

therein, would your answers be the same today?

A Yes.

Q Do you have any additions to them?

A If the agreement that is mentioned in this, -- two agreements, actually, one between the City and the Philadelphia Gas Works on our behalf falls through, we would ask additional hearings from the Public Utility Commission to apportion costs.

Q Does that include all costs including the -- some $89,000.00 referred to at the bottom of Page 4?

A Yes.

MR. SCHACHMAN: Sir, with those additions, I would ask the testimony be copied as if testified to today.

ADMINISTRATIVE LAW JUDGE: Any objections?

[The following is the prepared testimony submitted to the Reporter to be entered into the record.]

1. Q. What is your name?

A. John Zimmermann, III.

2. Q. What is your business address?

A. 1800 N. 9th Street, Philadelphia, Pennsylvania.

3. Q. By whom are you employed?

A. Philadelphia Gas Works (PGW).

4. Q. In what capacity?

A. Corrosion Engineer.

5. Q. Who owns the Philadelphia Gas Works?

A. The City of Philadelphia owns all of the gas distribution facilities, real and personal property collectively known as the Philadelphia Gas Works.

6. Q. Who manages and operates the Philadelphia Gas Works?

A. The Philadelphia Gas Works is managed and operated by the Philadelphia Facilities Management Corporation, a non-profit corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal place of business at 1518 Walnut Street, Philadelphia, Pennsylvania. Under a December 29, 1972 agreement as amended with the City of Philadelphia, the Philadelphia Facilities Management Corporation operates the municipally-owned Philadelphia Gas Works and related facilities of that City and

distributes natural gas to some 560,000 customers in the City and County of Philadelphia.

7. Q. Are you authorized to testify in these proceedings?

A. Yes.

8. Q. Are you familiar with the instant application and the proposed project which it involve?

A. Yes.

9. Q. Has Philadelphia Gas Works any objection to the Commission approving the construction plan and/or plans of the City of Philadelphia.

A. No.

10. Q. Will the reconstruction of the proposed bridge affect the gas distribution system?

A. The proposed reconstruction will necessitate the relocation of 456 feet of 20" gas main and 457 feet of 30" gas main from an existing gas main bridge to a tuility space on the new highway bridge which contains space for both gas and water mains.

11. Q. Does PGW request that the Public Utility Commission independently determine and apportion to other parties the costs associated

with PGW's relocation as necessitated by the proposed project?

A. No. Pursuant to an Agreement dated January 1, 1973, between the City of Philadelphia and PGW, which agreement deals with the relative responsibilities of the City, PGW and other agencies, for reimbursement of PGW's relocation costs in the case of such projects, PGW will enter into an Agreement for the reimbursement of these relocation costs as they are incurred. This Agreement obviates the necessity for the Public Utility Commission independently to allocate PGW's relocation costs to other parties in connection with this project. PGW does not make any claim in these proceedings for its relocation costs and PGW requests that the Public Utility Commission not independently determine and apportion reimbursement for PGW's relocation costs in this proceeding. In addition PGW requests that the Order of the Commission be without prejudice to the right of PGW to recover its share of relocation costs under and pursuant to such Agreement without

prior certification of such costs by the Public Utility Commission.

12. Q. Will the proposed relocation of the Philadelphia Gas Works gas mains result in additional cost to the City of Philadelphia in reconstructing this bridge?

A. Yes, additional supporting structures are required.

13. Q. Will Philadelphia Gas Works reimburse the City of Philadelphia for the additional cost of these supporting structures?

A. Philadelphia Gas Works will enter into a separate agreement with the City of Philadelphia's bridge contractor for payment of this additional cost, currently estimated at $89,000.

14. Q. What portion of its gas lines, if relocated as a result of this project, will PGW agree to maintain?

A. PGW will maintain all such relocated gas lines.

ADMINISTRATIVE LAW JUDGE: Mr. Smolen?

CROSS-EXAMINATION

BY MR. SMOLEN:

Q. Mr. Zimmermann, I understand your testimony

to be that the Philadelphia Gas Works and the City of Philadelphia are presently in negotiation and agreement with respect to reimbursement for relocation costs of PGW?

A Yes.

Q Is that correct? And I also understand that that agreement has been approved by UMTA?

A Yes.

Q And that if it is not approved by UMTA for any agreement -- if the agreement is not signed by then you are requesting further hearings?

MR. SCHACHMAN: He asked three questions in the last question. The witness testified that if the agreement between the City and PGW is not finally signed, then we would request additional hearings. Whether or not the UMTA agreement goes through or the City comes up with other funding to supply that agreement is something that the City has to decide and it is not PGW's decision.

ADMINISTRATIVE LAW JUDGE: I think that objection is well founded. I sustain the objection.

BY MR. SMOLEN:

Q So, your testimony is if the agreement is not executed and approved by the appropriate parties you want further hearings on allocation of costs?

A Yes.

MR. SMOLEN: No further questions.

ADMINISTRATIVE LAW JUDGE: Mr. Zahn?

MR. ZAHN: No questions.

ADMINISTRATIVE LAW JUDGE: Mr. Mazor?

MR. MAZOR: No questions.

ADMINISTRATIVE LAW JUDGE: Mr. Armentrout?

MR. ARMENTROUT: Nothing, Your Honor.

ADMINISTRATIVE LAW JUDGE: Mr. Chillemi?

MR. CHILLEMI: No questions.

ADMINISTRATIVE LAW JUDGE: Gentlemen, is that the completion of all testimony?

MR. SMOLEN: Let me put on Mr. Hahn -- recall him.

ADMINISTRATIVE LAW JUDGE: Mr. Hahn, would you kindly take the witness stand again. You were previously sworn and you are still

under Oath.

JAMES J. HAHN, having been recalled and having been previously sworn, was examined and testified as follows:

REDIRECT-EXAMINATION

BY MR. SMOLEN:

Q Do you have the Bell Exhibit in front of you?

A Yes, I do.

Q As to the locations shown on the Bell Exhibit, are those locations covered by the permits which you introduced in your testimony?

A Those locations are in Exhibit A-9 and A-10.

MR. SMOLEN: No further questions.

ADMINISTRATIVE LAW JUDGE: Any questions of this witness?

MR. ZAHN: No questions.

ADMINISTRATIVE LAW JUDGE: Thank you, Mr. Hahn.

Gentlemen, let me just decide something on the record here. Now, we have all the testimony subject to the qualifications made by Mr. Schachman subject to the qualifications made on the exhibits that are to be presented

one week from today. That is, the two exhibits from Mr. Armentrout on behalf of Amtrak.

The other exhibit on behalf of the breakdown of the costs, I believe, was it by Bell Telephone? I mean SEPTA?

Now, gentlemen, when these exhibits are sent to each Counsel, rather than mark my sheet that there will be further hearings, I would like a letter of expression from each of Counsel indicating to me whether they will have no questions or they will have questions. Rather than keep the record open, I am going to conditionally close it subject to notification of Counsel that they have additional questions on the exhibits.

And Mr. Schachman, I will leave the record open for you subject to your notifying me and copy of letter to all Counsel subject to the objections you made with respect to two agreements between PGW and the City of Philadelphia on the allocation costs.

MR. SCHACHMAN: May I ask one question on the other exhibits? Is it your preference

that we send you a letter stating that we do not have any questions, that I defer?

ADMINISTRATIVE LAW JUDGE: I want a letter under any circumstances. If you send a letter, I want to know if you do not have questions. I want a letter, therefore, I can know what the posture of each Counsel's position is with respect to the late filed exhibits.

Now, let me ask Mr. Smolen or maybe Mr. Schachman will also know, with respect to agreements that PGW's direct testimony made reference to your questions. Is there any time frame that you can tell me with respect to the acceptance of this agreement by the City and PGW or their position with respect to rejecting them?

MR. SMOLEN: I simply do not know, but if I can confer for a moment.

I personally have not been working on this -- that particular agreement and I simply do not know when.

ADMINISTRATIVE LAW JUDGE: Is it

going to be a month, two weeks, three weeks, a year?

MR. SMOLEN: Perhaps Counsel for PGW may have better information.

ADMINISTRATIVE LAW JUDGE: If you do not know,my next question is, Mr. Schachman, do you have any idea?

MR. SCHACHMAN: Sir, when we came into these hearings I thought we did. So obviously, as far as I know, they tell us they have the money and that is fine. That was my problem all afternoon.

MR. SMOLEN: Are you saying you have a written agreement signed by all parties?

ADMINISTRATIVE LAW JUDGE: Was it his understanding that the agreement was finalized either orally or in writing? I assume that is what you meant?

MR. SMOLEN: Do you have a copy of the final written agreement?

MR. SCHACHMAN: I do not know whether the copy of the final written agreement--

it was my understanding PGW people today that there was at least orally a final agreement. Now, if there is a misunderstanding that is one thing; but it was my understanding of the allocation of the cost and that is it.

ADMINISTRATIVE LAW JUDGE: Let me ask both of you, Mr. Smolen and Mr. Schachman, could both of you go to appropriate parties in the City of Philadelphia and find out what stage the negotiations are in; whether in fact they have orally agreed as to the basic terms leaving maybe few items to be resolved or whatever. And would one of you take the responsibility of notifying me?

MR. SCHACHMAN: Yes, sir.

ADMINISTRATIVE LAW JUDGE: Either by telephone or letter. I prefer a letter, this way -- that letter you do not necessarily have to send copies to other Counsel, but certainly you are not foreclosed.

MR. SMOLEN: I certainly would like a copy of the letter. I am going to make

inquiries myself.

ADMINISTRATIVE LAW JUDGE: Mr. Chillemi?

MR. CHILLEMI: We basically have the same position as the Philadelphia Gas Works because of agreements pending that have to be signed.

ADMINISTRATIVE LAW JUDGE: Pending with the City of Philadelphia?

MR. CHILLEMI: Yes. So we will also give you notice.

ADMINISTRATIVE LAW JUDGE: Can you look into that, Mr. Chillemi?

MR. CHILLEMI: They should be signed very shortly.

MR. SMOLEN: They are in your hands.

MR. CHILLEMI: They are in my hands.

ADMINISTRATIVE LAW JUDGE: As soon as we get the appropriate party to execute this on behalf of Philadelphia Electric, then that will come. Is that what you are saying? Signed?

MR. SMOLEN: Signed by the City.

ADMINISTRATIVE LAW JUDGE: Would that be any problem once you receive it from them, Mr. Smolen?

MR. SMOLEN: You mean the City?

ADMINISTRATIVE LAW JUDGE: Yes.

MR. SMOLEN: We do not anticipate any problems. They have been submitted to UMTA.

MR. SCHACHMAN: We seem to have missed --

ADMINISTRATIVE LAW JUDGE: We are going around in circles.

MR. SMOLEN: We have to wait on the funding. And we have so testified.

ADMINISTRATIVE LAW JUDGE: Yes. Let me find out that, assuming that you do not get funding, Mr. Smolen, what happens to the proposed agreement between the City of Philadelphia and Philadelphia Electric Company, and the City of Philadelphia and PGW?

MR. SMOLEN: In syncretic method, may I answer with a question? What may

happen to the Airport high-speed line? I do not know. I am not saying that it will go down, but I simply do not know because a poly-decisive would have to be made because it is a legal decision.

ADMINISTRATIVE LAW JUDGE: The reason I have asked this is because I am supposed to make an order somewhere along the line. If UMTA does not give approval and even though all the agreements are executed, we are going to find ourselves in the position that this hearing may become moot.

MR. SMOLEN: We may have to come back.

ADMINISTRATIVE LAW JUDGE: We may have to start all over again.

MR. SMOLEN: That is right. We do not anticipate UMTA's disapproval. Let's put it that way.

ADMINISTRATIVE LAW JUDGE: At this point you do not know whether UMTA will approve it?

MR. CHILLEMI: I understand it may take up to three months before they do.

ADMINISTRATIVE LAW JUDGE: That will be all, Counsel. The agreements are executed, both the PE and the PGW. Counsel should move on that because it is going -- the allocation of costs are going to be subject to approval by UMTA, then certainly I cannot make an order.

With respect to allocation of costs, until I have approval from UMTA and that approval will have to come from Counsel, yourself, Mr. Chillemi, Mr. Schachman and Mr. Smolen, so --

MR. SMOLEN: We will notify Your Honor as soon as possible, as soon as feasible with respect to the UMTA approvals of these proposed agreements.

ADMINISTRATIVE LAW JUDGE: Gentlemen, are any briefs going to be filed in this matter? Somewhere along the way?

MR. SMOLEN: With respect to the Airport high-speed line hearings, which is a separate docket number?

ADMINISTRATIVE LAW JUDGE: That is

99374.

MR. SMOLEN: Yes -- no, no.

ADMINISTRATIVE LAW JUDGE: 98061?

MR. SMOLEN: Yes. That question as to briefs and oral arguments should be deferred, I believe, until the other hearings on the Airport high-speed line crossing takes place so that we do not have to have five or six briefs or oral arguments on the Airport high-speed line. So that is my suggestion with both the oral argument on the high-speed line crossing, that that question be deferred until completion of the high-speed line crossing hearings.

ADMINISTRATIVE LAW JUDGE: Okay. All right. Mr. Zahn, we forgot, you have a very short statement?

MR. ZAHN: Yes, a very short statement.

The Department wants the record to note that we are here today on behalf of the Division or Bureau of the Department that has to do with area transportation, mass

transportation. Those funds come from the general funds of the Legislature and not from the trust funds, the motor license funds or liquid tax fuel funds for which the Highway Department of the Department of Transportation is funded.

So that if there is any allocation of cost it would be allocated to those funds that are received for mass transportation in Pennsylvania.

ADMINISTRATIVE LAW JUDGE: Well, are you saying, Mr. Zahn, that it is a budget figure rather than a general fund figure? Does it have to be a budget submitted to the Governor?

MR. ZAHN: No. Not for mass transportation.

ADMINISTRATIVE LAW JUDGE: Okay.

MR. ZAHN: The other statement I wanted to make is in regard to the Philadelphia Electric Company's statement, City Bill No.90, authorizing the City and the Company to enter into an agreement to pay for all costs for

the Airport high-speed line. That if there are any costs associated with the 58th Street Bridge that would have been spent had the bridge been rebuilt without the speed-line portion, then those costs should not be made part of the high-speed line costs of this project.

ADMINISTRATIVE LAW JUDGE: Any other Counsel wish to make a statement? All right.

Gentlemen, I mark this hearing closed.

(The hearing was concluded at 5:20 P.M.)

- - -

I HEREBY CERTIFY that the proceedings and evidence herein are contained fully and accurately in the notes taken by me at the hearing in the above cause before the Public Utility Commission of the Commonwealth of Pennsylvania, and that this copy is a true and correct transcript of the same.

Deborah A. Byrd

Deborah A. Byrd
Shorthand Reporter

OVERSIZE DOCUMENT(S)

CITY EXHIBIT A-1

PHILADELPHIA COUNTY

58th. St. BRIDGE over the CONSOLIDATED RAIL CORP.
MAIN LINE S. OF WOODLAND AVE.
P.U.C. PLAN

OVERSIZE DOCUMENT(S)

CITY EXHIBIT A-2

58th. St. BRIDGE over the CONSOLIDATED RAIL CORP.
MAIN LINE S. OF WOODLAND AVE.
GENERAL PLAN

OVERSIZE DOCUMENT(S)

CITY EXHIBIT A-3

Revisions to Railway Electrification at 58th St. Bridge Over Amtrak Main Line

GENERAL NOTES, BILL OF MATERIAL,
DRAWING LIST

PUC A 99374
City Exhibit A-4
58TH STREET BRIDGE
Construction Stage - A

Detailed Cost Estimate

1.	Mobilization	$ 50,000
2.	Engineering Stakes	12,000
3.	Protection of AMTRAK Facilities	30,000
4.	Removal of Existing Structures	80,000
5.	Excavation	10,200
6.	Reinforcing Steel	32,200
7.	Prestressed Box Beams	82,700
8.	Concrete	93,700
9.	Aluminum Protective Barrier	30,600
10.	Expansion Joints	6,600
11.	Bridge Approach Work	32,200
12.	30"Ø Water Main	84,700
13.	Contingency (10%±)	55,100
	Sub-Total	$ 600,000
	Engineering, Borings, Etc.	60,000
	TOTAL	$ 660,000 *

* Above total does not include Railroad Electrification Facilities costs, see City Exhibit A-5.

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PA. PUBLIC UTILITY COMMISSION
Docket No. A 98061 Folder No.
A 99374 Exhibit No. 4
Witness Phila Pa Date 3/22/77
Reporter DA Byrd

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PUC A 99374
58TH STREET BRIDGE

City Exhibit A-5 EXH A-5

DETAILED COST ESTIMATE FOR RAILROAD ELECTRIFICATION FACILITIES--STAGE A

Item	Engineering (by Engineering Consultant) and AMTRAK Work to be Performed by General Contractor	Cost
1.	Foundation Construction - Excavation, Concrete and Removal	$ 11,000.
2.	Structural Steel - Material, Erection and Removal	69,000.
3.	Maintenance and Protection of Rail Traffic, for work performed by Contractor only	12,000.
	Contingencies 10%+	8,000.
	ENGINEERING (by Consultant)	$100,000.
	Design phase $67,645.	
	Construction phase 8,661.	
	Total Engineering	76,306.
	TOTAL	$176,306.

Note: Above costs do not include following work required to be performed by AMTRAK forces:

Item	AMTRAK Work Required to be Performed by AMTRAK Forces
A.	Revisions to Catenary and Electric Traction Power Feeder Circuits - Materials Only;
B.	Revisions to Catenary and Electric Traction Power Feeder Circuits - Labor and Equipment;
C.	Signal Power Feeders - Materials, Labor and Equipment;
D.	Electrical Grounding System - Materials, Labor and Equipment; and
E.	Maintenance and Protection of Traffic for Work Performed by AMTRAK Line Crews.

Estimated AMTRAK costs will be submitted by them as Railroad Exhibit.

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Witness at Phila Pa
Reporter DA Byrd Date 3/22/77

PUC A 98061
City Exhibit A-6
58TH STREET BRIDGE
Construction Stage - B

Detailed Cost Estimate

1.	Mobilization	$ 31,000
2.	Engineering Stakes	18,000
3.	Removal of Existing Structures	55,000
4.	Excavation	117,400
5.	Reinforcing Steel	34,400
6.	Prestressed Box Beams	47,000
7.	Concrete	161,600
8.	Aluminum Protective Barrier	16,200
9.	Expansion Joints	6,600
10.	Approach Slab	8,300
11.	Bridge Approach Work	41,000
12.	30"Ø Water Main	73,200
13.	Contingency (10%±)	65,300
	Sub-Total	$ 675,000
	Engineering, Borings, Etc.	65,000
	TOTAL	$ 740,000

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Hearing at Phila Pa Date 3/22/77
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CITY EXHIBIT — A 7

A-99374

PA. PUBLIC UTILITY COMMISSION
Docket No. A-99374 Folder No.
Exhibit No. A-7
Hearing at Phila Pa Date 3/22/77
Reporter D A Byrd

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D.B.& S. #67 - H

January 14, 1938.

Division of bridges and Sewers, 703 City Hall.

Wm. T. McCouch, Special Agent,
The Pennsylvania Railroad,
580 Broad Street Station,
Philadelphia.

Dear Sir:

SUBJECT: CATENARY AND SIGNAL TRANSMISSION WIRE INSULATOR ATTACHMENTS - PHILADELPHIA, BALTIMORE AND WASHINGTON RAILROAD

Permission is hereby granted for the installation of catenary and signal transmission wire insulator attachments to the bridges noted below. Approval of safety screen and signal tower attachments are otherwise provided for, or else noted:

Bridge	Plan Number	Special Clauses for Individual Bridge
72nd Street	11 D - ~~300/4~~	As per verbal request, insulator supports at center of bridge may be supported by bolt through jack arch, provided the arch is properly waterproofed and paving replaced. Maintenance of waterproofing to be assumed by P.R.R.
71st Street	11 D - ~~300/3~~	Approved.
67th Street	11 D - 307/3	Approved.
65th Street	11 D - 306/3	Approved.
63rd Street	11 D - 305/3	Approved.
62nd Street	11 D - 304/3	Dead ends marked D E - Holes for same to be drilled from outside of arch face toward the underside of bridge. Signal tower attachments approved.

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Wm. T. Macouch, Special Agent,
The Pennsylvania Railroad.

Bridge	Plan Number	Special Clauses for Individual Bridge
58th Street	11 D - 303/3	Approved.
54th Street	11 D - 301/4	Approved.
49th Street	11 D - 300/3 11 D - 344/1	Signal tower attachments approved. Approved.

In accepting this permit you agree to be responsible,

First, for all accidents to persons or damage to property due to your carrying wires under the above bridges. You further agree to remove all wires and attachments upon receiving notice from the Chief of this Bureau.

Second, that at all times the work and location of the said attachments shall be in accordance with plans filed by you with this Bureau and herewith approved.

Third, this permit is granted with the stipulation that should any of the wires, plates or other appurtenances placed on the above bridges in any way damage them, or endanger their safety, you shall repair such damage without cost of expense to the City.

Fourth, any time the City finds it necessary for the safe maintenance of the whole of these structures, part or parts thereof, either by replacement, reinforcement or painting, the City will not be required to bear any expense of making other provisions for supporting or maintaining the attachments temporarily, such expense to be paid for by the Railroad Company; also, in order that such work may be carried on in a safe manner and without danger to the lives of workmen in the City's employ, through coming in contact with such live wires, such precautions as may be deemed necessary by the Chief, Bureau of Highways, shall be taken by the Railroad Company upon notice from him of intention to proceed with work of this character.

Finally, while exercising any privileges under this permit, you shall save the City of Philadelphia harmless from any accident or damage either during the placing of your wires, the necessary attachment to the bridges to carry same, or from any other cause of whatsoever nature.

~~The Bridge and Sewer Division~~ shall be notified when such work under this permit is to be done.

Very truly yours,

J. H. Keeson,
Chief of Bureau.

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Amtrak

76 7180
REC. JUL 29 1976
DEPARTMENT OF STREETS

FOR YOUR ATTEN.				
REPORT WRITTEN VERBAL				
REPLY DIRECT PREPARE				
REC'D.				
FORW'D.				
REC'D.				
RET'D.				
DATE		SENT TO FILES BY		

July 28, 1976

FILE: E-54-3.21
Philadelphia, Pa.

Mr. David J. Damiano
Commissioner of Streets
City of Philadelphia
840 Municipal Services Building
Phila., PA 19107

Dear Mr. Damiano:

This will acknowledge receipt of your letter dated July 21, 1976 pertaining to changes in catenary arrangement which may be required as the result of the construction of a structure to replace the bridge carrying 58th. St., over the Corridor Main Line in the City.

Your letter is quite correct in stating that the railroad facilities at this location have been transferred from ConRail to Amtrak, but you are not correct in your assumption that Amtrak is the successor to Penn Central Transportation Company in all matters pertaining to the property of that Company in the locations where a conveyance to Amtrak was made by ConRail.

Specifically with regard to the site in question, Amtrak did not receive the 58th. St., Bridge or any Penn Central obligations with respect to that bridge, although we did receive the electrification facilities in the conveyance.

Whatever the merits of the Permit mentioned in your letter, we note that the Pennsylvania Public Utility Commission has taken jurisdiction over the alteration of the crossing and we believe the allocation of costs of electrification adjustments, both temporary and permanent, are properly included within this jurisdiction.

As to the view that Amtrak should bear the costs of engineering and construction associated with any temporary or permanent catenary work, we are of the opinion that this work cost is necessitated by the alteration of the crossing and should be borne by the highway interests funding the highway bridge construction.

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From a practical viewpoint we have neither the staff nor the funding for engineering work of this nature. Also we note the City has engaged a consultant, Urban Engineers Inc., to design any required permanent alterations to the electrification transmission and catenary systems. We believe this consultant could handle all of the engineering required, be it permanent or temporary, including updating "as built" records at completion of the project.

We will be glad to cooperate with the City and its consultant on these matters to the extent that our staffing permits provided it is on a reimbursable basis. We also will do the field work required to adjust the catenary system on the same basis. We believe an Agreement establishing these terms would be in order.

If you have any questions regarding our position, we will be glad to discuss it further at your convenience.

Very truly yours,

E. C. Lawson, P.E.
Chief Engineer - N.E.C.

PA. PUBLIC UTILITY COMMISSION
Docket No. A-99374 Folder No.
Exhibit No. A-8
Hearing at Phila Pa Date 3/22/77
Reporter D A Byrd

Exhibit A-9

BOARD OF HIGHWAY SUPERVISORS
DEPARTMENT OF PUBLIC WORKS
CITY OF PHILADELPHIA

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APPLICATION FOR PERMIT FOR OPENING AND STRUCTURAL OCCUPANCY OF HIGHWAYS

Applicant NAME THE BELL TELEPHONE COMPANY OF PENNSYLVANIA
ADDRESS 1835 ARCH STREET
PHILADELPHIA, PA.

Date . . May 10, 1935.

President and Members,
Board of Highway Supervisors,
City Hall, Philadelphia.

Gentlemen:

Application is hereby made for permission to open and occupy the following highways for the purpose of laying conduit and building manholes:

	Highway	From	To	Proposed Location of Structure	Character of Existing Pavement	Drawing Number	
1.	10th St.	Pres. M.H. Godfrey Ave.	Prop. M.H. Spencer St.	~~4'0"~~ 3'0" W.E.C.L.	Mac. Dirt Shoulders	2-J-19592	350'
Also	10th St.	Prop. Conduit 8' N.N. C.L. Spencer St.	Pres. Pole at E.C.L. 8' N.N.C.L. Spencer St.		" "		
Also	10th St.	4'0" W.E.C.L. 7'6" N.S. C.L. Spencer St.	Build new manhole 3'6" x 6'0" x 5'0" x 6'8"		" "		
2.	58th St.	Pres. M.H. 6'0" W.E.C.L. 8'1" N.S. C.L. Wheeler St.	Pres. M.H. 6'9" W.E.C.L. 7'4" N.S.C.L. Elmwood Ave.	5'3" W.E.C.L.	Asp.	2-R-4244	390'
3.	" "	Pres. M.H. 5'0" W.E. C.L. 323' S.S.C.L. Woodland Ave.	Pres. M.H. 3'3" W.E.C.L. 664' S.S.C.L. Woodland Ave.	5'0" W.E.C.L.	Mac. B.B. Dirt Asp.	"	337'

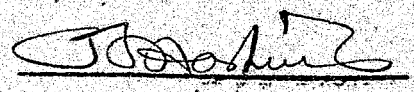
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ENTRY No. BW

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Also 58th St.	5'2" W.E. C.L. 323' S.S.C.L. Woodland Ave.	Enlarge M.H. Pres. 3'0" x 4'0" x 3'1" H.R. x 3'11" Dp. Prop. 3'6" x 6'0" x 5'0" H.R. x 6'8" Dp.		Mac. B.B. Dirt Asp.	2-R-4244	
4. Rittenhouse St.	Pres. M.H. 1'5" S.S. C.L. 0'8" E.W.C.L. Germantown Ave.	A point 94' W.W.C.L. Germantown Ave.	3'0" N.S. C.L.	Asp. Cem.	2-R-4453	92'
Also "	A point 94' W.W.C.L. Germantown Ave.	S.P.L. 94' W.W.C.L. Germantown Ave.	-	"	"	
5. Greene St.	Pres. M.H. 9'5" W.E. C.L. 0'9" N.S.C.L. Rittenhouse	A point 169' S.S.C.L. Rittenhouse	9'0" W.E. C.L.	Asp.	"	167'
Also "	A point 169' S.S. C.L. Rittenhouse	E.P.L. 169' S.S.C.L. Rittenhouse	-	Asp. Cem.	"	

Drawings of the proposed structural work, as above indicated, are submitted herewith and are hereby made a part of this application.

Very truly yours,



Applicant (corporate title, name of firm or individual) . . . . . .

The Bell Telephone Co. of Pa.

Signature of officer, member of firm or individual . . . . . .

Title . . . . . General Plant Engineer

THE BELL TELEPHONE COMPANY OF PENNSYLVANIA

1835 ARCH STREET, PHILADELPHIA, PA.

OFFICIAL 0050

April 25, 1935

Mr. James Montgomery, Secretary,
Board of Highway Supervisors,
City Hall Annex,
Philadelphia, Penna.

Change in Location

Dear Mr. Montgomery:

It is respectfully requested that permission be granted in advance of the Board meeting to change the approved location of 4'0" W.W.C.L. to 3'0" E. of W.C.L. of Park Avenue from proposed manhole at Nedro Street (this manhole tracing will be forwarded at later date) to point 177'0" north. The manhole as shown on Drawing 2-Y-1320, opposite 5915-19 North Park Avenue will not be constructed.

The approved location of 4'0" W.W.C.L. which was approved by the Board on March 8, 1935, was found to be occupied by shade trees of fair size and to excavate under these trees would more or less require cutting their roots and perhaps kill them.

Very truly yours,

Joe Kinney

(Joe I. Kinney)

Conduit Engineer

JIK.

O.K. G.L.L. 5/4/35

Approved 5-2-35
Schofield

Permit issued 5/6/35.

THE BELL TELEPHONE COMPANY OF PENNSYLVANIA

1835 ARCH STREET, PHILADELPHIA, PA.

PERCY S. HARKINS
GENERAL PLANT ENGINEER

OFFICIAL 0050

May 10, 1935.

Board of Highway Supervisors,
City Hall Annex,
Philadelphia, Pa.

Gentlemen:

It is respectfully requested that permission be granted to open the streets as covered by the following tracings for the purpose of laying conduit and building manholes:

Tracing No.	Reason for Doing Work
2-J-19592	Plant Betterment
2-R-4244	To reinforce present facilities
2-R-4453	Plant Betterment

Very truly yours,

for General Plant Engineer.

REGULATIONS OF THE BOARD OF HIGHWAY SUPERVISORS

DEPARTMENT OF PUBLIC WORKS
CITY OF PHILADELPHIA

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1. DEFINITION OF TERMS: Wherever in this application, or these regulations, the term "The Board" or pronoun in the place of it is used, it shall mean and intend The Board of Highway Supervisors; wherever the term "Applicant" or a pronoun in the place of it is used, it shall mean and intend the person or agency submitting this application and agreeing to these regulations; wherever the term "Permittee" or a pronoun in the place of it is used, it shall mean and intend the person or agency to whom the permit has been issued; wherever the term "Chief of the Bureau" or a pronoun in the place of it is used, it refers to the Chief of the Bureau of Highways of the City of Philadelphia, acting either directly or through any assistant duly appointed by him.

2. METHOD OF MAKING APPLICATION: The applicant for permission for the opening and structural occupancy of a highway in the City of Philadelphia shall file with the Board

(a) A written application indicating the full name and business address of the Applicant, and a statement of the character and purpose of the proposed work.

(b) At least three blue prints; or at least two copies of the drawing printed on linaura, or both, as directed, and showing the complete details of the proposed work and indicating the character and location of all adjacent existing structures.

(c) A summary of such other information as may be necessary to enable the Board to reach a full and definite understanding of the entire situation.

3. ALTERATION OF APPLICATION: After the approval by the Board of an application and the issuance of the permit, the terms, conditions or intent of the application, and the accompanying drawings shall not thereafter be altered or departed from without the previously obtained consent of the Board; except that, in cases of emergency, the Chief of the Bureau may when necessary authorize modifications, reporting his action to the Board at its next meeting.

4. PREREQUISITES FOR THE ISSUANCE OF A PERMIT: No permit will be issued until the applicant shall have

(a) Complied with the provisions of the ordinance granting the specific privilege.

(b) Presented to the Board a certificate from the City Solicitor to the effect that a satisfactory bond has been filed, when this is necessary.

(c) Presented to the Board a certificate from the City Treasurer to the effect that any requisite payments have been made.

(d) Presented to the Board an agreement from the Contractor, who is under liability to the City for the maintenance of any pavement involved, authorizing the opening of the pavement and providing for its restoration, and further agreeing that the guarantee will in no way be affected thereby.

(e) Agreed to comply with the regulations of the Board, as indicated herein.

5. POSSESSION OF PERMIT: Persons in charge of construction work on the highways must have in their possession, at all times while so engaged, the permit issued by the Chief of the Bureau.

6. PERIOD OF VALIDITY OF PERMIT: No permit shall be valid for a greater number of days than specified therein, which shall be determined by the Board at the time the permit is authorized. Subject to this provision a permit will automatically become invalid if the permitted construction is not begun within 90 days of the date of issuance of the permit. All permits shall expire on December 31st of the calendar year in which they are issued. For any subsequent work a new permit must be obtained.

7. VIOLATION OF REGULATIONS. If any work or precaution necessary to protect the public in the use of the highways be omitted or imperfectly performed by the permittee, then the Chief of the Bureau shall serve a formal notice on the responsible permittee and immediately cause the necessary corrective work to be performed at the expense of the permittee. Failure at any time fully and faithfully to comply with these regulations, and such further regulations as the Board may from time to time prescribe, or to pay promptly such expenses as herein authorized, shall immediately operate as a forfeiture of permits issued, and debar the permittee from receiving any further permits until released by action of the Board.

8. DANGER SIGNALS: The permittee shall erect and maintain all necessary barricades, red lanterns and danger signals at breaks or openings in the highways, material storage piles, etc. The lights shall be kept burning from twilight until sunrise, and, where necessary, a watchman shall be provided for the safety of the public. The permittee shall be responsible for any accident that may occur by reason of his neglect to comply with these requirements until the work is completed, and until he has removed from the highways all dirt, debris, materials, tools and equipment.

9. RESPONSIBILITY FOR INJURIES TO PERSONS OR DAMAGE TO PROPERTY: The permittee shall be responsible for any injury to any person or any damage to any property resulting from or by the construction or maintenance of the work herein indicated, or the occupation of the highway thereby, or defects or obstructions, or from any other cause whatsoever during the progress of the work or any time before its completion; and he shall indemnify and save harmless the City of Philadelphia from all suits or actions of every character, name and description, brought for, or on account of any injuries or damages received or sustained by any property, person or persons, by or from the construction or maintenance of the work herein indicated or the occupation of the highway thereby, or by or from the said permittee, his servants, or by, or in consequence of any negligence in safeguarding the work; or through improper methods or materials used in construction; or by or on account of any act or mission of the said permittee or his agents or employees.

10. LIMITATION OF OPERATION: At no time shall more than 500 linear feet of highway be opened or obstructed to traffic without the permission of the Chief of the Bureau. In the case of electrical conduits this permission shall be subject to the approval of The Chief of the Electrical Bureau.

11. TRAFFIC REGULATIONS: The work shall be conducted in such a manner as to insure the least possible obstruction to traffic. The convenience of the general public and of the residents along the highway shall be provided for as far as possible. Temporary approaches to and crossings of intersecting highways shall be provided and kept in thoroughly safe condition, wherever required by the Chief of the Bureau. On highways occupied by railway tracks, temporary approaches to the entrance and exits of railway cars shall, where necessary, be provided and maintained. No highway shall be closed to traffic except by specific permission of the Chief of the Bureau, and such highways closed to traffic shall be protected by effective barricades and standard Bureau of Highways signs placed as directed.

12. ACCESSIBILITY OF HIGHWAYS: The footways, gutters, inlets and portions of highways adjoining the work or in its vicinity shall not be obstructed nor fouled more than is absolutely necessary. Lawns or grass plots shall not be used for storage purposes. On improved streets the materials, tools and equipment required in connection with the work shall be neatly and properly stored upon the footway at least 1 foot back of the curbing, and leaving at all times for pedestrians a space which shall be at least 4 feet in width, if circumstances so permit.

13. SANITARY ARRANGEMENTS: The permittee shall provide and maintain for his employees such sanitary arrangements as may be directed by the Chief of the Bureau, and shall enforce their exclusive use.

14. REMOVAL OF TEMPORARY STRUCTURES, etc.: After the completion of the work, the permittee shall, within 24 hours, remove all temporary structures built by him, and all rubbish and surplus materials of all kinds from the site of the work and leave the whole clean and presentable.

15. UNDEDICATED HIGHWAYS: Applications involving the opening and occupancy of undedicated highways shall be accompanied by affidavits indicating the consent of the owner or owners.

16. APPROVAL OF DRAWINGS: Before any work is begun, the drawings for such work shall be approved by the Chief of the Bureau. Subject to this requirement, drawings for the following characters of construction shall also be approved by the Chiefs of the several bureaus as indicated:

CHARACTER OF WORK	APPROVED BY CHIEF, BUREAU OF
Bridges	Engineering, Surveys, & Zoning
Electrical, Telephone and Telegraph Conduits	Electrical
Gas Pipes	Highways
Refrigerating Pipes	Water
Sewers	Engineering, Surveys, & Zoning
Vaults	Engineering, Surveys, & Zoning
Water Pipes	Water
Steam Mains	Water
Marquises	Art Jury

17. LINES AND GRADES: Where permanent pavement and curbing do not exist, the permittee will be required to obtain from the district surveyor the necessary line and grade stakes, and for this service the permittee will be required to pay in accordance with the schedule of charges specified by the Bureau of Engineering, Surveys, & Zoning. The permittee will be responsible for the preservation of all monuments and bench marks and for all stakes after being set by the district surveyor; and any disturbed stakes must be replaced by the district surveyor and paid for at the rate previously indicated.

18. NOTICE OF PROPOSED WORK: Before any highway surface shall be opened under a permit, a written twenty-four-hour notice shall be given by the permittee to the Chief of the Bureau, and also to the Chiefs of the several other Bureaus and public utilities whose structures are liable to be encountered or encroached upon; of the time, location and extent of the proposed opening. The Bureau of Engineering, Surveys, & Zoning shall also be notified of the intention to open any footway pavement or surface.

19. INSPECTION OF WORK: All work and materials used in building structures

and in restoring or maintaining pavements shall be satisfactory to the Chief of the Bureau, and any work or material condemned by him must be replaced at once. Condemned materials shall be immediately removed from the site of the work.

20. SPECIAL INSPECTORS: When, in the judgment of the Board, it shall be deemed desirable or necessary to employ one or more special inspectors to supervise the proposed work, such inspector or inspectors shall be appointed by the Chief of the Bureau, and a sufficient sum shall be deposited by the applicant with the Chief of the Bureau for the payment of such service.

21. INTERFERENCE WITH EXISTING STRUCTURES: New structures shall not interfere with existing structures, or their connections, except where absolutely necessary, and then only with the previously obtained written consent of the Chiefs of the bureaus having jurisdiction over the structures involved. Any modification of existing structures found to be necessary must be made by or under the direction of the Bureau or public utility concerned and at the sole expense of the permittee. All necessary supports and protections to existing structures shall be promptly supplied by, or at the expense of the permittee, and to the satisfaction of the bureau or public utility concerned.

22. CHANGE IN LOCATION OF EXISTING STRUCTURES: If, in the construction of water or gas mains, sewers, or any other municipal work, it shall become necessary to change the location of any existing privately owned structures occupying the highways, their location shall be changed, at the sole expense of the owners, to such new locations as shall be directed by the Board.

23. MAINTENANCE OF EXPOSED STRUCTURES: All privately owned structures occupying highways exposed during the construction or reconstruction of water or gas mains, sewers or other municipal work shall be safeguarded and maintained by the owner.

24. MINIMUM DEPTHS OF STRUCTURES: No portion of any new structure, when in place, except such as is designed to form a part of the pavement, shall be less than 2 feet below the surface of the pavement, except with the written approval of the Chief of the Bureau. The minimum depth of the top surface of the vaults shall be not less than 4 feet.

25. ELECTRICAL SERVICE CONNECTIONS AND MANHOLES: Permits for electrical service connections or for the construction of manholes on the lines of existing underground conduits where such construction is of advantage to the City for the betterment of the system may be issued by the Chief of the Bureau without reference to the Board after approval by the Chief of the Electrical Bureau. Service connections shall extend in a straight line perpendicular to the line of the conduit main.

26. REFRIGERATING PIPES: Applicants for permission to lay refrigerating pipes shall enter into an agreement, and give a bond satisfactory to the City Solicitor, in the sum of Twenty-five thousand ($25,000.00) Dollars, indemnifying the City for any loss or damages that may occur in the exercise of the privileges herein granted, or that may hereafter be granted by the Board, and shall also be conditioned upon faithful compliance with all the provisions indicated herein. The methods and materials used in the construction of refrigerating pipes shall be subject to the approval of the Chief of the Bureau, and before laying any pipes, the permittee shall furnish to the Chief of the Bureau a certificate from a responsible agency, certifying to the character, quality, size, thickness, and condition of the pipe and fittings, and indicating the test to which the pipe has been subjected. Each length of pipe shall be tested and certified to before being laid. The pipe line, after being constructed and before the trench is

backfilled, shall be subjected to a hydro-static test of at least 300 pounds per square inch for a period of at least three hours. This test shall be made in the presence of the Chief of the Bureau of Water, and the pipe line to be approved shall meet these requirements.

27. LEAK-PROOFING OF VAULTS: Vaults shall be so constructed as to prevent the leakage of gas or water into them. When pipes or conduits are laid within two feet of vaults, the permittee will be required to make the vault leakproof.

28. BACKFILLING OF TRENCHES: All openings in highways shall, immediately upon the completion of the structure necessitating the opening, be filled with suitable material, free from rubbish and perishable matter, and thoroughly and evenly compacted throughout by ramming in layers not exceeding six inches in thickness. The opening shall be immediately repaved temporarily with suitable material and maintained until permanent restoration is made.

29. EXPOSED SURFACES OF STRUCTURES: All exposed surfaces of iron structures forming parts of the pavement shall have a roughened surface with projections rising not less than one-half inch, and spaced not more than two and one-half inches apart, of a design as approved by the Board.

30. RESTORATION OF PAVEMENTS: All pavements shall be promptly restored to the extent directed by the Chief of the Bureau and with the same character of material, equal in composition and in color to match the existing adjacent pavement, and in accordance with the latest standard specifications of the Bureau of Highways.

31. MAINTENANCE OF PAVEMENTS: All restored pavements shall be maintained in a condition satisfactory to the Chief of the Bureau, during the time of any existing guarantee, or as required by Ordinance of Council, but in no case for a period of less than five (5) years. Notices to permittees to make maintenance repairs to pavements shall receive attention within twenty-four (24) hours.

32. MAINTENANCE OF STRUCTURES: All structures shall at all times be maintained in a condition satisfactory to the Chief of the Bureau.

33. DRAWINGS OF FINISHED WORK: Immediately after the completion of the work, the permittee shall file complete detail drawings to a scale satisfactory to the Board, showing the work as constructed, together with a record of the character and location of previously existing structures encountered during the progress of the work.

34. RE-OCCUPATION OF VAULT SPACE: The City shall in no case be liable for any claim for damages arising from the vacation by the permittee, or the re-occupation and use by the City for public purposes of any portion or portions of highway space between the building lines that have been occupied by vaults. The permittee hereby assumes full responsibility for all claims arising from the occupation or vacation of the highway by and from the construction, maintenance and removal of vaults.

Approved and adopted by

BOARD OF HIGHWAY SUPERVISORS
November 13, 1931

ACCEPTANCE OF REGULATIONS BY APPLICANT

****

(Name of applicant) . . The Bell Tel. Co. of Pa. . . . . .

having made application for permission to open and occupy the highways as herein indicated for the purpose of . .laying conduit and building manholes. . . . . .

. . . . . .

does hereby accept and agree to be governed and bound by the Ordinances of Council, the regulations of the Bureau of Highways, the annexed Regulations of the Board of Highway Supervisors, and such additional regulations as the Board shall hereafter make.

Applicant (Corporate Title, Name of Firm or Individual) . . . . . .

. . . . . The Bell Telephone Co. of Pa. . . . . .

. . . . . .

Signature of Officer, Member of Firm, or Individual . . . . . .

. . . . . J.E.D. Hollis . . . . . .

Title . . . . . General Plant Engineer. . . . . .

PERMIT RECOMMENDATION

. . . May 10 . . . 1935

Chief, Bureau of Highways.

Dear Sir:

The Board of Highway Supervisors considered this application upon which the Engineer of Permits and Licenses reported on . . . . . 5/10/35 . . . . . The action of the Board follows: Approved

Very truly yours,

James J. Montgomery

Secretary.

Application # 9

of Bell Telephone Co

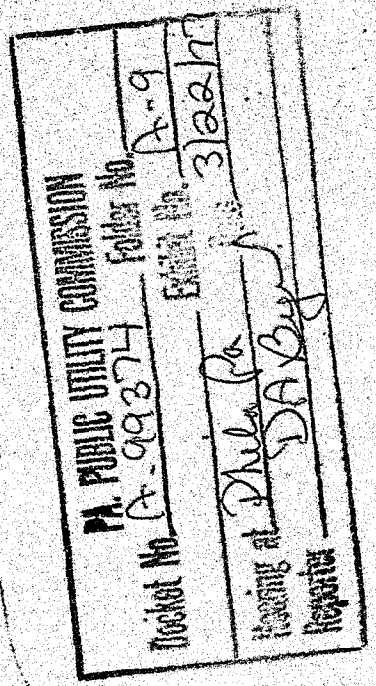
to open various streets

to lay conduit etc

Loc # 1 to 5 inc.

Date 5-10-35

AB # 9.



RECEIVED

'77 APR 13 AM 9:25

SECRETARY'S OFFICE
PUBLIC UTILITY
COMMISSION

BOARD OF HIGHWAY SUPERVISORS
DEPARTMENT OF PUBLIC WORKS
CITY OF PHILADELPHIA

EXHIBIT #10 A

APPLICATION FOR PERMIT FOR OPENING AND STRUCTURAL OCCUPANCY OF HIGHWAYS

Date....January 14, 1949.....

Applicant: NAME Bell Telephone Co. of Pa.

ADDRESS 1835 Arch St.

DOCKETED
APPLICATION DOCKET
JUN - 1 1977
ENTRY No. BW

President and Members,
Board of Highway Supervisors,
City Hall, Philadelphia.

Gentlemen: Board List of January 28, 1949.

Application is hereby made for permission to open and occupy the following highways for the purpose of

DOCUMENT FOLDER

	Highway	From	To	Proposed Location of Structure	Character of Existing Pavement		Drawing Number
					Imp.	Unimp.	
#1	Carlisle St.	Pres. M.H. 6'-6"EWCL and 108'-9" SSCL of Reed St.	Prop. bend 6'-4"EWCL and 96'-9" SSCL of Reed St.	6'-4"EWCL	6' Asp.	-	2J-23736
	W.O. 67850	Est. 1. C.O. 1617					
#2	Carlisle St.	Prop. bend 6'-4"EWCL and 96'-9" SSCL of Reed St.	W.H.L.	Roadway & Footway	13' Asp. Cem.	-	2J-23736
	W.O. 67850	Est. 1. C.O. 1617					
#3	Hamilton St.	Pres. M.H. 5'-0"SNCL and 47'-7" EECL of Napa St.	Prop. bend. 5'-0"SNCL and 50'-0" WWCL of 31 St.	5'-0"SNCL	47' Asp.	-	2J-23447
	W.O. 35613	Est. 1. C.O. 1309					
#4	Hamilton St.	Prop. bend 5'-0"SNCL and 50'-0" WWCL of 31st St.	N.H.L.	Roadway & Footway	15' Asp. Brk	-	2J-23447
	W.O. 35613	Est. 1. C.O. 1309					

	Highway	From	To	Proposed Location of Structure	Character of Existing Pavement		Drawing Number
#5	Hellerman St.	Prop. M.H. 1'-0"NNCL and 9'-0" WECL of Bustleton Ave.	Prop. bend 2'-6"SNCL and 163'-0" EECL of Bustleton Ave.	2'-6"SNCL	-	170' Dirt	2J-23683
	W.O. 56601	Est. 1.	C.O. 1517				
#6	Hellerman St.	Prop. Bend 2'-6"SNCL and 163'-0" EECL of Bustleton Ave.	N.H.L.	Roadway & Footway			2J-23683
	W.O. 56601	Est. 1.	C.O. 1517				
#7	Lawnton St.	Pres. M.H. 16'-9"WWCL and 2'-9" NNCL of Lakeside Ave.	Prop.bend 4'-0"WWCL and 184'-0" NNCL of 69th Ave.	4'-0"WWCL	100' Mac.	170' Dirt	2R-6786
	W.O. 47880	Est. 1.	C.O. 1411				
#8	Lawnton St.	Prop.bend 4'-0"WWCL and 184'-0" NNCL of 69th Ave.	W.H.L.	Footway	-	9' Dirt	2R-6786
	W.O. 47880	Est. 1.	C.O. 1411				
#9	Lawnton St.	Prop. M.H. 4'-0"WWCL and 193'-0" NNCL of 69th Ave.	E.H.L.			52' Dirt	2R-6786
	W.O. 47880	Est. 1.	C.O. 1411				
Also	Lawnton St.	Proposed M.H. Loc: 4'-0" WWCL and 193'-0" NNCL of 69th Ave. Size: 3'-0" x 4'-0" x 5'-4"					2R-6786 Dirt
	W.O. 47880						
#10	Longshore St.	Prop. M.H. 2'-6"SSCL and 90'-0" WWCL of Bustleton Pike	Prop.bend 3'-6"SSCL and 130' WWCL of Bustleton Pike	3'-6"SSCL	39' Cem.	-	2J-23634
	W.O. 58856	Est. 1	C.O. 1505				

Highway	From	To	Proposed Location of Structure	Character of Existing Pavemnet		Drawing Number
#11 Longshore St.	Prop. bend 8'-6"SSCL and 130' WWCL of Bustleton Pike	S.H.L.	3'-6"SSCL	11' Cem.	-	2J-23634
W.O. 58856	Est. 1. C.O. 1505					
Also Longshore St.	Proposed M.H. Loc: 2'-6"SSCL and 90'-0" WWCL of Bustleton Pike Size: 3'-0" x 4'-0" x 4'-5"					2J-23634
W.O. 58856						
#12 30th St.	Pres. M.H. 2'-9"WECL and 8'-5" SNCL of Allegheny Ave.	Pres. M.H. 3'-6"WECL and 44'-0" NNCL of Clementine St.	2'-6" WECL	-	318 Dirt	2Y-2145
W.O. 49888	Est.1 C.O. 1419					
#13 30th St.	Pres. M.H. 3'-6"WECL and 44'-0" NNCL of Clementine St.	W.H.L.	Roadway & Footway	-	37' Dirt	2Y-2145
W.O. 49888	Est. 1. C.O. 1419					
Also 30th St.	Rebuild pres. M.H. Loc: 3'-6" WECL and 44'-0" NNCL of Clementine St. Pres. Size: 2'-6" x 4'-0" x 3'-9" Prop. Size: 3'-0" x 4'-0" x 7'-3"					2Y-2145 Dirt
W.O. 49888						
#14 58th St.	Pres. M.H. 3'-3"WECL and 651'-11" SSCL of Woodland Ave.	Pres. Conduit 5'-3" WECL and 697'-11" SSCL of Woodland Ave.	5'-3" WECL	-	44' Cem. Asp.	2R-6447
W.O. 37567	Est. 1. C.O. 1310					
Also 58th St.	Rebuild pres. M.H. Loc: 5'4" WECL and 128'-6" NNCL of Grays Ave. Pres. Size: 3'-0" x 4'-0" x 6'-3" Prop. Size: 3'-6" x 6'-0" x 7'-4"					2R-6447
W.O. 37562						

Highway	From	To	Proposed Location of Structure	Character of Existing Pavement		Drawing Number
#15 Wood St.	Pres. M.H. 4'-0"SNCL and 3'-2" EWCL of 9th St.	Prop. M.H. 4'-0"NNCL and 11'-6" EECL of Ridge Ave.	4'-0"NNCL	132' Brk. Asp.	-	2R-6858
W.O. 61340	Est. 1. C.O. 1620					
#16 Wood St.	Prop. bend. 4'-0"NNCL and 65'-0" of Ridge Ave.	S.H.L.	Roadway & Footways	23' Asp. Cem.	-	2R-6858
W.O. 61340	Est. 1. C.O. 1620					
Also Wood St.	Proposed M.H. Loc: 4'-0" NNCL and 11'-6" EECL of Ridge Ave. Size: 3'-0" x 4'-0" x 5'-6"					2R-6858 Cem.
W.O. 61340						
#17 Wood St.	Pres. M.H. 5'-6"SNCL and 55'-0" WWCL of Ridge Ave.	Pres. D.E. 5'-0"SNCL and 19'-2" WWCL of Ridge Ave.	5'-0"SNCL	34' Asp.	-	2R-6858
W.O. 61340	Est. 1. C.O. 1630					
#18 Dickinson St.	pres. M.H. 3'-4"SNCL and 6'-4" EWCL of Marshall St.	Prop. bend 1'-11"SNCL and 44'-4" EECL of Marshall St.	1'-11"SNCL	47' Asp.	-	2R-6857
W.O. 67846	Est. 1. C.O. 1617					
#19 Dickinson St.	Prop.bend. 1'-11"SNCL and 44'-4" EECL of Marshall St.	S.H.L.	Roadway & Footway	36' Asp. Cem.	-	2R-6857
W.O. 67846	Est. 1. C.O. 1617					
#20 Market St.	Pres. M.H. 3'-0"NSCL and 44'-9" WWCL of 32nd St.	Pres. M.H. 7'-10"NSCL and 7'-0" EECL of 36th St.	Varies from 3'-0" to 11'-0" NSCL		1920' None	2L-3116 2Y-2264 2Y-2265 2L-3117
W.O. 1597	Est. 1597 C.O. 1309					
#21 Market St.	Pres. M.H. 7'-5"NSCL and 0'-4" EECL of Ludlow St.	Pres. M.H. 9'-0"EWCL of 32nd St. and 8'-0" NSCL of Lancaster Ave.	Roadway	50' Asp.	54' None	2L-3116
W.O. 1597	Est. 1597 C.O. 1309					

	Highway	From	To	Proposed Location of Structure		Character of Existing Pavement	Drawing Number
#22	Market St.	Pres. M.H. 7'-5"NSCL and 0'-4" EECL of Ludlow St.	S.H.L.	Roadway & Footway	-	21 None	2L-3116
	W.O. 1597	Est. 1597	C.O. 1309				
#23	Market St.	Pres. M.H. 6'-10"NSCL and 0'-6" EWCL of 33rd St.	Pres. M.H. 18'-1"NNCL and 1'-7" EWCL of 33rd St.	2'-0"EWCL	-	63' None	2Y-2264
	W.O. 1597	Est. 1597	C.O. 1309				
#24	Market St.	Prop. M.H. 2'-3"NSCL and 195'-6" EECL of 34th St.	N.H.L.	Roadway & Footway		72' None	2L-3117
	W.O. 1597	Est. 1597	C.O. 1309				
#25	Market St.	Prop. M.H. 2'-3"NSCL and 195'-6" EECL of 34 St.	S.H.L	Footway	-	9' None	2L-3117
	W.O. 1597	Est. 1597	C.O. 1309				
#26	Market St.	Pres. M.H. 8'-0"NSCL 0'-3" WECL of 34 St.	Prop. D.E. 30'-0"NNCL and 1'-6" WECL of 34 St.	Roadway	-	70' None	2L-3117
	W.O. 1597	Est. 1597	C.O. 1309				
#27	Market St.	Pres. M.H. 8'-1"NSCL and 359'-7" WWCL of 34 St.	N.H.L.	Roadway & Footway	-	59 None	2Y-2265
	W.O. 1597	Est. 1597	C.O. 1309				
Also	Market St.	Proposed M.H. Loc: 9'-9" NSCL and 115'-9" WWCL of 32nd St. Size: 5'-0" x 4'-0" x 7'-9"					2L-3116 None
	W.O. 1597						
Also	Market St.	Rebuild pres. M.H. Loc: 7'-5" NSCL and 0'-4" EECL of Ludlow St. Pres. Size: 6'-0" x 8'-0" x 8'-2" Prop. Size: 6'-0" x 8'-0" x 9'-9"					2L-3116
	W.O. 1597						

	Highway	From	To	Proposed Location of Structure	Character of Existing Pavement		Drawing Number
Also	Market St.	Rebuild pres. M.H. Loc: 7'-8" NSCL and 13'-3" EECL of 33rd St. Pres Size. 4'-10" x 13'-0" x 12'-7" Prop. Size. 8'-10" x 13'-0" 12'-7"					2L-3116
	W.O. 1597						
Also	Market St.	Rebuild pres. M.H. Loc: 6'-10" NSCL and 0'-6" EWCL of 33rd St. Pres. Size: 5'-10" x 8'-0" x 9'-4" Prop. Size: 5'-10" x 8'-0" x 9'-8"					2Y-2264
	W.O. 1597						
Also	Market St.	Proposed M.H. Loc: 2'-3" NSCL and 195'-6" EECL of 34th St. Size: 7'-0" x 7'-6" x 10'-4"					2L-3117 None
	W.O. 1597						
Also	Market St.	Rebuild pres. M.H. Loc: 8'-0" NSCL and 0'-3" WECL of 34th St. Pres. Size: 4'-4" x 5'-6" x 7'-8" Prop. Size: 4'-4" x 7'-6" x 6'-1"					2L-3117
	W.O. 1597						
Also	Market St.	Rebuild pres. M.H. Loc: 7'-0" NSCL and 359'-0" WWCL of 34th St. Pres. Size: 4'-6" x 5'-5" x 7'-3" Prop. Size: 7'-0" x 7'-6" x 9'-8"					2Y-2265 None
	W.O. 1597						
#28	34th St.	Pres. M.H. 2'-2"WECL and 42'-1" NNCL of Ludlow St.	Pres. M.H. 4'-1"WECL and 49'-6" NNCL of Chestnut St.	2'-7"WECL	345' Asp.	-	2Y-2270
	W.O. 1597	Est. 1597 C.O. 1309					
Also	34th St.	Rebuild pres. M.H. Loc: 4'-1" WECL and 49'-6" NNCL of Chestnut St. Pres. Size: 2'-6" x 3'-6" x 3'-5" Prop. Size: 3'-6" x 6'-0" x 7'-4"					2Y-2270 Asp.
	W.O. 1597						
#29	33rd St.	Pres. M.H. 3'-1"EWCL and 82'-0" SSCL of Market St.	Pres. M.H. 2'-9"EWCL and 40'-0" SSCL of Ludlow St.	Varies from 4'-3" to 3'-3" EWCL	216	-	2R-6441
	W.O. 1597	Est. 1597 C.O. 1309					
#30	33rd St.	Pres. M.H. 2'-9"EWCL and 40'-0" SSCL of Ludlow St.	N.H.L.	Roadway & Footway	46 Asp. Cem.	-	2R-6441
	W.O. 1597	Est. 1597 C.O. 1309					

	Highway	From	To	Proposed Location of Structure	Character of Existing Pavement		Drawing Number
#31	33rd St.	Prop. bend 3'-3"EWCL and 23'-0" SSCL of Ludlow St.	W.H.L.	Roadway & Footway	13' Asp. Cem.		2R-6441
	W.O. 1597	Est. 1597	C.O. 1309				
#32	33rd St.	Prop. bend 2'-11"EWCL and 59'-0" NNCL of Ludlow St.	W.H.L.	Roadway & Footway	12' Asp. Cem.	-	2R-6441
	W.O. 1597	Est. 1597	C.O. 1309				
Also	33rd St	Rebuild pres. M.H. Loc: 3'-1" EWCL and 82'-0" SSCL of Market St. Pres. Size: 2'-6" x 3'-6" x 3'-3" Prop. Size: 3'-6" x 7'-0" x 7'-4"					2R-6441 Asp.
	W.O. 1597						
#33	Market St.	Conduit to be removed Pres. M.H. 3'-0" NSCL and 44'-9" WWCL of 32nd St.	Pres. M.H. 7'-10"NSCL and 7'-0" EECL of 36th St.	Varies from 3'-0" to 11'-0" NSCL	-	2000 None	2L-3116 2Y-2264 2Y-2265 2L-3117
	W.O. 1597	Est. 1597	C.O. 1309				
Also	Market St.	M.H. to be removed Loc: 9'-6" NSCL and 114'-11" EECL of Ludlow St. Size: 3'-6" x 4'-0" x 4'-7"					2L-3116 None
	W.O. 1597						
Also	Market St.	M.H. to be removed Loc: 8'-9" NSCL and 23'-8" WWCL of Ludlow St. Size: 3'-6" x 4'-11" x 4'-9"					2L-3116 None
	W.O. 1597						
Also	Market St.	M.H. to be removed Loc: 7'-10" NSCL and 210'-2" EECL of 36th St. Size: 3'-6" x 4'-0" x 5'-5"					2L-3116 None
	W.O. 1597						
#34	Market St.	Conduit to be removed Pres. M.H. 7'-10"NSCL and 210'-2" EECL of 36th St.	S.H.L.	Roadway & Footway		30' None	2L-3116
	W.O. 1597	Est. 1597	C.O. 1309				
#35	Market St.	Conduit to be removed Pres. M.H. 9'-1" NSCL and 71'-7" EECL of 36th St.	N.H.L.	Roadway & Footway	-	70' None	2Y-2265
	W.O. 1597	Est. 1597	C.O. 1309				

	Highway	From	To	Proposed Location of Structure	Character of Existing Pavement		Drawing Number
#36	Market St.	Conduit to be removed Pres. M.H. 8'-8" NSCL and 151'-5" EECL of 34th St.	S.H.L.	Roadway & Footway	-	30' None	2L-3117
	W.O. 1597	Est. 1597	C.O. 1309				
Also	Market St.	M.H. to be removed Loc: 8'-8" NSCL and 151'-5" EECL of 34th St. Size: 3'-0" x 4'-1" x 5'-9"					2L-3117 None
	W.O. 1597						
#37	Market St.	Conduit to be removed Pres. M.H. 7'-9" NSCL and 59'-10" EECL of 34th St.	N.H.L.	Roadway & Footway	-	130 None	2L-3117
	W.O. 1597	Est. 1597	C.O. 1309				
#38	Market St.	Conduit to be removed Pres. M.H. 7'-9" NSCL and 59'-10" EECL of 34th St.	S.H.L.	Roadway & Footway	-	40' None	2L-3117
	W.O. 1597	Est. 1597	C.O. 1309				
Also	Market St.	Manhole to be removed Loc: 7'-9" NSCL and 59'-10" EECL of 34th St. Size: 3'-6" x 4'-0" x 4'-11"					2L-3117 None
	W.O. 1597						
#39	Market St.	Conduit to be removed Pres. M.H. 9'-2"NSCL and 90'-7" WWCL of 34th St.	S.BL	Roadway & Footway	-	30' None	2L-3117
	W.O. 1597	Est. 1597	C.O. 1309				
Also	Market St.	Manhole to be removed Loc: 9'-2" NSCL and 90'-7" WWCL of 34th St. Size: 2'-6" x 3'-6" x 5'-7"					2L-3117 None
	W.O. 1597						
#40	Market St.	Conduit to be removed Pres. M.H. 8'-11"NSCL and 19'-0" WWCL of 34th St.	N.H.L.	Roadway &	-	70' None	2L-3117
	W.O. 1597	Est. 1597	C.O. 1309				

	Highway	From	To	Proposed Location of Structure	Character of Existing Pavement		Drawing Number
Also	Market St.	Manhole to be removed Loc: 8'-11" NSCL and 19'-0" WWCL of 34th St. Size: 2'-6" x 3'-7" x 5'-5"					2L-3117 None
	W.O. 1597						
#41	Ludlow St.	Conduit to be removed Pres. M.H. 5'-10" SNCL and 1'-0" WECL of 34th St.	Pres. M.H. 6'-6"SNCL and 332'-6" EECL of 36th St.	Varies from 6'-0" to 7'-2" SNCL	416'	-	2Y-2270
	W.O. 1597	Est. 1597	C.O. 1309				
Also	Ludlow St.	Manhole to be removed Loc: 7'-1" SNCL and 87'-5" WWCL of 34th St Size: 2'-6" x 3'-6" x 3'-4"					2Y-2270 Asp.
	W.O 1597						
#42	Juniata St.	Pres. D.E. 3'-6"NSCL and 10'-0" WWCL of Richmond St.	Prop. bend 3'-6"NSCL and 40'-0" WWCL of Richmond St.	3'-6"NSCL	-	26 Dirt	2J-23690
	W.O. 56611	Est. 1	C.O. 1517				
#43	Juniata St.	Prop. bend 3'-6"NSCL and 40'-0" WWCL of Richmond St.	S.H.L.	Roadway & Footway	-	13' Dirt	2J-23690
	W.O. 56611	Est. 1	C.O. 1517				

THE BELL TELEPHONE COMPANY OF PENNSYLVANIA

OFFICE OF THE GENERAL PLANT MANAGER

1401 ARCH STREET, PHILADELPHIA 2, PA.

OFFICIAL 3-0050

January 14, 1949.

Mr. Howard Mintzer, Secretary,
Board of Highway Supervisors,
City Hall Annex,
Philadelphia 7, Pa.

Board Meeting - January 28, 1949.

Dear Mr. Mintzer:

It is requested that permission be granted to open the street as covered by the following tracings for the purpose of laying conduit and building manholes, as per our application attached:

Tracings	Reason
2J-23736	Betterment
2J-23447	"
2J-23683	"
2R-6786	"
2J-23634	"
2Y-2145	"
2R-6447	"
2R-6858	"
2R-6857	"
2L-3116	"
2Y-2264	"
2Y-2265	"
2L-3117	"
2Y-2270	"
2R-6441	"
2J-23690	"

Yours very truly,

J. R. Roberson

Enc. Tracings

THE BELL TELEPHONE COMPANY OF PENNSYLVANIA

OFFICE OF THE GENERAL PLANT MANAGER

1401 ARCH STREET, PHILADELPHIA 2, PA.

OFFICIAL 3-0050

January 6, 1949.

Mr. Howard K. Mintzer, Secretary,
Board of Highway Supervisors,
City Hall Annex,
Philadelphia 7, Pennsylvania

Advance Permit - Dwg. 2R-6786

Dear Sir:

It is requested that approval and permit be issued in advance of regular Board Meeting of January 28, 1949, to remove conduit in sewer trench.

This is location #7 - #9 on our application of January 14, 1949.

Yours very truly,

F. X. Robinson

Issued Advance
January 10, 1949

THE BELL TELEPHONE COMPANY OF PENNSYLVANIA

OFFICE OF THE GENERAL PLANT MANAGER

1401 ARCH STREET, PHILADELPHIA 2, PA.

OFFICIAL 3-0050

January 10, 1949.

Mr. Howard K. Mintzer, Secretary,
Board of Highway Supervisors,
City Hall Annex,
Philadelphia 7, Pennsylvania

Advance Permit - 2R-6447

Dear Sir:

It is requested that approval and permit be issued in advance of regular Board Meeting of January 28, 1949, to clear conduit obstruction.

This is location #14 on our application of January 14, 1949.

Yours very truly,

F. X. Robinson

Issued in Advance
January 19, 1949

Drawings of the proposed structural work, as above indicated, are submitted herewith and are hereby made a part of this application.

Very truly yours,

Applicant (corporate title, name of firm or individual. . . . . .

Bell Telephone Co. of Pennsylvania

Signature of officer, member of ~~firm or~~ individual. . . . . .

Title. . . . . for General Plant Manager

REGULATIONS OF THE BOARD OF HIGHWAY SUPERVISORS

DEPARTMENT OF PUBLIC WORKS

CITY OF PHILADELPHIA

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1. DEFINITION OF TERMS: Wherever in this application, or these regulations, the term "The Board" or pronoun in the place of it is used, it shall mean and intend The Board of Highway Supervisors; wherever the term "Applicant" or a pronoun in the place of it is used, it shall mean and intend the person or agency submitting this application and agreeing to these regulations; wherever the term "Permittee" or a pronoun in the place of it is used, it shall mean and intend the person or agency to whom the permit has been issued; wherever the term "Chief of the Bureau" or a pronoun in the place of it is used, it refers to the Chief of the Bureau of Highways of the City of Philadelphia, acting either directly or through any assistant duly appointed by him.

2. METHOD OF MAKING APPLICATION: The applicant for permission for the opening and structural occupancy of a highway in the City of Philadelphia shall file with the Board.

(a) A written application indicating the full name and business address of the Applicant, and a statement of the character and purpose of the proposed work.

(b) At least three blue prints; or at least two copies of the drawing printed on linaura, or both, as directed, and showing the complete details of the proposed work and indicating the character and location of all adjacent existing structures.

(c) A summary of such other information as may be necessary to enable the Board to reach a full and definite understanding of the entire situation.

3. ALTERATION OF APPLICATION: After the approval by the Board of an application and the issuance of the permit, the terms, conditions or intent of the application, and the accompanying drawings shall not thereafter be altered or departed from without the previously obtained consent of the Board; except that, in cases of emergency the Chief of the Bureau may when necessary authorize modifications, reporting his action to the Board at its next meeting.

4. PREREQUISITES FOR THE ISSUANCE OF A PERMIT: No permit will be issued until the applicant shall have

(a) Complied with the provisions of the ordinance granting the specific privilege.

(b) Presented to the Board a certificate from the City Solicitor to the effect that a satisfactory bond has been filed, when this is necessary.

(c) Presented to the Board a certificate from the City Treasurer to the effect that any requisite payments have been made.

(d) Presented to the Board an agreement from the Contractor, who is under liability to the City for the maintenance of any pavement involved, authorizing the opening of the pavement and providing for its restoration, and further agreeing that the guarantee will be in no way affected thereby.

(e) Agree to comply with the regulations of the Board, as indicated herein.

5. POSSESSION OF PERMIT: Persons in charge of construction work on the highways must have in their possession, at all times while so engaged, the permit issued by the Chief of the Bureau.

6. PERIOD OF VALIDITY OF PERMIT: Permits shall be valid for a period of twelve months from the date of approval of the application by the Board. If no work is performed under the permit during this period, the permit will be void of the expiration of the twelve month period. Voided permits may be renewed upon application and upon approval by the Board at any time during the twelve month period immediately following the date of expiration, and upon payment of the customary fee, but such permits will only be good for a period of thirty days from the date of approval. At the expiration of twenty four months from the date of approval of an original permit, applicants may submit a new application for a permit, subject to the approval of the Board and to the payment of the usual fee.

6-A. Maintenance Permits. - The Chief of the Bureau of Highways is hereby authorized to issue permits covering the performance of maintenance work, such permits to be good for a period of ninety days.

6-C. Reservation of Space. - As an aid in the planning for the construction of future service facilities, applications may be made to the Board for the allocation of space for future structures. Upon approval of the allocation by the Board and the payment of a fee determined in the same manner as for construction permits, such allocation will be reserved until such time another application from a utility company may be made for such reserved space, at which time the Board will determine the use to which the said allocation may be made. The Board reserves the right to consider such allocations and to cancel them at any time as may seem best in the interest of the City.

7. VIOLATION OF REGULATIONS. If any work or precaution necessary to protect the public in the use of the highways be omitted or imperfectly performed by the permittee, then the Chief of the Bureau shall serve a formal notice on the responsible permittee, and immediately cause the necessary corrective work to be performed at the expense of the permittee. Failure at any time fully and faithfully to comply with these regulations, and such further regulations as the Board may from time to time prescribe, or to pay promptly such expenses as herein authorized, shall immediately operate as a forfeiture of permits issued, and debar the permitte from receiving any further permits until released by action of the Board.

8. DANGER SIGNALS. The permittee shall erect and maintain all necessary barricades, red lanterns and danger signals at breaks or openings in the highways, material storage piles, etc. The lights shall be kept burning from twilight until sunrise, and where necessary, a watchman shall be provided fro the safety of the public. The permittee shall be responsible for any accident that may occur by reason fo his neglect to comply with these requirements until the work is completed, and until he has removed from the highways all dirt, debris, materials, tools and equipment.

9. RESPONSIBILITY FOR INJURIES TO PERSONS OR DAMAGE TO PROPERTY: The permittee shall be responsible for any injury to any person or any damage to any property resulting from or by the construction or maintenance of the work herein indicated, or the occupation of the highway thereby, or defects or obstructions, or from any other cause whatsoever during the progress of the work or any time before its completion; and he shall indemnify and save harmless the City of Philadelphia from all suits or actions of every character, name and description, brought for, or on account of any injuries or damages received or sustained by any property, person or persons, by or from the construction or maintenance of the work herein indicated or the occupation of the highway thereby, or by or from the said permittee, his servants, or by, or in consequence of any negligence in safeguarding the work; or through improper methods or materials used in construction; or by or on account of any act or mission of the said permittee or his agents or employees.

10. LIMITATION OF OPERATION: At no time shall more than 500 linear feet of highway be opened or obstructed to traffic without the permission of the Chief of the Bureau. In the case of electrical conduits this permission shall be subject to the approval of the Chief of the Electrical Bureau.

11. TRAFFIC REGULATIONS: The work shall be conducted in such a manner as to insure the least possible obstruction to traffic. The convenience of the general public and of the residents along the highway shall be provided for as far as possible. Temporary approaches to an crossings of intersecting highways shall be provided and kept in thoroughly safe condition, wherever required by the Chief of the Bureau. On highways occupied by railway tracks, temporary approaches to the entrance and exits of railway cars shall, where necessary, be provided and maintained. No highway shall be closed to traffic except by specific permission of the Chief of the Bureau, and such highways closed to traffic shall be protected by effective barricades and standard Bureau of Highways signs placed as directed,

12. ACCESSIBILITY OF HIGHWAYS: The footways, gutters, inlets and portions of highways adjoining the work or in its vicinity shall not be obstructed nor fouled more than is absolutely necessary. Lawns or grass plots shall not be used for storage purposes. On improved streets the materials, tools and equipment required in connection with the work shall be neatly and properly stored upon the footway at least 1 foot back of the curbing, and leaving at all times for pedestrians a space which shall be at least 4 feet in width, if circumstances so permit.

13. SANITARY ARRANGEMENTS: The permittee shall provide and maintain for his employees such sanitary arrangements as may be directed by the Chief of the Bureau, and shall enforce their exclusive use.

14. REMOVAL OF TEMPORARY STRUCTURES, etc.: After the completion of the work, the permittee shall, within 24 hours, remove all temporary structures built by him, and all rubbish and surplus materials of all kinds from the site of the work and leave the whole clean and presentable.

15. UNDEDICATED HIGHWAYS: Applications involving the opening and occupancy of undedicated highways shall be accompanied by affidavits indicating the consent of the owner or owners.

16. APPROVAL OF DRAWINGS: Before any work is begun, the drawings for such work shall be approved by the Chief of the Bureau. Subject to this requirement, drawings for the following characters of construction shall also be approved by the Chiefs of the several bureaus as indicated:

CHARACTER OF WORK	APPROVED BY CHIEF, BUREAU OF
Bridges	Engineering, Surveys & Zoning
Electrical, Telephone and Telegraph Conduits	Electrical
Gas Pipes	Highways
Refrigerating Pipes	Water
Sewers	Engineering, Surveys & Zoning
Vaults	Engineering, Surveys & Zoning
Water Pipes	Water
Steam Mains	Water
Marquises	Art Jury

17. LINES AND GRADES. Where permanent pavement and curbing do not exist, the permittee will be required to obtain from the district surveyor the necessary line and grade stakes, and for this service the permittee will be required to pay in accordance with the schedule of charges specified by the Bureau of Engineering, Surveys & Zoning.

The permittee will be responsible for the preservation of all monuments and bench marks and for all stakes after being set by the District surveyor, and any disturbed stakes must be replaced by the district surveyor and paid for at the rate previously indicated.

18. NOTICE OF PROPOSED WORK: Before any highway surface shall be opened under a permit, a written twenty-four hour notice shall be given by the permittee to the Chief of the Bureau, and also to the Chiefs of the several other bureaus and public utilities whose structures are liable to be encountered or encroached upon; of the time, location and extent of the proposed opening. The Bureau of Engineering, Surveys and Zoning shall also be notified of the intention to open any footway pavement or surface.

19. INSPECTION OF WORK: All work and materials used in building structures and in restoring or maintaining pavements shall be satisfactory to the Chief of the Bureau and any work or material condemned by him must be replaced at once. Condemned materials shall be immediately removed from the site of the work.

20. SPECIAL INSPECTORS: When, in the judgment of the Board, it shall be deemed desirable or necessary to employ one or more special inspectors to supervise the proposed work, such inspector or inspectors shall be appointed by the Chief of the Bureau, and a sufficient sum shall be deposited by the applicant with the Chief of the Bureau for the payment of such service.

21. INTERFERENCE WITH EXISTING STRUCTURES: New structures shall not interfere with existing structures, or their connections, except where absolutely necessary, and then only with the previously obtained written consent of the Chiefs of the Bureaus having jurisdiction over the structures involved. Any modification of existing structures found to be necessary must be made by or under the direction of the bureau or public utility concerned and at the sole expense of the permittee. All necessary supports and protections to existing structures shall be promptly supplied by, or at the expense of the permittee, and to the satisfaction of the bureau or public utility concerned.

22. CHANGE IN LOCATION OF EXISTING STRUCTURES: If, in the construction of water or gas mains, sewers, or any other municipal work, it shall become necessary to change the location of any existing privately owned structures occupying the highways, their location shall be changed, at the sole expense of the owners, to such new locations as shall be directed by the Board.

23. MAINTENANCE OF EXPOSED STRUCTURES: All privately owned structures occupying locations in City Highways, that may be exposed during the construction, reconstruction of water mains, gas mains, sewers or other municipal work, shall be safeguarded and maintained during the course of the work by the permittee. Should the condition of the exposed structure be such as to require reconstruction or the placing of permanent supports, such work shall be performed by and at the sole expense of the owners of the structure.

24. MINIMUM DEPTH OF STRUCTURES: The minimum depth of structures shall be as follows:

(a) - Roadway between Curb Lines. - No portion of a new structure, when in place, shall be less than twenty-four (24) inches below the surface of the pavement, except that portion which is designed to form a part of the pavement.

(b) - Footways, Curb to Building Line. - No portion of a new structure, when in place, shall be less than fifteen (15) inches below the footway surface, except that portion which is designed to form a part of the paving.

(c) - Vaults. - The outside top of vault shall be at least four (4) feet below the established grade of the sidewalks over the same, in the erection, construction

or reconstruction of such vaults.

25. ELECTRICAL SERVICE CONNECTIONS AND MANHOLES: Permits for electrical service connections or for the construction of manholes on the lines of existing underground conduits where such construction is of advantage to the City for the betterment of the system may be issued by the Chief of the Bureau without reference to the Board after approval by the Chief of the Electrical Bureau. Service connections shall extend in a straight line perpendicular to the line of the conduit main.

26. REFRIGERATING PIPES: Applicants for permission to lay refrigerating pipes shall enter into an agreement, and give a bond satisfactory to the City Solicitor, in the sum of Twenty-five thousand ($25,000.00) Dollars, indemnifying the City for any loss or damages that may occur in the exercise of the privileges herein granted, or that may hereafter be granted by the Board, and shall also be conditioned upon faithful compliance with all the provisions indicated herein. The methods and materials used in the construction of refrigerating pipes shall be subject to the approval of the Chief of the Bureau, and before laying any pipes, the permittee shall furnish to the Chief of the Bureau a certificate from a responsible agency, certifying to the character, quality, size, thickness, and condition of the pipe and fittings, and indicating the test to which the pipe has been subjected. Each length of pipe shall be tested and certified to before being laid. The pipe line, after being constructed and before the trench is backfilled, shall be subjected to hydrostatic test of at least 300 pounds per square inch for a period of at least three hours. This test shall be made in the presence of the Chief of the Bureau of Water, and the pipe line to be approved shall meet these requirements.

27. LEAK-PROOFING OF VAULTS: Vaults shall be constructed as to prevent the leakage of gas or water into them. When pipes or conduits are laid within two feet of vaults, the permittee will be required to make the vault leakproof.

28. BACKFILLING OF TRENCHES: All openings in highways shall, immediately upon the completion of the structure necessitating the opening, be filled with suitable material, free from rubbish and perishable matter, and thoroughly and evenly compacted throughout by ramming in layers not exceeding six inches in thickness. The opening shall be immediately repaved temporarily with suitable material and maintained until permanent restoration is made.

29. EXPOSED SURFACES OF STRUCTURES: All exposed surfaces of iron structures forming parts of the pavement shall have a roughened surface with projections rising not less than one-half inch, and spaced not more than two and one-half inches apart, of a design as approved by the Board.

30. RESTORATION OF PAVEMENTS: All pavements shall be promptly restored to the extent directed by the Chief of the Bureau and with the same character of material, equal in composition and in color to match the existing adjacent pavement, and in accordance with the latest standard specifications of the Bureau of Highways.

31. MAINTENANCE OF PAVEMENTS: All restored pavements shall be maintained in a condition satisfactory to the Chief of the Bureau, during the time of any existing guarantee, or as required by Ordinance of Council, but in no case for a period of less than five (5) years. Notices to permittees to make maintenance repairs to pavements shall receive attention within twenty-four (24) hours.

32. MAINTENANCE OF STRUCTURES: All structures shall at all times be maintained in a condition satisfactory to the Chief of the Bureau.

33. DRAWINGS OF FINISHED WORK: Immediately after the completion of the work the permittee shall file complete detail drawings to a scale satisfactory to the Board, showing the work as constructed, together with a record of the character and location of previously existing structures encountered during the progress of the work.

34. RE-OCCUPATION OF VAULT SPACE: The City shall in no case be liable for any claim for damages arising from the vacation by the permittee, or the reoccupation and use by the City for public purposes of any portion or portions of highway space between the building lines that have been occupied by vaults. The permittee hereby assumes full responsibility for all claims arising from the occupation or vacation of the highway by and from the construction, maintenance and removal of vaults.

Approved and adopted by

BOARD OF HIGHWAY SUPERVISORS
November 13, 1931.

Paragraph No. 29 revision approved
by BOARD OF HIGHWAY SUPERVISORS
December 11, 1942.

ACCEPTANCE OF REGULATIONS BY APPLICANT

(Name of Applicant). . . . . .

having made application for permission to open and occupy the highways as herein indicated for the purpose of . . . . . .

. . . . . .

does hereby accept and agree to be governed and bound by the Ordinances of Council, the regulations of the Bureau of Highways and Street Cleaning, the annexed Regulations of the Board of Highway Supervisors, and such additional regulations as the Board shall hereafter make.

Applicant (Corporate Title, Name of Firm or Individual). . . . . .

Bell Tel. Co. of Pa.

. . . . . .

Signature of Officer, Member of Firm, or Individual . . . . . .

. . . . . J. K. Coleman

Title for General Plant Manager

PERMIT RECOMMENDATION

. . . JAN 28 1949 194

Chief, Bureau of Highways and Street Cleaning

Dear Sir:

The Board of Highway Supervisors considered this application upon which the Engineer, Permits and Licenses reported on. . . . JAN 28 1949 . . . . . .

The action of the Board follows: Approved

Very truly yours,

J. C. Mudge

Secretary.

Application # 2

of Bell Telephone

to lay conduits

Date. JAN 28 1949

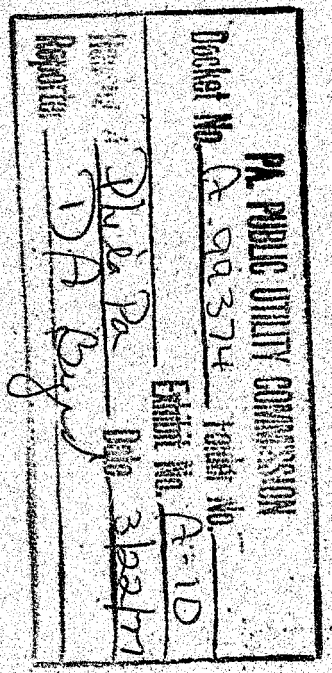


EXHIBIT A

RECEIVED

'77 APR 13 AM 9:26

SECRETARY'S OFFICE
PUBLIC UTILITY
COMMISSION

DEPARTMENT OF STREETS
CITY OF PHILADELPHIA

APPLICATION FOR PERMIT FOR OPENING AND STRUCTURAL OCCUPANCY OF HIGHWAYS

Date.....July.25,.1952.....

Applicant: NAME Bell Telephone Co. of Pa.
ADDRESS 1835 Arch Street

Street Commissioner
City Hall Annex,
Philadelphia 7, Pa.

Board List of 8/8/52

Dear Sir:

Application is hereby made for permission to open and occupy the following highways for the purpose of

	Highway	From	To	Proposed Location of Structure	Character of Existing Pavement Imp.	Unimp.	Drawing Number
#1	77th. Street	Pres.MH 2'0" EWCL 2'0" NSCL Woodbine Ave.	Prop.bend 84'0" SSCL Woodbine Ave.	3'0" EWCL		Dirt 82'6"	2J-24907
	W. O. 31276		EST 1	C.O. 1303			
#2	77th. Street	WHL 84'0" SSCL Woodbine Ave.	EHL 84'0"SSCL Woodbine Ave.	Roadway Footway		Dirt 46'0"	2J-24907
	W.O. 31276		EST 1	C.O. 1303			
#3	Ridge Ave.	Pres. MH. 7'3" EWCL, 60'5" SSCL, Girard Ave.	Prop. bend 45'0" SSCL Girard Ave.	6'6" EWCL	GB. 13'0"		2J-24813
	W. O. 93642		EST 1	C.O. 1910			

DOCUMENT FOLDER

DOCKETED
APPLICATION DOCKET
JUN - 1 1977
ENTRY No. BW

	Highway	From	To	Proposed Location of Structure	Character of Existing Pavement Imp.	Unimp.	Drawing Number
#4	Ridge Ave.	Prop.bend 6'7" EWCL, 45'0" SSCL Girard Ave.	Pres.Pole at WCL 45'0" SSCL Girard Ave.	Roadway Footway	GB. Cem. 4'0"		2J-24813
	W. O. 93642			EST. 1	C.O. 1910		
#5	Battersby St.	Pres. MH. 4'10" WECL, 95'0" SSCL 6'5" NSCL Robbins Ave. Robbins Ave.	Prop.bend 4'6" WECL		Asp. 99'6"		2J-24825
	W. O. 56478			EST. 1	C.O. 1517		
NP #6	Algon St.	Prop.MH 4'0" WWCL 85'0"SSCL Cottman St.	Prop.bend 4'0" WWCL 136'0" SSCL Cottman St.	4'0" WWCL		Dirt 52'	2J-24830
	W. O. 57442			EST 1	C.O. 1510		
NP #7	Algon St.	Prop.bend 4'0" WWCL 136'0" SSCL Cottman St.	WHL 136'0"SSCL Cottman St.	Footway		Dirt 4'	2J-24830
	W. O. 57442			EST 1	C.O. 1510		
NP	ALSO Algon St.	Proposed Manhole Loc. 4'0" WWCL & 85'0" SSCL Cottman St. Size 3'0" x 4'0" x 3'6" x 5'4" DP.				Dirt	2J-24830
	W. O. 57442			EST 1	C.O. 1510		
#8	Castor Ave.	Pres. MH 5'11" SNCL & 5'8" EWCL Emerald St.	Pres. MH 5'4" SNCL 132'4" EECL Emerald St.	5'6" SNCL	Asp. 152'		2J-24833
	W. O. 56468			EST 1	C.O. 1517		
NP #9	Algon St.	Prop. MH 3'6" WECL 130' NNCL Longshore St.	WHL 99'0" SSCL of Disston St.	Roadway		Dirt 48'0"	2R-6974
	W. O. 57462			EST 1	C.O. 1510		

	Highway	From	To	Proposed Location of Structure	Character of Existing Pavement Imp.	Unimp.	Dwg. No.
NP #10	Algon St.	Prop. MH 3'6" WECL 130'0" NNCL Longshore St.	Pres. DE 3'6" WECL 31'0" SSCL Tyson Ave.	3'6" WECL		Dirt 259'	2R-6974
	W. O. 57462		EST 1	C.O. 1510			
NP #11	Algon St.	Prop. Bend 3'6" WECL 99'0" SSCL Tyson Ave.	WHL 99'0" SSCL Tyson Ave.	Roadway		Dirt 63'	2R-6974
NP	W. O. 57462		EST 1	C.O. 1510			
Also	Algon St.	Proposed Manhole Loc. 3'6" WECL & 130'0" NNCL Longshore St. Size 3'0" x 4'0" x 5'0" x 6'10" DP				Dirt	2R-6974
	W. O. 57462		EST 1	C.O. 1510			
NP #12	Essington Ave.	Pres DE 13'0" SSCL 467'0" EECL Penrose Ave.	Pres. Pole 13'0" SSCL 439'0" EECL Penrose Ave.	13'0" SSCL		Dirt 28'	2R-7026
	W. O. 38621		EST 1	C.O. 1310			
#13	5th St.	Pres. MH 8'9" WECL 2'6" SSCL 66th Ave.	Prop. bend 113'0" NNCL 66th Ave.	3'0" WECL	Asp. 77'0"	Dirt 89'0"	2J-24655
	W. O. 47127		EST 1	C.O. 1411			
#14	5th St.	Prop. bend 3'0" WECL 83'0" NNCL 66th Ave.	EHL NNCL 83'0" ~~WECL~~ 66th Ave.	Roadway Footway	cem. 17'0"	Dirt 3'0"	2J-24655
	W. O. 47127		EST 1	C.O. 1411			
NP # 15	Algon St.	Pres. MH Opp. ECL 2'0" SNCL Tyson Ave.	Prop. DE 150'0" NNCL Tyson Ave.	3'6" WECL		Dirt 151'0"	2J-24835
	W. O. 57470		EST 1	C.O. 1510			
NP #16	Algon St.	WHL 99'0" NNCL Tyson Ave.	Prop DE. 1'0" EECL 99'0" NNCL Tyson Ave.	Roadway Footway		Dirt 67'0"	2J-24835
	W. O. 57470		EST 1	C.O. 1510			

Highway	From	To	Proposed Location of Structure	Character of existing Pavement Imp.	Character of existing Pavement Unimp.	Dwg. No.
#17 Enola St.	Pres. MH 3'0" EECL 92'5" SSCL Magee Ave.	Pres. Pole 150'5" SSCL Magee Ave.	3'0" EECL	Conc. 15'0"	Sod 45'0"	2J-24832
W. O. 57456		EST 1		C.O. 1510		
#18 S.58th St.	Prop DE At Back N. Wall of Bridge	Prop DE At Back S. Wall of Bridge	7'0" EECL This is a Pennsylvania Railroad Bridge.	No Paving		2L-3180
W. O. 38595		EST 1		C.O. 1310		

Drawings of the proposed structural work, as above indicated, are submitted herewith and are hereby made a part of this application.

Very truly yours,

Applicant (corporate title, name of firm or individual. . . . . .

. . . . . Bell Telephone Co. of Penna. . . . . .

Signature of officer, member of firm or individual. . . . . .

Title. . . . . For General Plant Manager. . . . . .

THE BELL TELEPHONE COMPANY OF PENNSYLVANIA

OFFICE OF THE GENERAL PLANT MANAGER

1401 ARCH STREET, PHILADELPHIA 2, PA.

OFFICIAL 3-0050

July 10, 1952

Mr. Howard K. Mintzer, Secretary,
Board of Highway Supervisors,
City Hall Annex,
Philadelphia 7, Penna.

Advance Permit 2J-24907

Dear Sir:

It is requested that approval and permit be issued in advance of regular Board Meeting of August 8, 1952, to place conduit in advance of paving.

This is location #1-2 on our application of July 25, 1952.

Yours very truly,

F X Robinson

Issued 7/14/52

FXR

THE BELL TELEPHONE COMPANY OF PENNSYLVANIA

OFFICE OF THE GENERAL PLANT MANAGER

1401 ARCH STREET, PHILADELPHIA 2, PA.

OFFICIAL 3-0050

July 14, 1952

Mr. Howard K. Mintzer, Secretary,
Board of Highway Supervisors,
City Hall Annex,
Philadelphia 7, Pa.

Advance Permit 2J-24825

Dear Sir:

It is requested that approval and permit be issued in advance of regular Board Meeting of August 8, 1952, for placing conduit in advance of paving.

This is location #5 on our application of July 25, 1952.

Yours very truly,

J. X. Robinson /DG.

Issued 7/25/52
2

FXR

THE BELL TELEPHONE COMPANY OF PENNSYLVANIA

OFFICE OF THE GENERAL PLANT MANAGER

1401 ARCH STREET, PHILADELPHIA 2, PA.

OFFICIAL 3-0050

July 25, 1952

Mr. Howard K. Mintzer, Secretary,
Board of Highway Supervisors,
City Hall Annex,
Philadelphia 7, Pa.

Advance Permit - 2L-3180

Dear Sir:

It is requested that approval and permit be issued in advance of regular Board Meeting of August 8, 1952, to place conduit in advance of Bridge repairs.

This is location #18 on our application of July 25, 1952.

Very truly yours,

G. X. Robinson /akp

THE BELL TELEPHONE COMPANY OF PENNSYLVANIA

OFFICE OF THE GENERAL PLANT MANAGER

1401 ARCH STREET, PHILADELPHIA 2, PA.

OFFICIAL 3-0050

July 25, 1952

Mr. Howard Mintzer, Secretary,
Board of Highway Supervisors,
City Hall Annex,
Philadelphia 7, Pa.

Board Meeting 8/8/52

Dear Mr. Mintzer:

It is requested that permission be granted to open the streets as covered by the following tracings for the purpose of laying conduit and building manholes, as per our application attached:

Tracings	Reason
2J-24907	Betterment
2J-24813	"
2J-24825	"
2J-24830	"
2J-24833	"
2R-6974	"
2R-7026	"
2J-24655	"
2J-24835	"
2J-24832	
2L-3180	

Yours very truly,

H. K. Robinson

Enc. Tracings

REGULATIONS OF THE BOARD OF HIGHWAY SUPERVISORS

DEPARTMENT OF PUBLIC WORKS

CITY OF PHILADELPHIA

---

1. DEFINITION OF TERMS: Wherever in this application, or these regulations, the term "The Board" or pronoun in the place of it is used, it shall mean and intend The Board of Highway Supervisors; wherever the term "Applicant" or a pronoun in the place of it is used, it shall mean and intend the person or agency submitting this application and agreeing to these regulations; wherever the term "Permittee" or a pronoun in the place of it is used, it shall mean and intend the person or agency to whom the permit has been issued; wherever the term "Chief of the Bureau" or a pronoun in the place of it is used, it refers to the Chief of the Bureau of Highways of the City of Philadelphia, acting either directly or through any assistant duly appointed by him.

2. METHOD OF MAKING APPLICATION: The applicant for permission for the opening and structural occupancy of a highway in the City of Philadelphia shall file with the Board.

(a) A written application indicating the full name and business address of the Applicant, and a statement of the character and purpose of the proposed work.

(b) At least three blue prints; or at least two copies of the drawing printed on linaura, or both, as directed, and showing the complete details of the proposed work and indicating the character and location of all adjacent existing structures.

(c) A summary of such other information as may be necessary to enable the Board to reach a full and definite understanding of the entire situation.

3. ALTERATION OF APPLICATION: After the approval by the Board of an application and the issuance of the permit, the terms, conditions or intent of the application, and the accompanying drawings shall not thereafter be altered or departed from without the previously obtained consent of the Board; except that, in cases of emergency the Chief of the Bureau may when necessary authorize modifications, reporting his action to the Board at its next meeting.

4. PREREQUISITES FOR THE ISSUANCE OF A PERMIT: No permit will be issued until the applicant shall have

(a) Complied with the provisions of the ordinance granting the specific privilege.

(b) Presented to the Board a certificate from the City Solicitor to the effect that a satisfactory bond has been filed, when this is necessary.

(c) Presented to the Board a certificate from the City Treasurer to the effect that any requisite payments have been made.

(d) Presented to the Board an agreement from the Contractor, who is under liability to the City for the maintenance of any pavement involved, authorizing the opening of the pavement and providing for its restoration, and further agreeing that the guarantee will be in no way affected thereby.

(e) Agree to comply with the regulations of the Board, as indicated herein

5. POSSESSION OF PERMIT: Persons in charge of construction work on the highways must have in their possession, at all times while so engaged, the permit issued by the Chief of the Bureau.

6. PERIOD OF VALIDITY OF PERMIT: Permits shall be valid for a period of twelve months from the date of approval of the application by the Board. If no work is performed under the permit during this period, the permit will be void of the expiration of the twelve month period. Voided permits may be renewed upon application and upon approval by the Board at any time during the twelve month period immediately following the date of expiration, and upon payment of the customary fee, but such permits will only be good for a period of thirty days from the date of approval. At the expiration of twenty four months from the date of approval of an original permit, applicants may submit a new application for a permit, subject to the approval of the Board and to the payment of the usual fee.

6-A. Maintenance Permits. - The Chief of the Bureau of Highways is hereby authorized to issue permits covering the performance of maintenence work, such permits to be good for a period of ninety days.

6-C. Reservation of Space. - As an aid in the planning for the construction of future service facilities, applications may be made to the Board for the allocation of space for future structures. Upon approval of the allocation by the Board and the payment of a fee determined in the same manner as for construction permits, such allocation will be reserved until such time another application from a utility company may be made for such reserved space, at which time the Board will determine the use to which the said allocation may be made. The Board reserves the right to consider such allocations and to cancel them at any time as may seem best in the interest of the City.

7. VIOLATION OF REGULATIONS. If any work or precaution necessary to protect the public in the use of the highways be omitted or imperfectly performed by the permittee, then the Chief of the Bureau shall serve a formal notice on the responsible permittee, and immediately cause the necessary corrective work to be performed at the expense of the permittee. Failure at any time fully and faithfully to comply with these regulations, and such further regulations as the Board may from time to time prescribe, or to pay promptly such expenses as herein authorized, shall immediately operate as a forfeiture of permits issued, and debar the permitte from receiving any further permits until released by action of the Board.

8. DANGER SIGNALS. The permittee shall erect and maintain all necessary barricades, red lanterns and danger signals at breaks or openings in the highways, material storage piles, etc. The lights shall be kept burning from twilight until sunrise, and where necessary, a watchman shall be provided fro the safety of the public. The permittee shall be responsible for any accident that may occur by reason fo his neglect to comply with these requirements until the work is completed, and until he has removed from the highways all dirt, debris, materials, tools and equipment.

9. RESPONSIBILITY FOR INJURIES TO PERSONS OR DAMAGE TO PROPERTY: The permittee shall be responsible for any injury to any person or any damage to any property resulting from or by the construction or maintenance of the work herein indicated, or the occupation of the highway thereby, or defects or obstructions, or from any other cause whatsoever during the progress of the work or any time before its completion; and he shall indemnify and save harmless the City of Philadelphia from all suits or actions of every character, name and description, brought for, or on account of any injuries or damages received or sustained by any property, person or persons, by or from the construction or maintenance of the work herein indicated or the occupation of the highway thereby, or by or from the said permittee, his servants, or by, or in consequence of any negligence in safeguarding the work; or through improper methods or materials used in construction; or by or on account of any act or mission of the said permittee or his agents or employees.

10. LIMITATION OF OPERATION: At no time shall more than 500 linear feet of highway be opened or obstructed to traffic without the permission of the Chief of the Bureau. In the case of electrical conduits this permission shall be subject to the approval of the Chief of the Electrical Bureau.

11. TRAFFIC REGULATIONS: The work shall be conducted in such a manner as to insure the least possible obstruction to traffic. The convenience of the general public and of the residents along the highway shall be provided for as far as possible. Temporary approaches to an crossings of intersecting highways shall be provided and kept in thoroughly safe condition, wherever required by the Chief of the Bureau. On highways occupied by railway tracks, temporary approaches to the entrance and exits of railway cars shall, where necessary, be provided and maintained. No highway shall be closed to traffic except by specific permission of the Chief of the Bureau, and such highways closed to traffic shall be protected by effective barricades and standard Bureau of Highways signs placed as directed,

12. ACCESSIBILITY OF HIGHWAYS: The footways, gutters, inlets and portions of highways adjoining the work or in its vicinity shall not be obstructed nor fouled more than is absolutely necessary. Lawns or grass plots shall not be used for storage purposes. On improved streets the materials, tools and equipment required in connection with the work shall be neatly and properly stored upon the footway at least 1 foot back of the curbing, and leaving at all times for pedestrians a space which shall be at least 4 feet in width, if circumstances so permit.

13. SANITARY ARRANGEMENTS: The permittee shall provide and maintain for his employees such sanitary arrangements as may be directed by the Chief of the Bureau, and shall enforce their exclusive use.

14. REMOVAL OF TEMPORARY STRUCTURES, etc.: After the completion of the work, the permittee shall, within 24 hours, remove all temporary structures built by him, and all rubbish and surplus materials of all kinds from the site of the work and leave the whole clean and presentable.

15. UNDEDICATED HIGHWAYS: Applications involving the opening and occupancy of undedicated highways shall be accompanied by affidavits indicating the consent of the owner or owners.

16. APPROVAL OF DRAWINGS: Before any work is begun, the drawings for such work shall be approved by the Chief of the Bureau. Subject to this requirement, drawings for the following characters of construction shall also be approved by the Chiefs of the several bureaus as indicated:

CHARACTER OF WORK	APPROVED BY CHIEF, BUREAU OF
Bridges	Engineering, Surveys & Zoning
Electrical, Telephone and Telegraph Conduits	Electrical
Gas Pipes	Highways
Refrigerating Pipes	Water
Sewers	Engineering, Surveys & Zoning
Vaults	Engineering, Surveys & Zoning
Water Pipes	Water
Steam Mains	Water
Marquises	Art Jury

17. LINES AND GRADES. Where permanent pavement and curbing do not exist, the permittee will be required to obtain from the district surveyor the necessary line and grade stakes, and for this service the permittee will be required to pay in accordance with the schedule of charges specified by the Bureau of Engineering, Surveys & Zoning.

The permittee will be responsible for the preservation of all monuments and bench marks and for all stakes after being set by the District surveyor, and any disturbed stakes must be replaced by the district surveyor and paid for at the rate previously indicated.

18. NOTICE OF PROPOSED WORK: Before any highway surface shall be opened under a permit, a written twenty-four hour notice shall be given by the permittee to the Chief of the Bureau, and also to the Chiefs of the several other bureaus and public utilities whose structures are liable to be encountered or encroached upon; of the time, location and extent of the proposed opening. The Bureau of Engineering, Surveys and Zoning shall also be notified of the intention to open any footway pavement or surface.

19. INSPECTION OF WORK: All work and materials used in building structures and in restoring or maintaining pavements shall be satisfactory to the Chief of the Bureau and any work or material condemned by him must be replaced at once. Condemned materials shall be immediately removed from the site of the work.

20. SPECIAL INSPECTORS: When, in the judgment of the Board, it shall be deemed desirable or necessary to employ one or more special inspectors to supervise the proposed work, such inspector or inspectors shall be appointed by the Chief of the Bureau, and a sufficient sum shall be deposited by the applicant with the Chief of the Bureau for the payment of such service.

21. INTERFERENCE WITH EXISTING STRUCTURES: New structures shall not interfere with existing structures, or their connections, except where absolutely necessary, and then only with the previously obtained written consent of the Chiefs of the Bureaus having jurisdiction over the structures involved. Any modification of existing structures found to be necessary must be made by or under the direction of the bureau or public utility concerned and at the sole expense of the permittee. All necessary supports and protections to existing structures shall be promptly supplied by, or at the expense of the permittee, and to the satisfaction of the bureau or public utility concerned.

22. CHANGE IN LOCATION OF EXISTING STRUCTURES: If, in the construction of water or gas mains, sewers, or any other municipal work, it shall become necessary to change the location of any existing privately owned structures occupying the highways, their location shall be changed, at the sole expense of the owners, to such new locations as shall be directed by the Board.

23. MAINTENANCE OF EXPOSED STRUCTURES: All privately owned structures occupying locations in City Highways, that may be exposed during the construction, reconstruction of water mains, gas mains, sewers or other municipal work, shall be safeguarded and maintained during the course of the work by the permittee. Should the condition of the exposed structure be such as to require reconstruction or the placing of permanent supports, such work shall be performed by and at the sole expense of the owners of the structure.

24. MINIMUM DEPTH OF STRUCTURES: The minimum depth of structures shall be as follows:

(a) - Roadway between Curb Lines. - No portion of a new structure, when in place, shall be less than twenty-four (24) inches below the surface of the pavement, except that portion which is designed to form a part of the pavement.

(b) - Footways, Curb to Building Line. - No portion of a new structure, when in place, shall be less than fifteen (15) inches below the footway surface, except that portion which is designed to form a part of the paving.

(c) - Vaults. - The outside top of vault shall be at least four (4) feet below the established grade of the sidewalks over the same, in the erection, construction

or reconstruction of such vaults.

25. ELECTRICAL SERVICE CONNECTIONS AND MANHOLES: Permits for electrical service connections or for the construction of manholes on the lines of existing underground conduits where such construction is of advantage to the City for the betterment of the system may be issued by the Chief of the Bureau without reference to the Board after approval by the Chief of the Electrical Bureau. Service connections shall extend in a straight line perpendicular to the line of the conduit main.

26. REFRIGERATING PIPES: Applicants for permission to lay refrigerating pipes shall enter into an agreement, and give a bond satisfactory to the City solicitor, in the sum of Twenty-five thousand ($25,000.00) Dollars, indemnifying the City for any loss or damages that may occur in the exercise of the privileges herein granted, or that may hereafter be granted by the Board, and shall also be conditioned upon faithful compliance with all the provisions indicated herein. The methods and materials used in the construction of refrigerating pipes shall be subject to the approval of the Chief of the Bureau, and before laying any pipes, the permittee shall furnish to the Chief of the Bureau a certificate from a responsible agency, certifying to the character, quality, size, thickness, and condition of the pipe and fittings, and indicating the test to which the pipe has been subjected. Each length of pipe shall be tested and certified to before being laid. The pipe line, after being constructed and before the trench is backfilled, shall be subject to hydrostatic test of at least 300 pounds per square inch for a period of at least three hours. This test shall be made in the presence of the Chief of the Bureau of Water, and the pipe line to be approved shall meet these requirements.

27. LEAKPROOFING OF VAULTS: Vaults shall be constructed as to prevent the leakage of gas or water into them. When pipes or conduits are laid within two feet of vaults, the permittee will be required to make the vault leakproof.

28. BACKFILLING OF TRENCHES: All openings in highways shall, immediately upon the completion of the structure necessitating the opening, be filled with suitable material, free from rubbish and perishable matter, and thoroughly and evenly compacted throughout by ramming in layers not exceeding six inches in thickness. The opening shall be immediately repaved temporarily with suitable material and maintained until permanent restoration is made.

29. EXPOSED SURFACES OF STRUCTURES: All exposed surfaces of iron structures forming parts of the pavement shall have a roughened surface with projections rising not more than one-half inch, and spaced not more than two and one-half inches apart, of a design as approved by the Board.

30. RESTORATION OF PAVEMENTS: All pavements shall be promptly restored to the extent directed by the Chief of the Bureau and with the same character of material, equal in composition and in color to match the existing adjacent pavement, and in accordance with the latest standard specifications of the Bureau of Highways.

31. MAINTENANCE OF PAVEMENTS: All restored pavements shall be maintained in a condition satisfactory to the Chief of the Bureau, during the time of any existing guarantee, or as required by Ordinance of Council, but in no case for a period of less than five (5) years. Notices to permittees to make maintenance repairs to pavements shall receive attention within twenty-four (24) hours.

32. MAINTENANCE OF STRUCTURES: All structures shall at all times be maintained in a condition satisfactory to the Chief of the Bureau.

33. DRAWINGS OF FINISHED WORK: Immediately after the completion of the work the permittee shall file complete detail drawings to a scale satisfactory to the Board, showing the work as constructed, together with a record of the character and location of previously existing structures encountered during the progress of the work.

34. RE-OCCUPATION OF VAULT SPACE: The City shall in no case be liable for any claim for damages arising from the vacation by the permittee, or the reoccupation and use by the City for public purposes of any portion or portions of highway space between the building lines that have been occupied by vaults. The permittee hereby assumes full responsibility for all claims arising from the occupation or vacation of the highway by and from the construction, maintenance and removal of vaults.

Approved and adopted by

BOARD OF HIGHWAY SUPERVISORS
November 13, 1931.

Paragraph No. 29 revision approved
by BOARD OF HIGHWAY SUPERVISORS
December 11, 1942.

ACCEPTANCE OF REGULATIONS BY APPLICANT

(Name of Applicant). . . . . .

having made application for permission to open and occupy the highways as herein indicated for the purpose of. . . . . .

. . . . . ;

does hereby accept and agree to be governed and bound by the Ordinance of Council, the regulations of the Department of Streets, the annexed Regulations of the Board of Highway Supervisors, and such additional regulations as the Department of Streets shall hereafter make.

Applicant (Corporate Title, Name of Firm or Individual). . . . . .

. . . . . Bell Telephone Co. of Penna. . . . . .

. . . . . .

Signature of Officer, Member of Firm, or Individual. . . . . .

. . . . . F N Robenzen . . . . . .

Title. . . . . For General Plant Manager. . . . . .

PERMIT RECOMMENDATION

. . . . AUG 8 1952 195

Street Commissioner

Dear Sir:

The Street Commissioner considered this application upon which the Principal Supervising Estimator reported on. . . . AUG 8 1952. . . . . .

The action of the Street Commissioner follows: Approved.

Yours very truly,

H C Martyn

Secretary.

Application # 129

of The Bell Telephone Co. of Penna.

AUG 8 1952

to

Date. AUG 8 1952

PA. PUBLIC UTILITY COMMISSION
Docket No. A-99374 Folder No.
Exhibit No. A-11
Hearing at Phila Pa Date 3/22/77
Reporter D A Byrd

Exhibit A-2

RECEIVED

'77 APR 13 AM 9:26

SECRETARY'S OFFICE
PUBLIC UTILITY
COMMISSION

DEPARTMENT OF STREETS
CITY OF PHILADELPHIA

APPLICATION FOR PERMIT FOR OPENING AND STRUCTURAL OCCUPANCY OF HIGHWAYS

Date....August 22, 1952.....

Applicant: NAME The Bell Telephone Co. of Pa.
ADDRESS 1835 Arch Street, Phila.

Street Commissioner
City Hall Annex,
Philadelphia 7, Pa.

Board List of September 12, 1952

Dear Sir:

Application is hereby made for permission to open and occupy the following highways for the purpose of **installing underground conduit.**

	Highway	From	To	Proposed Location of Structure	Character of Existing Pavement Imp.	Unimp.	Drawing Number
NP #1	Bristol Street	Pres. D.E. 45'0" E.E. C.L. Palmetto St.	Prop. Bend 61'0" E.E.C.L. Palmetto St.	3'0" N.S.C.L.	-	Dirt 11'0"	2-J-24845
	W.O. 56470		Estimate 1			CO 1517	
NP #2	Bristol Street	N.H.L. 61'0" E.E. C.L. Palmetto St.	S.H.L. 61'0" E.E.C.L. Palmetto St.	Roadway Footway	-	Dirt 60'0"	2-J-24845
	W.O. 56470		Estimate 1			CO 1517	
NP #3	Lowber Ave.	Prop. bend 156'0" N.N. C.L. Sharpnack St.	Prob.bend 70'0" S.S.C.L. Sharpnack St.	4'0" W.E.C.L.	-	Dirt 242'0"	2-R-7880
	W.O. 47154		Estimate 1			CO 1411	

DOCKETED
APPLICATION DOCKET
JUN - 1 1977
ENTRY No. BW

DOCUMENT FOLDER

	On	From	To	Location	Paving Imp.	Paving Unimp.	Dwg. #
#4	Lowber Ave.	Prop. bend 4'0" W.E.C.L. 156'0" N.N.C.L. Sharpnack St.	E.H.L. 156'0" N.N.C.L. Sharpnack Street	Roadway Footway	-	Dirt 18'0"	2-R-7880
	W.O. 47154		Estimate 1		CO 1411		
#5	Lowber Ave.	Prop. bend 4'0" W.E.C.L. 70'0" N.N.C.L. Sharpnack St.	E.H.L. 70'0" N.N.C.L. Sharp-nack St.	Roadway Footway	-	Dirt 18'0"	2-R-7880
	W.O. 47154		Estimate 1		CO 1411		
#6	Lowber Ave.	Prop. bend 4'0" W.E.C.L. 70'0" S.S.C.L. Sharpnack St.	E.H.L. 70'0" S.S.C.L. Sharpnack St.	Roadway Footway	-	18'0"	2-R-7880
	W.O. 47154		Estimate 1		CO 1411		
Also:							
	Sharpnack St.	Proposed Manhole Prop. loc. 3'0" S.N.C.L., 5'0" W.E.C.L. Lowber Ave. Prop. size 3'6" x 6'0" x 5'0" x 6'10" DP			-	Dirt	2-R-7880
	W.O. 47154		Estimate 1		CO 1411		
#7	S.58th Street	Pres. M.H.3'3" W.E.C.L. 45'2" N.W. edge of bridge	Pres. D.E. N. of N. Backwall of bridge	Various bet. 3'9" W.E.C.L. & 8'8" E.E. C.L.	Asp. Cem. 45'6"	-	2-R-7032
	W.O. 38648		Estimate 1		CO 1310		
#8	S.58th Street	Pres. D.E. S. of S. back wall of bridge	Pres. M.H. 5'14" W.E. C.L. 127'7" N.N.C.L. Grays Ave.	Various bet. 4'7" W.E.C.L. & 8'8" E. E.C.L.	Asp. Cem. 60'1"	-	2-R-7032
	W.O. 38648		Estimate 1		CO 1310		
#9	Aramingo Avenue	Prop. D.E. 14'0" S.S.C.L. Butler St.	Prop. D.E. 20'0" N.N. C.L. Butler St.	Various bet. 4'0" & 7'6" W. W.C.L.	Mac. 20'0"	Dirt 55'0"	2-J-24847
	This is not a permit to open State Highway						
	W.O. -		Estimate		CO 1517		

	On	From	To	Location	Paving Imp.	Paving Unimp.	Dwg.#
✓ #10	Butler Street	Prop. D.E. 19'0" E.E. C.L. Aramingo Avenue	Prop. D.E. 20'0" W.W. C.L. Aramingo Ave.	3'6" S.N. C.L.	-	Dirt 106'0"	2-J-24847

This is not a permit to open State Highway.

W.O. - Est. - CO 1517

Also: Aramingo Ave.	Proposed Manhole Prop. loc. 3'6" W.W.C.L., 3'6" S.N.C.L. Butler St. Prop. size: 3'6" x 7'6" x 5'6" x 7'4" DP				-	Dirt	2-J-24847

This is not a permit to open State Highway.

W.O. - Est. - CO 1517

✓ #11	Aramingo Ave.	Prop. D.E. 14'0" S.S. C.L. Castor Ave.	Prop. D.E. 14'0" N.N. C.L. Castor Ave.	4'0" W.W. C.L.	Conc. 22'0"	Dirt 49'0"	2-R-6976

This is not a permit to open State Highway.

W.O. - Est. - CO 1517

✓ #12	Castor Avenue	Prop.D.E. 19'0" E.E. C.L. Aramingo Avenue	Prop. D.E. 19'0" W.W. C.L. Aramingo Avenue	7'0" S.N. C.L.	-	Dirt 108'0"	2-R-6976

This is not a permit to open State Highway.

W.O. - Est. - CO 1517

✓ #13	Aramingo Avenue	Prop. D.E. 1'0" E.E.C.L. 345'0" N.N. C.L. Castor Avenue	Prop. D.E. 1'0" W.W.C.L. 345'0" N.N. C.L. Castor Avenue	Roadway Footway	-	Dirt 74'0"	2-R-6976

This is not a permit to open State Highway.

W.O. - Est. - CO 1517

Also: Aramingo Avenue	Proposed Manhole Prop. loc. 3'0" W.W.C.L., 9'6" S.N.C.L. Prop. size: 3'6" x 6'0" x5'0" x 6'10" DP				-	Dirt	2-R-6976

This is not a permit to open State Highway.

W.O. - Est. - CO 1517

	On	From	To	Location	Paving Imp.	Paving Unimp.	Dwg.#
✓#14	Aramingo Ave.	Prop. D.E. 12'0" S.S. C.L. Venango St.	Prop. D.E. 12'0" N.N. C.L. Venango St.	4'0" W.W. C.L.	Mac. 53'0"	-	2-R-6975
✓#15	Venango St.	Prop. D.E. 19'0" E.E.C.L. Aramingo Ave.	Prop. M.H. 2'0" S.N.C.L. 3'0" W.W.C.L. Aramingo Ave.	9'0" N. ✓ C.L.	Mac. 76'0"	Dirt 19'0"	2-R6975

This is not a permit to open State Highway.

W.O. - Est. - CO 1517

✓#16	Aramingo Ave.	Prop. D.E. 1'0" E.E.C.L. 380'0" N.N.C.L. Venango St.	Prop. D.E. 1'0" W.W.C.L. 380'0" N.N. C.L. Venango St.	Roadway Footway		Dirt 74'0"	2-R6975

This is not a permit to open State Highway.

W.O. - Est. - CO 1517

Also:

	Aramingo Ave.	Proposed manhole Prop. loc.: 3'0" W.W.C.L., 2'0" S.N.C.L. Venango St. Prop. size: 3'6" x 6'0" x 5'0" x 6'10" DP			Mac. -		2-R-6975

This is not a permit to open State Highway.

X ✓NP

W.O. - Est. - CO 1516

✓#17	Horrocks St.	Prop. M.H. 3'6" W.E.C.L. 288'0" S.S.C.L. Rhawn St.	Prop. M.H. 1'0" W.E.C.L. 3'0" N.S.C.L. Rhawn St.	3'6" W.E. C.L.	-	Dirt 29'	2J-24843

W.O. 57466 Est. 1 CO 1510

X ✓

✓#18	Horrocks St.	Prop. bend 3'6" W.E.C.L. 262'0" S.S.C.L. Rhawn St.	E.H.L. 262'0" S. S.C.L. Rhawn St.	Roadway Footway	-	Dirt 15'6"	2J-24843

W.O. 57466 Est. 1 CO 1510

Also:

	Horrocks St.	Proposed manhole Prop. loc.: 3'6" W.E.C.L., 288'0" S.S.C.L. Rhawn St. Prop. size: 3'0" x 4'0" x 5'0" x 6'10" DP			-	Dirt	2J-24843

W.O. 57466 Est. 1 CO 1510

	On	From	To	Location	Paving Imp.	Paving Unimp.	Dwg. #
Also:							
	Rhawn St.	Proposed Manhole Prop. loc.: 3'0" N.S.C.L., 1'0" W.E.C.L. Horrocks St. Prop. size: 3'6" x 6'0" x 5'0" x 6'10" DP			-	Dirt	2-J-24843
	W.O. 57466		Est. 1		CO 1510		
NP #19	Algon St.	Pres. D.E. 20'0" N.N.C.L. Princeton Ave.	Prop. M.H. 3'6" W.E. C.L. 14'0" S.S.C.L. Friendship St.	3'6" W.E. C.L.	-	Dirt 215'0"	2-J-24837
	W.O. 57485		Est. 1		CO 1510		
NP #20	Algon St.	Prop. D.E. 1'0" W.W.C.L. 94'0" N.N.C.L. Princeton Ave.	Prop. D.E. 1'0" E.E. C.L. 94'0" N.N.C.L. Princeton Ave.	Roadway Footway	-	54'0"	2-J-24837
	W.O.57485		Est. 1		CO 1510		
NP	Also: Algon St.	Proposed Manhole Prop. loc.: 3'6" W.E.C.L., 14'0" S.S.C.L. Friendship St. Prop. size: 3'0" x 4'0" x 5'0" x 7'4" DP			-	Dirt	2-J-24837
	W.O. 57485		Est. 1		CO 1510		
NP #21	Scotia Rd.	Pres. D.E. 144'0" E.E.C.L. Old Line Rd.	Prop.bend 109'0" E.E. C.L. Lykens Lane.	2'6" NSCL ~~Roadway~~ ~~Footway~~	-	Dirt 245'0"	2-R-7883
	W.O. 48732		Est. 1		CO 1408		
NP #22	Scotia Rd.	Prop. bend 2'6" N.S.C.L., 109'0" E.E.C.L. Lykens La.	S.H.L. 109'0" E. E.C.L. Lykens La.	Roadway Footway	-	14'0"	2-R-7883
	W.O. 48732		Est. 1		CO 1408		
NP #23	Lykens Lane	Prop. M.H. 0'3" W.E.C.L., 0'3" N.S.C.L. Scotia Rd.	Prop. D.E. 34'0" S.S. C.L. Scotia Rd.	3'0" W.E. C.L.	-	Dirt 32'0"	2-R-7883
	W.O. 48732		Est. 1		CO 1408		
NP	Also: Scotia	Proposed manhole Prop. loc.: 0'3" N.S.C.L., 0'3" W.E.C.L. Lykens La. Prop. size: 3'6" x 7'0" x 5'6" x 7'4" DP				Dirt	2-R-7883
	W.O.48732		Est. 1		CO 1408		

Drawings of the proposed structural work, as above indicated, are submitted herewith and are hereby made a part of this application.

Very truly yours,

Applicant (corporate title, name of firm or individual. . . . . .

. . . . . The Bell Telephone Co. of Pa. . . . . .

Signature of officer, member of firm or individual. . . . . E. N. Robenson

Title. . . . . For General Plant Manager . . . . . .

THE BELL TELEPHONE COMPANY OF PENNSYLVANIA

OFFICE OF THE GENERAL PLANT MANAGER

1401 ARCH STREET, PHILADELPHIA 2, PA.

OFFICIAL 3-0050

August 12, 1952

Mr. Howard K. Mintzer, Secretary,
Board of Highway Supervisors,
City Hall Annex,
Philadelphia 7, Penna.

Advance Permit - 2R-7880

Dear Sir:

It is requested that approval and permit be issued in advance of regular Board Meeting of September 12, 1952, to place conduit in advance of paving.

This is location #3-6 on our application of August 22, 1952.

Very truly yours,

T. X. Robinson / usp.

Advance permits issued 8-13-52

THE BELL TELEPHONE COMPANY OF PENNSYLVANIA

OFFICE OF THE GENERAL PLANT MANAGER

1401 ARCH STREET, PHILADELPHIA 2, PA.

OFFICIAL 3-0050

August 13, 1952

Mr. Howard K. Mintzer, Secretary,
Board of Highway Supervisors,
City Hall Annex,
Philadelphia 7, Penna.

Advance Permit - 2J-24847, 2J-24843
2R-6975 2R-6976

Dear Sir:

It is requested that approval and permit be issued in advance of regular Board Meeting of September 12, 1952, to place conduit in advance of paving.

This is locations # 9-18 on our application of August 29, 1952.

Very truly yours,

F. X. Robinson /AHP

Issued
8-15-52

THE BELL TELEPHONE COMPANY OF PENNSYLVANIA

OFFICE OF THE GENERAL PLANT MANAGER

1401 ARCH STREET, PHILADELPHIA 2, PA.

OFFICIAL 3-0050

August 22, 1952

Mr. Howard Mintzer, Secretary,
Board of Highway Supervisors,
City Hall Annex,
Philadelphia 7, Penna.

Board Meeting of 9-12-52

Dear Mr. Mintzer:

It is requested that permission be granted to open the streets as covered by the following tracings for the purpose of laying conduit and building manholes, as per our application attached:

Tracings	Reason
2J-24845	Betterment
2R-7880	"
2R-7032	"
2J-24847	"
2R-6976	"
2R-6975	"
2J-24843	"
2J-24837	"
2R-7883	"

Yours very truly,

F. H. Robertson

REGULATIONS OF THE BOARD OF HIGHWAY SUPERVISORS

DEPARTMENT OF PUBLIC WORKS

CITY OF PHILADELPHIA

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1. DEFINITION OF TERMS: Wherever in this application, or these regulations, the term "The Board" or pronoun in the place of it is used, it shall mean and intend The Board of Highway Supervisors; wherever the term "Applicant" or a pronoun in the place of it is used, it shall mean and intend the person or agency submitting this application and agreeing to these regulations; wherever the term "Permittee" or a pronoun in the place of it is used, it shall mean and intend the person or agency to whom the permit has been issued; wherever the term "Chief of the Bureau" or a pronoun in the place of it is used, it refers to the Chief of the Bureau of Highways of the City of Philadelphia, acting either directly or through any assistant duly appointed by him.

2. METHOD OF MAKING APPLICATION: The applicant for permission for the opening and structural occupancy of a highway in the City of Philadelphia shall file with the Board.

(a) A written application indicating the full name and business address of the Applicant, and a statement of the character and purpose of the proposed work.

(b) At least three blue prints; or at least two copies of the drawing printed on linaura, or both, as directed, and showing the complete details of the proposed work and indicating the character and location of all adjacent existing structures.

(c) A summary of such other information as may be necessary to enable the Board to reach a full and definite understanding of the entire situation.

3. ALTERATION OF APPLICATION: After the approval by the Board of an application and the issuance of the permit, the terms, conditions or intent of the application, and the accompanying drawings shall not thereafter be altered or departed from without the previously obtained consent of the Board; except that, in cases of emergency the Chief of the Bureau may when necessary authorize modifications, reporting his action to the Board at its next meeting.

4. PREREQUISITES FOR THE ISSUANCE OF A PERMIT: No permit will be issued until the applicant shall have

(a) Complied with the provisions of the ordinance granting the specific privilege.

(b) Presented to the Board a certificate from the City Solicitor to the effect that a satisfactory bond has been filed, when this is necessary.

(c) Presented to the Board a certificate from the City Treasurer to the effect that any requisite payments have been made.

(d) Presented to the Board an agreement from the Contractor, who is under liability to the City for the maintenance of any pavement involved, authorizing the opening of the pavement and providing for its restoration, and further agreeing that the guarantee will be in no way affected thereby.

(e) Agree to comply with the regulations of the Board, as indicated herein.

5. POSSESSION OF PERMIT: Persons in charge of construction work on the highways must have in their possession, at all times while so engaged, the permit issued by the Chief of the Bureau.

6. PERIOD OF VALIDITY OF PERMIT: Permits shall be valid for a period of twelve months from the date of approval of the application by the Board. If no work is performed under the permit during this period, the permit will be void of the expiration of the twelve month period. Voided permits may be renewed upon application and upon approval by the Board at any time during the twelve month period immediately following the date of expiration, and upon payment of the customary fee, but such permits will only be good for a period of thirty days from the date of approval. At the expiration of twenty four months from the date of approval of an original permit, applicants may submit a new application for a permit, subject to the approval of the Board and to the payment of the usual fee.

6-A. Maintenance Permits. - The Chief of the Bureau of Highways is hereby authorized to issue permits covering the performance of maintenance work, such permits to be good for a period of ninety days.

6-C. Reservation of Space. - As an aid in the planning for the construction of future service facilities, applications may be made to the Board for the allocation of space for future structures. Upon approval of the allocation by the Board and the payment of a fee determined in the same manner as for construction permits, such allocation will be reserved until such time another application from a utility company may be made for such reserved space, at which time the Board will determine the use to which the said allocation may be made. The Board reserves the right to consider such allocations and to cancel them at any time as may seem best in the interest of the City.

7. VIOLATION OF REGULATIONS. If any work or precaution necessary to protect the public in the use of the highways be omitted or imperfectly performed by the permittee, then the Chief of the Bureau shall serve a formal notice on the responsible permittee, and immediately cause the necessary corrective work to be performed at the expense of the permittee. Failure at any time fully and faithfully to comply with these regulations, and such further regulations as the Board may from time to time prescribe, or to pay promptly such expenses as herein authorized, shall immediately operate as a forfeiture of permits issued, and debar the permitte from receiving any further permits until released by action of the Board.

8. DANGER SIGNALS. The permittee shall erect and maintain all necessary barricades, red lanterns and danger signals at breaks or openings in the highways, material storage piles, etc. The lights shall be kept burning from twilight until sunrise, and where necessary, a watchman shall be provided fro the safety of the public. The permittee shall be responsible for any accident that may occur by reason fo his neglect to comply with these requirements until the work is completed, and until he has removed from the highways all dirt, debris, materials, tools and equipment.

9. RESPONSIBILITY FOR INJURIES TO PERSONS OR DAMAGE TO PROPERTY: The permittee shall be responsible for any injury to any person or any damage to any property resulting from or by the construction or maintenance of the work herein indicated, or the occupation of the highway thereby, or defects or obstructions, or from any other cause whatsoever during the progress of the work or any time before its completion; and he shall indemnify and save harmless the City of Philadelphia from all suits or actions of every character, name and description, brought for, or on account of any injuries or damages received or sustained by any property, person or persons, by or from the construction or maintenance of the work herein indicated or the occupation of the highway thereby, or by or from the said permittee, his servants, or by, or in consequence of any negligence in safeguarding the work; or through improper methods or materials used in construction; or by or on account of any act or mission of the said permittee or his agents or employees.

10. LIMITATION OF OPERATION: At no time shall more than 500 linear feet of highway be opened or obstructed to traffic without the permission of the Chief of the Bureau. In the case of electrical conduits this permission shall be subject to the approval of the Chief of the Electrical Bureau.

11. TRAFFIC REGULATIONS: The work shall be conducted in such a manner as to insure the least possible obstruction to traffic. The convenience of the general public and of the residents along the highway shall be provided for as far as possible. Temporary approaches to an crossings of intersecting highways shall be provided and kept in thoroughly safe condition, wherever required by the Chief of the Bureau. On highways occupied by railway tracks, temporary approaches to the entrance and exits of railway cars shall, where necessary, be provided and maintained. No highway shall be closed to traffic except by specific permission of the Chief of the Bureau, and such highways closed to traffic shall be protected by effective barricades and standard Bureau of Highways signs placed as directed.

12. ACCESSIBILITY OF HIGHWAYS: The footways, gutters, inlets and portions of highways adjoining the work or in its vicinity shall not be obstructed nor fouled more than is absolutely necessary. Lawns or grass plots shall not be used for storage purposes. On improved streets the materials, tools and equipment required in connection with the work shall be neatly and properly stored upon the footway at least 1 foot back of the curbing, and leaving at all times for pedestrians a space which shall be at least 4 feet in width, if circumstances so permit.

13. SANITARY ARRANGEMENTS: The permittee shall provide and maintain for his employees such sanitary arrangements as may be directed by the Chief of the Bureau, and shall enforce their exclusive use.

14. REMOVAL OF TEMPORARY STRUCTURES, etc.: After the completion of the work, the permittee shall, within 24 hours, remove all temporary structures built by him, and all rubbish and surplus materials of all kinds from the site of the work and leave the whole clean and presentable.

15. UNDEDICATED HIGHWAYS: Applications involving the opening and occupancy of undedicated highways shall be accompanied by affidavits indicating the consent of the owner or owners.

16. APPROVAL OF DRAWINGS: Before any work is begun, the drawings for such work shall be approved by the Chief of the Bureau. Subject to this requirement, drawings for the following characters of construction shall also be approved by the Chiefs of the several bureaus as indicated:

CHARACTER OF WORK	APPROVED BY CHIEF, BUREAU OF
Bridges	Engineering, Surveys & Zoning
Electrical, Telephone and Telegraph Conduits	Electrical
Gas Pipes	Highways
Refrigerating Pipes	Water
Sewers	Engineering, Surveys & Zoning
Vaults	Engineering, Surveys & Zoning
Water Pipes	Water
Steam Mains	Water
Marquises	Art Jury

17. LINES AND GRADES. Where permanent pavement and curbing do not exist, the permittee will be required to obtain from the district surveyor the necessary line and grade stakes, and for this service the permittee will be required to pay in accordance with the schedule of charges specified by the Bureau of Engineering, Surveys & Zoning.

marks and for all stakes after being set by the District surveyor, and any disturbed stakes must be replaced by the district surveyor and paid for at the rate previously indicated.

18. NOTICE OF PROPOSED WORK: Before any highway surface shall be opened under a permit, a written twenty-four hour notice shall be given by the permittee to the Chief of the Bureau, and also to the Chiefs of the several other bureaus and public utilities whose structures are liable to be encountered or encroached upon; of the time, location and extent of the proposed opening. The Bureau of Engineering, Surveys and Zoning shall also be notified of the intention to open any footway pavement or surface.

19. INSPECTION OF WORK: All work and materials used in building structures and in restoring or maintaining pavements shall be satisfactory to the Chief of the Bureau and any work or material condemned by him must be replaced at once. Condemned materials shall be immediately removed from the site of the work.

20. SPECIAL INSPECTORS: When, in the judgment of the Board, it shall be deemed desirable or necessary to employ one or more special inspectors to supervise the proposed work, such inspector or inspectors shall be appointed by the Chief of the Bureau, and a sufficient sum shall be deposited by the applicant with the Chief of the Bureau for the payment of such service.

21. INTERFERENCE WITH EXISTING STRUCTURES: New structures shall not interfere with existing structures, or their connections, except where absolutely necessary, and then only with the previously obtained written consent of the Chiefs of the Bureaus having jurisdiction over the structures involved. Any modification of existing structures found to be necessary must be made by or under the direction of the bureau or public utility concerned and at the sole expense of the permittee. All necessary supports and protections to existing structures shall be promptly supplied by, or at the expense of the permittee, and to the satisfaction of the bureau or public utility concerned.

22. CHANGE IN LOCATION OF EXISTING STRUCTURES: If, in the construction of water or gas mains, sewers, or any other municipal work, it shall become necessary to change the location of any existing privately owned structures occupying the highways, their location shall be changed, at the sole expense of the owners, to such new locations as shall be directed by the Board.

23. MAINTENANCE OF EXPOSED STRUCTURES: All privately owned structures occupying locations in City Highways, that may be exposed during the construction, reconstruction of water mains, gas mains, sewers or other municipal work, shall be safeguarded and maintained during the course of the work by the permittee. Should the condition of the exposed structure be such as to require reconstruction or the placing of permanent supports, such work shall be performed by and at the sole expense of the owners of the structure.

24. MINIMUM DEPTH OF STRUCTURES: The minimum depth of structures shall be as follows:

(a) - Roadway between Curb Lines. - No portion of a new structure, when in place, shall be less than twenty-four (24) inches below the surface of the pavement, except that portion which is designed to form a part of the pavement.

(b) - Footways, Curb to Building Line. - No portion of a new structure, when in place, shall be less than fifteen (15) inches below the footway surface, except that portion which is designed to form a part of the paving.

(c) - Vaults. - The outside top of vault shall be at least four (4) feet below the established grade of the sidewalks over the same, in the erection, construction

or reconstruction of such vaults.

25. ELECTRICAL SERVICE CONNECTIONS AND MANHOLES: Permits for electrical service connections or for the construction of manholes on the lines of existing underground conduits where such construction is of advantage to the City for the betterment of the system may be issued by the Chief of the Bureau without reference to the Board after approval by the Chief of the Electrical Bureau. Service connections shall extend in a straight line perpendicular to the line of the conduit main.

26. REFRIGERATING PIPES: Applicants for permission to lay refrigerating pipes shall enter into an agreement, and give a bond satisfactory to the City solicitor, in the sum of Twenty-five thousand ($25,000.00) Dollars, indemnifying the City for any loss or damages that may occur in the exercise of the privileges herein granted, or that may hereafter be granted by the Board, and shall also be conditioned upon faithful compliance with all the provisions indicated herein. The methods and materials used in the construction of refrigerating pipes shall be subject to the approval of the Chief of the Bureau, and before laying any pipes, the permittee shall furnish to the Chief of the Bureau a certificate from a responsible agency, certifying to the character, quality, size, thickness, and condition of the pipe and fittings, and indicating the test to which the pipe has been subjected. Each length of pipe shall be tested and certified to before being laid. The pipe line, after being constructed and before the trench is backfilled, shall be subject to hydrostatic test of at least 300 pounds per square inch for a period of at least three hours. This test shall be made in the presence of the Chief of the Bureau of Water, and the pipe line to be approved shall meet these requirements.

27. LEAKPROOFING OF VAULTS: Vaults shall be constructed as to prevent the leakage of gas or water into them. When pipes or conduits are laid within two feet of vaults, the permittee will be required to make the vault leakproof.

28. BACKFILLING OF TRENCHES: All openings in highways shall, immediately upon the completion of the structure necessitating the opening, be filled with suitable material, free from rubbish and perishable matter, and thoroughly and evenly compacted throughout by ramming in layers not exceeding six inches in thickness. The opening shall be immediately repaved temporarily with suitable material and maintained until permanent restoration is made.

29. EXPOSED SURFACES OF STRUCTURES: All exposed surfaces of iron structures forming parts of the pavement shall have a roughened surface with projections rising not more than one-half inch, and spaced not more than two and one-half inches apart, of a design as approved by the Board.

30. RESTORATION OF PAVEMENTS: All pavements shall be promptly restored to the extent directed by the Chief of the Bureau and with the same character of material, equal in composition and in color to match the existing adjacent pavement, and in accordance with the latest standard specifications of the Bureau of Highways.

31. MAINTENANCE OF PAVEMENTS: All restored pavements shall be maintained in a condition satisfactory to the Chief of the Bureau, during the time of any existing guarantee, or as required by Ordinance of Council, but in no case for a period of less than five (5) years. Notices to permittees to make maintenance repairs to pavements shall receive attention within twenty-four (24) hours.

32. MAINTENANCE OF STRUCTURES: All structures shall at all times be maintained in a condition satisfactory to the Chief of the Bureau.

33. DRAWINGS OF FINISHED WORK: Immediately after the completion of the work the permittee shall file complete detail drawings to a scale satisfactory to the Board, showing the work as constructed, together with a record of the character and location of previously existing structures encountered during the progress of the work.

34. RE-OCCUPATION OF VAULT SPACE: The City shall in no case be liable for any claim for damages arising from the vacation by the permittee, or the reoccupation and use by the City for public purposes of any portion or portions of highway space between the building lines that have been occupied by vaults. The permittee hereby assumes full responsibility for all claims arising from the occupation or vacation of the highway by and from the construction, maintenance and removal of vaults.

Approved and adopted by

BOARD OF HIGHWAY SUPERVISORS
November 13, 1931.

Paragraph No. 29 revision approved
by BOARD OF HIGHWAY SUPERVISORS
December 11, 1942.

ACCEPTANCE OF REGULATIONS BY APPLICANT

(Name of Applicant). . . . . .

having made application for permission to open and occupy the highways as herein indicated for the purpose of. . . . . .

. . . . . .

does hereby accept and agree to be governed and bound by the Ordinance of Council, the regulations of the Department of Streets, the annexed Regulations of the Board of Highway Supervisors, and such additional regulations as the Department of Streets shall hereafter make.

Applicant (Corporate Title, Name of Firm or Individual). . . . . .

. . . . . The Bell Telephone Company of Pa. . . . . .

. . . . . .

Signature of Officer, Member of Firm, or Individual. . . . . .

. . . . . .

Title. . . . . For General Plant Manager. . . . . .

PERMIT RECOMMENDATION

SEP 26 1952

. 195

Street Commissioner

Dear Sir:

The Street Commissioner considered this application upon which the Principal Supervising Estimator reported on SEP 26 1952. . . . . .

The action of the Street Commissioner follows: Approved.

Yours very truly,

Secretary.

Application # 1652

of The Bell Telephone Co. of Penna.

SEP 12 1952 SEP 26 1952

to

Date. SEP 26 1952

PA. PUBLIC UTILITY COMMISSION
Docket No. A-99374 Folder No.
Exhibit No. A-12
Hearing at Phila Pa Date 3/22/77
Reporter D A Byrd

APPLICATION FOR PERMIT FOR OPENING AND STRUCTURAL OCCUPANCY OF HIGHWAYS

CITY OF PHILADELPHIA
DEPARTMENT OF STREETS

DATE

APPLICANT NAME

ADDRESS

TO: STREET COMMISSIONER, Municipal Services Building, Philadelphia, Pa. 19107

Application is made for permission to open and occupy the following highways for the purpose of:

NO.	HIGHWAY	FROM	TO	PROPOSED LOCATION OF STRUCTURE	EXISTING PAVEMENT		DRAWING NUMBER OR SIZE
					IMPR.	UNIMPR.	

DOCKETED
APPLICATION DOCKET
JUN - 1 1977
ENTRY No. BW

DOCUMENT FOLDER

77-375 (Rev. 7/75)

NO.	HIGHWAY	FROM	TO	PROPOSED LOCATION OF STRUCTURE	PAVEMENT		DRAINAGE OPENING NUMBER OR SIZE
					IMPR.	UNIMPR.	

Drawings of the proposed structural work are submitted herewith, and are hereby made a part of this application.

Signature

APPLICANT *(Corporate title, name of firm or individual)*

SIGNATURE OF OFFICER, MEMBER OF FIRM OR INDIVIDUAL	TITLE

77-375 (Rev. 7/75)

REGULATIONS OF THE DEPARTMENT OF STREETS

CITY OF PHILADELPHIA

STREET OPENINGS AND EXCAVATIONS

1. **HOME RULE CHARTER – DEPARTMENT OF STREETS – COMMITTEE OF HIGHWAY SUPERVISORS:** On January 7, 1952 the Department of Streets absorbed the functions of the Board of Highway Supervisors, which was established by Ordinance of March 17, 1884.

   Article 5, Chapter 5, Department of Streets, Section 5–501 of the Home Rule Charter provides as follows:

   "Street Openings and Excavations. The Department of Streets shall determine the location, time, method and manner of making any opening or excavation in any City street, of installing any underground street structure, and of any repaving required because of such openings, excavations or installations."

   The Committee of Highway Supervisors is an Advisory Departmental Committee on Street Openings.

   The Committee meets on the second and fourth Tuesdays of each month to act on applications filed with the Street Commissioner for permission to install or to remove structures in legally opened City Streets.

2. **DEFINITION OF TERMS:** Wherever in this application, or these regulations, the term "Commissioner" is used, it shall mean the Street Commissioner; wherever the term "Applicant" or a pronoun in the place of it is used, it shall mean and intend the person or agency submitting this application and agreeing to these regulations; wherever the term "Permittee" or a pronoun in the place of it is used, it shall mean, and intend the person or agency to whom the permit has been issued; wherever the term "Chief of Highways" or a pronoun in the place of it is used, it refers to the Chief of the Highway Section of the Department of Streets, City of Philadelphia, acting either directly or through any assistant duly appointed by him.

3. **METHOD OF MAKING APPLICATION:** The applicant for permission for the opening and structural occupancy of a highway in the city of Philadelphia shall file with the Commissioner:

   (a) A written application indicating the full name and business address of the Applicant (registered owner of property of record), and a statement of the character and purpose of the proposed work.

   (b) At least six blue prints showing the complete details of the proposed work and indicating the character and location of all adjacent existing structures.

   (c) A summary of such other information as may be necessary to enable the Commissioner to reach a full and definite understanding of the entire situation.

4. **ALTERATION OF APPLICATION:** After the approval by the Commissioner of an application and the issuance of the permit, the terms, conditions or intent of the application, and the accompanying drawings shall not thereafter be altered or departed from without the previously obtained consent of the Commissioner; except that, in cases of emergency the Chief of Highways may when necessary authorize modifications.

5. **PREREQUISITES FOR THE ISSUANCE OF A PERMIT:** No permit will be issued until the applicant shall have:

(a) Complied with the provisions of the ordinance (where necessary) granting the specific privilege.

(b) Presented to the Commissioner a certificate from the City Solicitor to the effect that a satisfactory bond has been filed, when this is necessary.

(c) Presented to the Commissioner a certificate from the City Treasurer to the effect that any requisite payments have been made.

(d) Presented to the Commissioner an agreement from the Contractor, who is under liability to the City for the maintenance of any pavement involved, authorizing the opening of the pavement and providing for its restoration, and further agreeing that the guarantee will be in no way affected thereby.

(e) Agree to comply with the regulations of the Department of Streets, as indicated herein.

6. **POSSESSION OF PERMIT:** Persons in charge of construction work on the highways must have in their possession, at all times while so engaged, the permit issued by the Chief of Highways.

7. **PERIOD OF VALIDITY OF PERMIT:** Permits shall be valid for a period of twelve months from the date of approval of the application by the Commissioner. If no work is performed under the permit during this period, the permit will be void at the expiration of the twelve month period. Voided permits may be renewed upon application and upon approval by the Commissioner at any time during the twelve month period, immediately following the date of expiration, and upon payment of the customary fee, but such permits will only be good for a period of thirty days from the date of approval. At the expiration, twenty four months from the date of approval of an original permit, applicants may submit a new application for a permit, subject to the approval of the Commissioner and to the payment of the usual fee.

8. **MAINTENANCE PERMITS:** The Chief of Highways is hereby authorized to issue permits covering the performance of maintenance work, such permits to be good for a period of ninety days.

9. **RESERVATION OF SPACE:** As an aid in the planning for the construction of future service facilities, applications may be made to the Commissioner of the allocation of space for future structures. Upon approval of the allocation by the Commissioner and the payment of a fee determined in the same manner as for construction permits, such allocation will be reserved until such time as another application from a utility company may be made for such

reserved space, at which time the Commissioner will determine the use to which the said allocation may be made. The Commissioner reserves the right to reconsider such allocations and to cancel them at any time as may seem best in the interest of the City.

10. **VIOLATION OF REGULATIONS:** If any work or precaution necessary to protect the public in the use of the highways be omitted or imperfectly performed by the permittee, then the Chief of Highways shall serve a formal notice on the responsible permittee, and immediately cause the necessary corrective work to be performed at the expense of the permittee. Failure at any time fully and faithfully to comply with these regulations, and such further regulations as the Commissioner may from time to time prescribe, or to pay promptly such expenses as herein authorized, shall immediately operate as a forfeiture of permits issued, and debar the permittee from receiving any further permits until released by action of the Commissioner.

11. **DANGER SIGNALS:** The permittee shall erect and maintain all necessary barricades, red lanterns and danger signals at breaks or openings in the highways, material storage piles, etc. The lights shall be kept burning from twilight until sunrise, and where necessary, a watchman shall be provided for the safety of the public. The permittee shall be responsible for any accidents that may occur by reason of his neglect to comply with these requirements until the work is completed, and until he has removed from the highways all dirt, debris, materials, tools and equipment.

12. **RESPONSIBILITY FOR INJURIES TO PERSONS OR DAMAGE TO PROPERTY:** The permittee shall be responsible for any injury to persons or any damage to any property resulting from or by the construction or maintenance of the work herein indicated, or the occupation of the highway thereby, or defects or obstructions, or from any other cause whatsoever during the progress of the work or any time before its completion; and he shall indemnify and save harmless the City of Philadelphia from all suits or actions of every character, name and description, brought for or on account of any injuries or damages received or sustained by any property, person or persons by or from the construction or maintenance of the work herein indicated, the occupation of the highway thereby, negligence in safeguarding the work, improper methods of materials used in constructing, or by or on account of any act or omission of the said permittee or his agents or employees.

13. **LIMITATION OF OPERATION:** At no time shall more than 500 linear feet of highway be opened or obstructed to traffic without the permission of the Chief of Highways. In the case of electrical conduits this permission shall be subject to the approval of the Chief of the Electrical Bureau.

14. **TRAFFIC REGULATIONS:** The work shall be conducted in such a manner as to insure the least possible obstruction to traffic. The convenience of the general public and of the residents along the highway shall be provided for as far as possible. Temporary approaches to any crossings or intersecting highways shall be provided and kept in thoroughly safe condition, wherever required by the Chief of Highways. On highways occupied by railway tracks, temporary approaches to the entrance and exits of railway cars shall, where necessary, be provided and maintained. No highway shall be closed to traffic except by specific permission of the Chief of Highways, and such highways closed to traffic shall be protected by effective barricades and standard Department of Streets signs placed as directed.

15. **ACCESSIBILITY OF HIGHWAYS:** The footways, gutters, inlets and portions of highways adjoining the work or in its vicinity shall not be obstructed nor fouled more than is absolutely necessary. Lawns or grass plots shall not be used for storage purposes. On improved streets the materials, tools and equipment required in connection with the work shall be neatly and properly stored upon the footway at least 1 foot back of the curbing, and leaving at all times for pedestrians a space which shall be at least 4 feet in width, if circumstances so permit.

16. **SANITARY ARRANGEMENTS:** The permittee shall provide and maintain for his employees such sanitary arrangements as may be directed by the Chief of Highways and shall enforce their exclusive use.

17. **REMOVAL OF TEMPORARY STRUCTURES, etc.:** After the completion of the work, the permittee shall, within 24 hours, remove all temporary structures built by him, and all rubbish and surplus materials of all kinds from the site of the work and leave the whole clean and presentable.

18. **UNDEDICATED HIGHWAYS:** Applications involving the opening and occupancy of undedicated highways shall be accompanied by affidavits indicating the consent of the owner or owners.

19. **APPROVAL OF DRAWINGS:** Before any work is begun, the drawings for such work shall be approved by the Department of Streets. Subject to this requirement, drawings for the following characters of construction shall also be approved by the Chiefs of the several administrative subdivisions as indicated:

CHARACTER OF WORK	APPROVED BY
Electrical, Telephone and Telegraph Conduits	Department of Licenses & Inspections
Gas Pipes	Highway Section
Refrigerating Pipes	Water Department
Sewer	Water Department
Vaults	Surveys & Design Bureau
Water Pipes	Water Department
Steam Mains	Water Department

20. **LINES AND GRADES:** Where permanent pavement and curbing do not exist, the permittee will be required to obtain from the district surveyor the necessary line and grade stakes, and for this service the permittee will be required to pay in accordance with the schedule of charges specified by the Bureau of Surveys and Design. The permittee will be responsible for preservation of all monuments and bench marks and for all stakes after being set by the District Surveyor, and any distrubed stakes must be replaced by the district surveyor and paid for at the rate previously indicated.

21. **NOTICE OF PROPOSED WORK:** Before any highway surface shall be opened under a permit, written twenty-four hour notice shall be given by the permittee to the Chief of Highways, and also to the Commissioners of the several other departments and to the public utilities whose structures are liable to be encountered or encroached upon of the time, location and extent of the proposed opening. The Water Department shall also be notified of the intention to open any footway pavement or surface.

22. **INSPECTION OF WORK:** All work and materials used in building structures and in restoring or maintaining pavements shall be satisfactory to the Chief of Highways and any work or material condemned by him must be replaced at once. Condemned material shall be immediately removed from the site of the work.

23. **SPECIAL INSPECTORS:** When, in the judgement of the Commissioner, it shall be deemed desirable or necessary to employ one or more special inspectors to supervise the proposed work, such inspector or inspectors shall be appointed by the Chief of Highways, and a sufficient sum shall be deposited by the applicant with the Chief of Highways for the payment of such service.

24. **INTERFERENCE WITH EXISTING STRUCTURES:** New structures shall not interfere with existing structures, or their connections, except where absolutely necessary, and then only with previously obtained written consent of the Commissioners of the Departments having jurisdiction over the structures involved. Any modification of existing structures found to be necessary must be made by or under the direction of the department or public utility concerned and at the sole expense of the permittee. All necessary supports and protections to existing structures shall be promptly supplied by or at the expense of the permittee and to the satisfaction of the department or public utility concerned.

25. **CHANGE IN LOCATION OF EXISTING STRUCTURES:** If, in the construction of water or gas mains, sewers, or any other municipal work, it shall become necessary to change the location of any existing privately owned structures occupying the highways, their location shall be changed, at the sole expense of the owners, to such new locations as shall be directed by the Commissioner.

26. **MAINTENANCE OF EXPOSED STRUCTURES:** All privately owned structures occupying locations in City Highways, that may be exposed during the construction, reconstruction of water mains, gas mains, sewers or other municipal work, shall be safeguarded and maintained during the course of the work by the permittee. Should the condition of the exposed structure be such as to require reconstruction or the placing of permanent supports, such work shall be performed by and at the sole expense of the owners of the structure.

27. **MINIMUM DEPTH OF STRUCTURES:** The minimum depth of structures shall be as follows:

(a) Roadway between Curb Lines – No portion of a new structure, when in place, shall be less than twenty-four (24) inches below the surface of the pavement, except that portion which is designed to form a part of the pavement.

(b) Footways, Curb to Building Line – No portion of a new structure, when in place, shall be less than fifteen (15) inches below the footway surface, except that portion which is designed to form a part of the paving.

(c) Vaults – The outside top of vault shall be at least four (4) feet below the established grade of the sidewalks over the same, in the erection, construction or reconstruction of such vaults.

28. **ELECTRICAL SERVICE CONNECTIONS AND MANHOLES:** Permits for electrical service connections or for the construction of manholes on the lines of existing underground conduits where such construction is of advantage to the City for the betterment of the system may be issued by the Chief of Highways without reference to the Committee after approval by the Chief of the Electrical Bureau. Service connections shall extend in a straight line perpendicular to the line of the conduit main.

29. **REFRIGERATING PIPES:** Applicants for permission to lay refrigerating pipes shall enter into an agreement, and give a bond satisfactory to the City Solicitor in the sum of Twenty-five thousand ($25,000.00) Dollars, indemnifying the City for any loss or damages that may occur in the exercise of the privileges herein granted, or that may hereafter be granted by the Commissioner and shall also be conditioned upon faithful compliance with all the provisions indicated herein. The methods and materials used in the construction of refrigerating pipes shall be subject to the approval of the Chief of Highways, and Chief Engineer of the Water Department, and before laying any pipes, the permittee shall furnish to the Chief of Highways a certificate from a responsible agency, certifying to the character, quality, size, thickness and condition of the pipe and fittings and indicating the test to which the pipe has been subjected. Each length of pipe shall be tested and certified to before being laid. The pipe line, after being constructed and before the trench is backfilled, shall be subject to hydrostatic test of at least 300 pounds per square inch for a period of at least three hours. This test shall be made in the presence of the Chief Engineer of the Water Department, or his duly appointed representative, and the pipe line to be approved shall meet these requirements.

30. **LEAKPROOFING OF VAULTS:** Vaults shall be so constructed as to prevent the leakage of gas or water into them. When pipes or conduits are laid within two feet of vaults, the permittee will be required to make the vault leakproof.

31. **BACKFILLING OF TRENCHES AND OTHER OPENINGS IN HIGHWAYS:** The trenches and other openings in Highways shall not be backfilled until all tests as required by the various Utility Companies and/or the Water Department have been completed. The trenches and other openings shall be carefully backfilled with excavated materials approved for backfilling, consisting of earth, loam, sandy clay, sand and gravel or other approved materials, free from large clods of earth or stones, deposited in six-inch layers. Care shall be taken to insure thorough compaction of the fill under the haunches of water, sewer, gas, steam, oil or other pipes. Each layer shall be thoroughly compacted by rolling, tamping with mechanical rammers, or by hand tamping with heavy iron tampers, the tamping face area of which shall not exceed 25 square inches. Each layer shall be compacted to a density at least equal to that of the surrounding earth, so that paving of the area can proceed immediately after backfilling has been completed. Where water, sewer, gas, steam, oil or other pipes are specially coated for protection against corrosion, care shall be taken not to damage the coating. Any trenches and other openings improperly backfilled or where

settlement occurs, shall be reopened to the depth required for proper compaction, then refilled and compacted with the surface restored to the required grade. Upon completion of the backfilling of trenches and other openings in Highways where traffic is allowed, these trenches and openings shall be immediately repaved temporarily with suitable material and maintained until permanent paving is constructed.

32. **EXPOSED SURFACES OF STRUCTURES:** All exposed surfaces of iron structures forming parts of the pavement shall have a roughened surface with projections rising not more than one-half inch, and spaced not more than two and one-half inches apart, of a design as approved by the Commissioner.

33. **RESTORATION OF PAVEMENTS:** All pavements shall be promptly restored to the extent directed by the Chief of Highways and with the same character of material, equal in composition and in color to match the existing adjacent pavement, and in accordance with the latest standard specifications of the Department of Streets.

34. **MAINTENANCE OF PAVEMENTS:** All restored pavements shall be maintained in a condition satisfactory to the Chief of Highways, during the time of any existing guarantee, or as required by Ordinance of Council, but in no case for a period of less than five (5) years. Notices to permittees to make maintenance repairs to pavements shall receive attention within twenty-four (24) hours.

35. **MAINTENANCE OF STRUCTURES:** All structures shall at all times be maintained in a condition satisfactory to the Chief of Highways.

36. **DRAWINGS OF FINISHED WORK:** Immediately after the completion of the work the permittee shall file complete detail drawings to a scale satisfactory to the Commissioner, showing the work as constructed, together with a record of the character and location of previously existing structures encountered during the progress of the work.

37. **RE-OCCUPATION OF VAULT SPACE:** The City shall in no case be liable for any claim for damages arising from the vacation by the permittee, or the reoccupation and use by the City for public purposes of any portion or portions of highway space between the building lines that have been occupied by vaults. The permittee hereby assumes full responsibility for all claims arising from the occupation or vacation of the highway by and from the construction, maintenance and removal of vaults.

Approved and adopted by

Department of Streets
(Committee of Highway Supervisors)
August 23, 1955

ACCEPTANCE OF REGULATIONS BY APPLICANT

(Name of Applicant)

having made application for permission to open and occupy the highways as herein indicated

for the purpose of .....

.....

does hereby accept and agree to be governed and bound by the provisions of the Home Rule Charter, ordinances of Council, the regulations of the Department of Streets, and such additional regulations as the Department of Streets shall hereafter make.

Applicant (Corporate Title, Name of Firm or Individual) .....

.....

.....

Signature of Officer, Member of Firm or Individual .....

.....

Title .....

PERMIT RECOMMENDATION

....., 19

The Street Commissioner considered this application upon which the Committee of Highway Supervisors reported on .....

The action of the Street Commissioner follows:

Yours very truly,

Secretary

Application #

of

to

Date

RECEIVED
'77 APR 13 AM 9:26
SECRETARY'S OFFICE
PUBLIC UTILITY
COMMISSION

PA. PUBLIC UTILITY COMMISSION
Docket No. A-99374 Folder No.
Hearing at Phila. Pa. Exhibit No. A-13
Appearances D.O.R. Date 3/22/77

PA. PUBLIC UTILITY COMMISSION
Docket No. A-99374 Folder No.
Bell Tel Exhibit No. A-1
Hearing at Phila PA Date 3/22/77
Reporter DA Bryant

Ex # 1

DOCUMENT FOLDER

DOCKETED APPLICATION DOCKET
JUN - 1 1977
ENTRY No.

RECEIVED
'77 APR 13 AM 9:27
SECRETARY'S OFFICE
PUBLIC UTILITY COMMISSION

P.E. CO.
ELMWOOD
SUBSTATION

BKTH-2
ZZML-12
10' BKMA-1
M.H. LOC.
32.3' S.S.C.L OF WOODLAND AVE
5' W.E.C.L OF 58TH ST.
150'
BCER
ZZML-12 (REM 334')
PL. 925'/50 BKTH-50
F.M
43'
NEW CONTROL HOUSE
PL. 1-2AI-50 T.B.
1-66B3-50 C.B.
CA. IN SUBSCRIBER CONDUIT
320'
50'
PL. 50' OF 1-PC 4"
58TH ST.
BKMA-25
PL. 200 (320')
BKTH-50
BKMA-25
AIRPORT HIGH SPEED PROPERTY LINE
ABANDON CONDUIT (74')
3 MTD + 3 CWD
(REM 75')
BKMA-25
BKMA-25
(REM 75')
EXISTING CONTROL HOUSE
REM. 1-2AI-50 T.B.
1-66B3-50 C.B.
CA. IN SUBSCRIBER CONDUIT
BKTG-50
(REM 829')
3'6" x 6'0" x 4'1" CONCRETE MH.
ABANDON M.H.
M.H. LOC.
652' S.S.C.L. OF WOODLAND AVE.
3' W.E.C.L. OF 58TH ST.