

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17120
FEBRUARY 1, 1979

FILE

In re: A. 98061

(See Attached List)

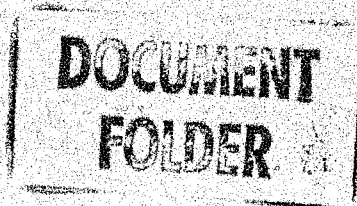
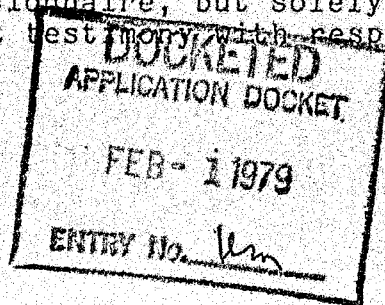
Application of the City of Philadelphia for approval of (1) the construction, alteration or reconstruction of the crossings of Penn Central Transportation Company, Debtor, Reading Company, Debtor, The Baltimore and Ohio Railroad Company and SEPTA involved in the construction of highspeed passenger line 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.

This letter is to inform you that a further hearing on the above captioned case will be held Thursday, March 22, 1979 at 10:00 a.m. in Room 1306, Philadelphia State Office Building, 1400 West Spring Garden Street, Philadelphia, Pennsylvania.

Administrative Law Judge John J. Chiovero will be the Sitting Examiner in this proceeding and will not be responsible for the initial decision. Judge Chiovero's telephone number is (215) 238-3735. His address is Room 1302, Philadelphia State Office Building, 1400 West Spring Garden Street, Philadelphia, Pennsylvania 19130.

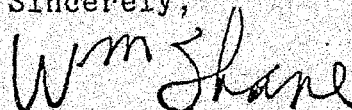
It is requested that each party in interest submit testimony and exhibits with respect to that portion of the improvement comprising the crossing, above grade, where Elmwood Avenue (a city street) crosses above the grade of the proposed alignment of the Airport High Speed Line, in the City of Philadelphia, with the understanding that the Commission may, in adjudicating this matter, take jurisdiction over any desired portion of the improvement.

It is further requested that each party in interest formulate questions for use at the hearing and introduction into the record, instead of merely referring by letter to items in the enclosed "Essential Data" sheet, a form which is not to be considered as a questionnaire, but solely as an aid to parties in preparing relevant testimony with respect to this matter.



As a reminder, please be advised that three copies of all hearing exhibits to be presented into evidence must be submitted to the Court Reporter and an additional copy should be furnished to the presiding officer and each party of record.

Sincerely,



William Shane, Chief
Administrative Law Judge

CC: Administrative Law Judge Chiovero
Bureau of Transportation
Law Bureau
Application Section
Mr. Bramson
Ms. Miller
Ms. Lawrence
Mr. Carmines
File Room ✓

Herbert Smolen, Deputy
City of Philadelphia
15th Floor
Municipal Services Building
Philadelphia, Pennsylvania 19107

Herbert G. Zahn, Assistant
Attorney General
Department of Transportation
Harrisburg, Pennsylvania 17120

Kenneth W. Walker, Chief
Utility Engineer
Department of Transportation
Harrisburg, Pennsylvania 17120

Joel E. Mazor, Commerce Counsel
Consolidated Rail Corporation
1138 Six Penn Center Plaza
Philadelphia, Pennsylvania 19104

W. Preston Granbery, Attorney
The Bell Telephone Company
of Pennsylvania
One Parkway
Philadelphia, Pennsylvania 19102

Richard P. Randall, Attorney
The Gulf Companies
Law Department
P.O. Box 8056
Philadelphia, Pennsylvania 19101

Judith Breen Soken, Attorney
Southeastern Pennsylvania
Transportation Authority
2028 PSFS Building
12 South 12th Street
Philadelphia, Pennsylvania 19107

Steven Schachman, Esquire
Philadelphia Gas Works
14th Floor, Packard Building
Philadelphia, Pennsylvania 19102

W. Scott Armentraut, Esquire
L. Cheifitz, Engineer
Amtrak
Room 532, Suburban Station Building
1617 J. F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103

P.O. Box 6419
Cleveland, Ohio 44101

Rudolph A. Chillemi, Assistant
General Counsel
Philadelphia Electric Company
2301 Market Street
P.O. Box 8699
Philadelphia, Pennsylvania 19101

Howard M. Tugel, Division
Plant Superintendent
American Telephone and Telegraph Company
60 West Avenue
Wayne, Pennsylvania 19087

D. S. Kauffman, District Manager
Arco Pipe Line Company
P.O. Box 2086
Sinking Springs, Pennsylvania 19608

I. I. Kamar, Division Manager
Mobil Pipe Line Company
P.O. Box 989
Plainfield, N. J. 07061

Jean L. Wilsterman
c/o C. T. Corporation
123 South Broad Street
Philadelphia, Pennsylvania 19109

Thomas P. Shearer, Esquire
711 Frick Building
Pittsburgh, Pennsylvania 15219

Robert Szwajkos, Attorney
The Penn Central Corporation
3100 IVB Building
1700 Market Street
Philadelphia, Pennsylvania 19103

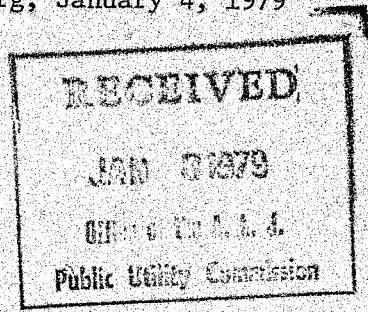
Lockwood W. Fogg, Secretary
Trustees of Reading Company
One Plymouth Meeting Mall
Plymouth Meeting, Pennsylvania 19462

Harrisburg, January 4, 1979

SUBJECT: A. 98061

TO: Chief ALJ Shane

FROM: *R. A. Peteritas*
R. A. Peteritas, Director
Bureau of Rail Transportation



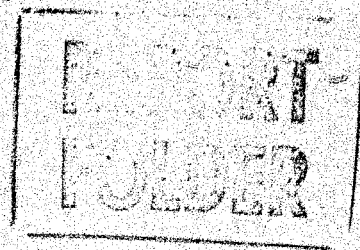
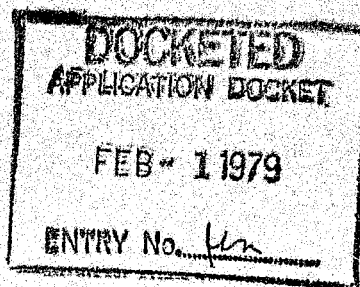
In re:

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.

In compliance with the request of City of Philadelphia, applicant in this proceeding, by their letter dated December 13, 1978, it is suggested that this case be listed for hearing at an early date and that the following parties in interest be served notice thereof:

City of Philadelphia
Department of Transportation
Consolidated Rail Corporation
The Bell Telephone Company of Pennsylvania
The Gulf Companies
Southeastern Pennsylvania Transportation Authority
Philadelphia Gas Works
National Railroad Passenger Corporation
The Baltimore and Ohio Railroad Company
Philadelphia Electric Company
American Telephone and Telegraph Company
ARCO Pipe Line Company
Mobil Pipeline Company
Texas Eastern Transmission Corporation
United Transportation Unions
Trustees of Penn Central Company
Trustees of Reading Company

It appears that it will not be necessary for this Commission to appropriate any additional properties for this project.



It is suggested further that each party in interest be furnished a copy of "Essential Data To Be Presented at P.U.C. Hearings Relative To Highway-Railroad Crossing Improvements", together with the advice that this form is not intended to be used as a questionnaire, but is furnished solely as an aid to the parties in preparing their testimony.

It is suggested also that each party in interest be advised to submit testimony and exhibits with respect to that portion of the improvement comprising the crossing, above grade, where Elmwood Avenue (a city street) crosses above the grade of the proposed alignment of the Airport High Speed Line, in City of Philadelphia; with the understanding that the Commission may, in adjudicating this matter, take jurisdiction over any desired portion of the improvement.

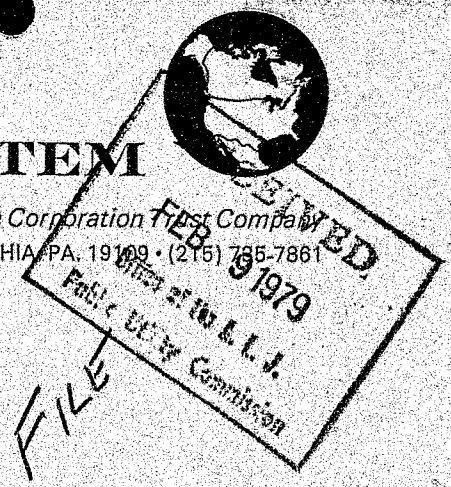
JLS:a

EVER E. SMY

C T CORPORATION SYSTEM

Associated with The Corporation First Company
123 SOUTH BROAD STREET, PHILADELPHIA, PA. 19109 • (215) 785-7861

February 6, 1979



William Shane, Chief
Administrative Law Judge
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Penna 17120

RE: Application of City of Philadelphia at Docket No. A. 98061

Dear Mr. Shane:

We received and herewith enclose above referenced application sent to Jean L. Wilsterman, c/o C T Corporation System, Philadelphia, Pennsylvania.

As you are no doubt aware, Miss Wilsterman is shown as the agent with the Pennsylvania Public Utility Commission pursuant to the provisions of Section 910 of the Public Utility Law for many companies in Pennsylvania with C T shown as the statutory address.

Will you kindly acknowledge the return of the papers by signing and returning the duplicate copy of our letter attached for that purpose. Further, when you return the papers to C T, will you address them to the company you wish to receive them c/o C T and we will forward them on the same day.

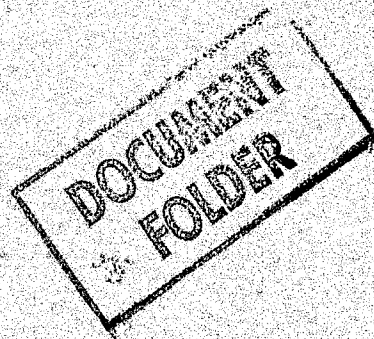
Very truly yours,

C T CORPORATION SYSTEM

HERBERT R. GRITMON

Assistant Vice President

HRG:cw
encls.



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17120
APRIL 27, 1979

FILE

In re: A. 98061

(See Attached)

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 highspeed 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.

This letter is to inform you that a further hearing on the above captioned case will be held Wednesday, June 6, 1979 at 10:00 a.m. in Room 1306, Philadelphia State Office Building, 1400 West Spring Garden Street, Philadelphia, Pennsylvania.

Administrative Law Judge John J. Chiovero will be the Sitting Examiner in this proceeding and will not be responsible for the initial decision.

It is requested that each party in interest submit testimony and exhibits with respect to the construction of a new crossing where the proposed Airport High Speed Line will cross above the grade of existing tracks of National Railroad Passenger Corporation; the alteration of the crossing where the existing 61st Street Bridge crosses above the tracks of the proposed Airport High Speed Line; and the construction and/or alteration of roadbed and track work at and in the vicinity of the overhead bridges carrying 54th Street, 58th Street and The Baltimore and Ohio Railroad Company above the Airport High Speed Line; all in the City of Philadelphia; with the understanding that the Commission may, in adjudicating this matter, take jurisdiction over any desired portion of the improvement.

In addition to other relevant information, testimony at this hearing will include the City's request for an additional exemption from the Commission's overhead clearance requirements, at The Baltimore and Ohio Railroad Company's overhead bridges, in accordance with the City's petition received April 20, 1979.

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
MAY 1 - 1979
ENTRY No. *BW*

It is further requested that each party in interest formulate questions for use at the hearing and introduction into the record, instead of merely referring by letter to items in the enclosed "Essential Data" sheet, a form which is not to be considered as a questionnaire, but solely as an aid to parties in preparing relevant testimony with respect to this matter.

As a reminder, please be advised that three copies of all hearing exhibits to be presented into evidence must be submitted to the Court Reporter and an additional copy should be furnished to the presiding officer and each party of record.

Sincerely,

William Shane, Chief
Administrative Law Judge

cc: Administrative Law Judge Chiovero
Bureau of Transportation
Law Bureau
Application Section
Mr. Bramson
Ms. Miller
Ms. Lawrence
Mr. Carmines
File Room ✓

Smolen, Deputy
Philadelphia
Floor
Municipal Services Building
Philadelphia, Pennsylvania 19107

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Utility Engineer
Department of Transportation
Harrisburg, Pennsylvania 17120

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George D. W. Knick, Assistant
Attorney General
Department of Transportation
Harrisburg, Pennsylvania 17120

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1138 Six Penn Center Plaza
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P.O. Box 8056
Philadelphia, Pennsylvania 19101

Steven Schachman, Esquire
Philadelphia Gas Works
14th Floor, Packard Building
Philadelphia, Pennsylvania 19102

Paul R. Hitchcock, Attorney
Chessie System - Law Department
Terminal Tower
P.O. Box 6419
Cleveland, Ohio 44101

Howard M. Tugel, Division
Plant Superintendent
American Telephone and Telegraph Company
60 West Avenue
Wayne, Pennsylvania 19087

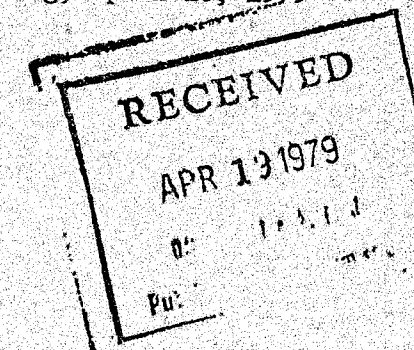
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Thomas P. Shearer, Esquire
711 Frick Building
Pittsburgh, Pennsylvania 15219

Lockwood W. Fogg, Secretary
Trustees of Reading Company
One Plymouth Meeting Mall
Plymouth Meeting, Pennsylvania 19462

Harrisburg, April 18, 1979

SUBJECT: A. 98061
TO: Chief ALJ Shane
FROM: ~~R. A. Peteritas~~
R. A. Peteritas, Director
Bureau of Rail Transportation



In re:

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.

In compliance with the request of City of Philadelphia, applicant in this proceeding, by their telephone call of April 17, 1979, it is suggested that this case be listed for hearing at an early date and that the following parties in interest be served notice thereof:

City of Philadelphia
Department of Transportation ✓
Consolidated Rail Corporation ✓
The Bell Telephone Company of Pennsylvania
The Gulf Companies
Southeastern Pennsylvania Transportation Authority
Philadelphia Gas Works
National Railroad Passenger Corporation
The Baltimore and Ohio Railroad Company
Philadelphia Electric Company
American Telephone and Telegraph Company
ARCO Pipe Line Company
Mobil Pipe Line Company
Texas Eastern Transmission Corporation
United Transportation Unions
Trustees of Penn Central Company
Trustees of Reading Company

It appears that it will not be necessary for this Commission to appropriate any additional properties for this project.

It is suggested further that each party in interest be furnished a copy of "Essential Data To Be Presented at P.U.C. Hearings Relative To Highway-Railroad Crossing Improvements", together with the advice that this form is not intended to be used as a questionnaire, but is furnished solely as an aid to the parties in preparing their testimony.

It is suggested also that each party in interest be advised to submit testimony and exhibits with respect to the construction of a new crossing where the proposed Airport High Speed Line will cross above the grade of existing tracks of National Railroad Passenger Corporation; the alteration of the crossing where the existing 61st Street Bridge crosses above the tracks of the proposed Airport High Speed Line; ~~and~~ the construction and/or alteration of roadbed and track work at and in the vicinity of the overhead bridges carrying 54th Street, 58th Street and The Baltimore and Ohio Railroad Company above the Airport High Speed Line; ~~all~~ all in the City of Philadelphia; with the understanding that the Commission may, in adjudicating this matter, take jurisdiction over any desired portion of the improvement.

JLS:a

PENNSYLVANIA PUBLIC UTILITY COMMISSION

BUREAU OF TRANSPORTATION

ESSENTIAL DATA TO BE PRESENTED AT P.U.C.
HEARINGS RELATIVE TO HIGHWAY-RAILROAD
CROSSING IMPROVEMENTS

(FURNISHED NOT AS A QUESTIONNAIRE
BUT AS AN AID IN PREPARING TESTIMONY)

The testimony in all such proceedings should include:

- A. A general statement by applicant as to the scope and necessity of the improvement and the benefits that will accrue to the public.
- B. A complete description by applicant, with necessary plans and drawings, prepared by a registered professional engineer, showing present conditions at each of the existing crossings involved, including their location.
- C. Adequate information, furnished by applicant, as to the type, condition and width of pavement at each crossing, at grade, and on each highway approach to any crossing involved.
- D. Applicant to furnish data concerning the alignment and grades of the highways adjacent to each crossing and descriptions of any sidewalks at or adjacent to the existing crossings.
- E. Applicant to furnish definite information concerning the horizontal and vertical clearances provided by any structures separating the grades of the railroad and the highway at any existing crossing, above or below grade.
- F. Applicant to submit testimony concerning the protection presently afforded the public at each existing crossing, at grade.
- G. Applicant to submit descriptions of any highways required to be vacated, together with a statement whether the Commission is requested to vacate each highway.
- H. Applicant to submit a statement whether any required new or relocated highways have been legally laid out and established.
- I. Applicant to submit testimony to show whether it will be necessary for the Commission to lay out any new highways, together with a brief description of any such highways.
- J. Applicant to submit a statement whether it will be necessary for the Commission to appropriate any property for the purpose of the proposed crossing improvement, together with copies of plans showing any such property and accurate descriptions, by metes and bounds, of each parcel of property to be appropriated by the Commission; said descriptions to be designated as property necessary for highway right-of-way or for purposes of the improvement other than highway right-of-way and to contain the name and post-office address of each record owner and reference to the record of title thereof.

- K. Applicant's testimony shall include a detailed estimate of the cost of constructing the improvement, including an estimate of the cost which would be incurred by the vacation and relocation, removal or demolition of any non-utility structures, including occupied dwellings, located upon property to be appropriated by the Commission; said estimate to be prepared in such a manner as to show separately the quantity, unit prices and costs of each portion of the work.
- L. Applicant's testimony shall include an estimate of damages for any property to be appropriated for any purpose of the improvement, exclusive of the estimated cost which would be incurred by the vacation and relocation, removal or demolition of any non-utility structures, including occupied dwellings, located upon property to be appropriated by the Commission, and an estimate of any damages that may accrue from the construction of any portion of the improvement, exclusive of damages for property appropriated for the purposes of the improvement.
- M. Applicant to testify as to whether the parties have agreed on the allocation of such damages and should submit in evidence a copy of any such agreement.
- N. Applicant's testimony shall include, in detail in each instance, the particular items of the projects, including drainage facilities, it proposes to construct and the items it suggests should be constructed by other parties in interest, together with the reasons for its suggestions.
- O. Similarly itemized information shall be submitted by applicant regarding the maintenance of each portion of the improvement and regarding the assumption of the cost of construction and maintenance of each portion of the improvement, together with its reasons for such allocations.
- P. Applicant to testify as to what portion of the property damages resulting from the construction of the crossing improvement it will agree to assume and whether it will reimburse any involved public utility companies for any cost incurred in the alteration of their respective facilities.
- Q. Applicant to testify as to the party or parties that should be made responsible for the payment of compensation for damages for property taken, injured or destroyed by reason of the construction of the proposed improvement.
- R. Applicant to introduce testimony regarding the necessity of establishing detours for highway traffic during the time the crossing improvement is being constructed and as to the party or parties to furnish and maintain the detours.
- R-a If the detour for highway traffic crosses any railroad track, applicant must furnish complete descriptive information concerning such crossing, including description of protection provided together with the proposed increase in protection during the period of its use as a detour.

- S. Each other party in interest, including utilities and municipal corporations, shall submit testimony to show:
- (1) Whether it objects to construction of the proposed improvement and whether it has any constructive criticism to offer.
 - (2) What portion, if any, of the proposed construction it will perform.
 - (3) What portion of the construction costs and damage costs it will agree to bear.
 - (4) What portion of the maintenance of the completed improvement it will agree to perform and what maintenance costs it will agree to assume.
- T. A statement as to the anticipated time required to complete the proposed improvement and the anticipated date of construction start.
- U. Any other relevant testimony by any party in interest.

ADDITIONAL ESSENTIAL DATA FOR CROSSING
ABOLITION PROCEEDINGS

- A. A statement to show the volume of recent railroad, vehicular and pedestrian traffic.
- B. If crossing is at grade, a statement to show whether the crossing paving and crossing warning signs are to be removed and the party or parties who will perform such work.
- C. If grades of highway and railroad are separated, a statement to show what portion of the structure separating the highway and railroad tracks is to be removed and by whom.
- D. A statement to show whether highway barricades should be erected and if so, information concerning the location of said barricades, the party or parties to install and to maintain said barricades.

ADDITIONAL ESSENTIAL DATA FOR CROSSING
ALTERATION PROCEEDINGS

- A. A recent count of highway vehicular and pedestrian traffic and railroad traffic using each crossing and an estimate of any anticipated change in such traffic.
- B. If crossing, at grade, is to be relocated, a statement to show whether the existing crossing pavement and crossing warning signs are to be removed and the party or parties who will perform such work.

- C. If crossing, at grade, is to be relocated, a statement to show whether it will be necessary to install highway barricades and if so, information concerning the location of the barricades and the party or parties to install and maintain said barricades.
- D. If crossing, above or below grade, is to be relocated, a statement to show what portion of the existing bridge structure is to be removed and by whom.
- E. If altered crossing is to be a crossing, at grade, a statement regarding the feasibility and practicability of separating the grades of the highway and the railroad at such location.
- F. Applicant shall submit complete information with adequate plans and drawings, prepared by a registered professional engineer, of the proposed crossing alteration, showing the type and width of pavement proposed for each crossing and its highway approaches, including data to show the alignment and grades of the adjacent highway.
- G. Applicant shall submit a statement as to the necessity for constructing pedestrian sidewalks and concerning the type, width and number of sidewalks to be constructed.
- H. Applicant shall submit full details concerning the proposed vertical and horizontal clearances to be provided by any grade separation structures.
- I. If the altered crossing is at grade, a statement to be furnished covering the protection which should be afforded the public at the altered crossing, setting forth the necessity in each instance for the installation of automatically operated flashing light railroad crossing warning signals or automatically operated short-arm gates and reflector-type cross-buck and advance railroad crossing warning signs.
- J. A statement whether the highway at the altered crossing will be a limited access highway and if so, whether the construction of the crossing improvement will require that utility facilities must be relocated outside the highway right of way.
- K. A statement whether any portion of the improvement will be financed in whole or in part with funds appropriated for use on such projects by the Federal government.
- L. Statements to show the scope and cost of all required work of public utilities, including the carrier utility (if not the applicant), to permit the construction of the improvement.
- M. A statement concerning the necessity for maintaining railroad flagmen, watchmen and inspectors during the construction of the improvement.

ADDITIONAL ESSENTIAL DATA FOR CROSSING
CONSTRUCTION PROCEEDINGS

- A. A recent count of existing rail or highway traffic at the site of the new crossing and an estimate of the anticipated rail, vehicular and pedestrian traffic at the new crossing upon its construction.
- B. If new crossing is to be a crossing, at grade, a statement regarding the feasibility and practicability of separating the grades of the highway and the railroad at such location.
- C. Applicant shall submit complete information with adequate plans and drawings, prepared by a registered professional engineer, of the proposed crossing construction, showing the type and width of pavement proposed for each crossing and its highway approaches, including data to show the alignment and grades of the adjacent highways.
- D. Applicant shall submit a statement as to the necessity for constructing pedestrian sidewalks and concerning the type, width and number of sidewalks to be constructed.
- E. Applicant to submit full details concerning the proposed vertical and horizontal clearances to be provided by any grade separation structures.
- F. If the new crossing is to be at grade, a statement shall be furnished covering the protection which should be afforded the public at the crossing, setting forth the necessity in each instance for the installation of automatically operated flashing light railroad crossing warning signals or automatically operated short-arm gates and reflector-type cross-buck and advance railroad cross-buck railroad crossing warning signs.
- G. A statement whether the highway at the new crossing will be a limited access highway and, if so, whether the construction of the crossing improvement will require that utility facilities must be relocated outside the highway right of way.
- H. A statement whether any portion of the improvement will be financed in whole or in part with funds appropriated for use on such projects by the Federal government.
- I. Statements to show the scope and cost of all required work of public utilities, including the carrier utility (if not the applicant), to permit the construction of the improvement.
- J. A statement concerning the necessity for maintaining railroad flagmen, watchmen and inspectors during the construction of the improvement.

Each party, if responsible for maintenance of any portion of any crossing or crossing structure involved in the application will produce his records to show the dates, extent, cost and all other pertinent information relating to maintenance performed on the crossing during the period such party performed such work.

April 30, 1979

A.98061

Herbert Smolen
Deputy City Solicitor
City of Philadelphia
Suite 804
1401 Arch Street
Philadelphia, Pennsylvania 19102

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.

Dear Sir:

Receipt is acknowledged of your letter of April 17, 1979 together with the original and 4 copies of the Petition of the City of Philadelphia for Additional Exemption from the Commission's Clearance Requirements, in the above proceeding.

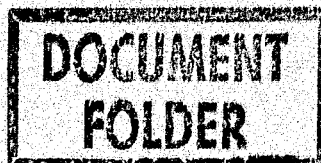
We note that you have mailed a copy of the Petition upon all known parties of record.

Your Petition will be considered as a Modification of the Order entered July 30, 1974.

Very truly yours,

for William P. Thierfelder
Acting Secretary

HHH:sjp





CITY OF PHILADELPHIA

LAW DEPARTMENT
15th Floor, Municipal Services Building
Philadelphia, Pa. 19107

SHELDON L. ALBERT
City Solicitor

HERBERT SMOLEN
DEPUTY CITY SOLICITOR
CITY OF PHILADELPHIA
SUITE 804
1401 ARCH STREET
PHILADELPHIA, PA 19102
MU 6-8720

April 17, 1979

Pennsylvania Public Utility Commission
North Office Building
P. O. Box 3265
Harrisburg, PA 17120

Attention: Secretary

Re: Application Docket No. A.98061
Petition for Additional Exemption

RECEIVED
SECRETARY'S OFFICE
PUBLIC UTILITY
COMMISSION
APR 23 8 45 AM '79

Dear Sir:

I enclose herewith original and four (4) copies of the
Petition For Additional Exemption From Overhead Clearance
Requirements At The Baltimore And Ohio Railroad Bridge Crossing
Of The Airport High Speed Line.

Please note that I have forwarded a true and correct copy
to all known parties of record.

Very truly yours,

HERBERT SMOLEN
Deputy City Solicitor

HS:bn

enclosures

DOCUMENT
FOLDER

BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION

APPLICATION DOCKET NO. A. 98061

Application of the City of Philadelphia for the approval of (1) the construction, alteration and reconstruction of various crossings, etc., (2) exemptions from the minimum overhead and side clearances, etc. and (3) the allocation of costs and expenses, etc.

PETITION FOR ADDITIONAL EXEMPTION
FROM OVERHEAD CLEARANCE REQUIRE-
MENTS AT THE BALTIMORE AND OHIO
RAILROAD BRIDGE CROSSING OF THE
AIRPORT HIGH SPEED LINE

LAW DEPARTMENT

CITY OF PHILADELPHIA

HERBERT SMOLEN

DEPUTY CITY SOLICITOR

SHELDON L. ALBERT

CITY SOLICITOR

15TH FLOOR, MUNICIPAL SERVICES BUILDING
PHILADELPHIA, Pa. 19107

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of the City of Philadelphia : APPLICATION
 for the approval of (1) the construction, :
 alteration and reconstruction of various :
 crossings, above, below and at grade of the :
 Penn Central Company and Reading Company : DOCKET No. A. 98061
 tracks, between Penn Central Suburban Station :
 and Philadelphia International Airport, :
 (2) exemptions from the minimum overhead and :
 side clearances as required by Part III of :
 the Commissions railroad regulations and, :
 (3) the allocation of costs and expenses :
 incident thereto. :

PETITION FOR ADDITIONAL EXEMPTION
 FROM OVERHEAD CLEARANCE REQUIREMENTS AT
 THE BALTIMORE AND OHIO RAILROAD BRIDGE
 CROSSING OF THE AIRPORT HIGH SPEED LINE

RECEIVED
 SECRETARY'S OFFICE
 PUBLIC UTILITY
 COMMISSION
 APR 23 3 45 AM '79

TO THE HONORABLE MEMBERS OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. The name and address of the Petitioner are the City of Philadelphia, Philadelphia, Pennsylvania 19102.
2. The names and addresses of Petitioner's attorneys are Herbert Smolen, Deputy City Solicitor and Sheldon Albert, City Solicitor, 804 UGI Building, 1401 Arch Street, Philadelphia, Pennsylvania 19102.
3. Petitioner is a municipal corporation of the first class of the Commonwealth of Pennsylvania engaged in the government and administration of the affairs of the inhabitants of the City of Philadelphia.
4. By this Petition, approval is sought for an additional exemption from the minimum overhead clearances as required by Part III of the Commission's Railroad Regulations at the Baltimore and Ohio Railroad Bridge crossing of the Airport High Speed Line.

DOCUMENT
 # FOLDER

DOCKETED
 APPLICATION DOCKET
 MAY 1 - 1979
 ENTRY No. *BW*

5. At said crossing, construction of the Airport High Speed Line tracks will maintain a 12' horizontal clearance, but an exemption from P.U.C. overhead clearance regulations is hereby requested to permit acceptance of a 17'10" overhead clearance from the top of the rail to the underside of the bridge. Attached hereto and made part hereof and marked Exhibit "A" are drawings showing the proposed clearances at the crossing.

6. The exemption requested herein will avoid replacement of the said Baltimore and Ohio Railroad Bridge, which would add approximately \$4,000,000 to the project costs. It is to be noted that the Order of the Public Utility Commission, adopted July 24, 1974 and entered on July 30, 1974 in this proceeding, granted an exemption at the 58th Street Bridge crossing of the Airport High Speed Line allowing a minimum overhead clearance of 17'6". The said 58th Street Bridge crossing is only approximately 400 feet south of the instant Baltimore and Ohio bridge crossing. It is submitted that the exemption requested is a reasonable one in view of the aforesaid replacement costs; while at the same time affording sufficient and adequate safety protection.

WHEREFORE, Petitioner respectfully requests your Honorable Commission to issue an Order evidencing its approval of the exemption and clearance requested above.

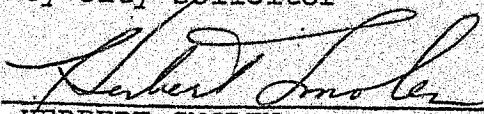
CITY OF PHILADELPHIA

SHELDON L. ALBERT
City Solicitor

STEPHEN ARINSON
Chief Deputy City Solicitor

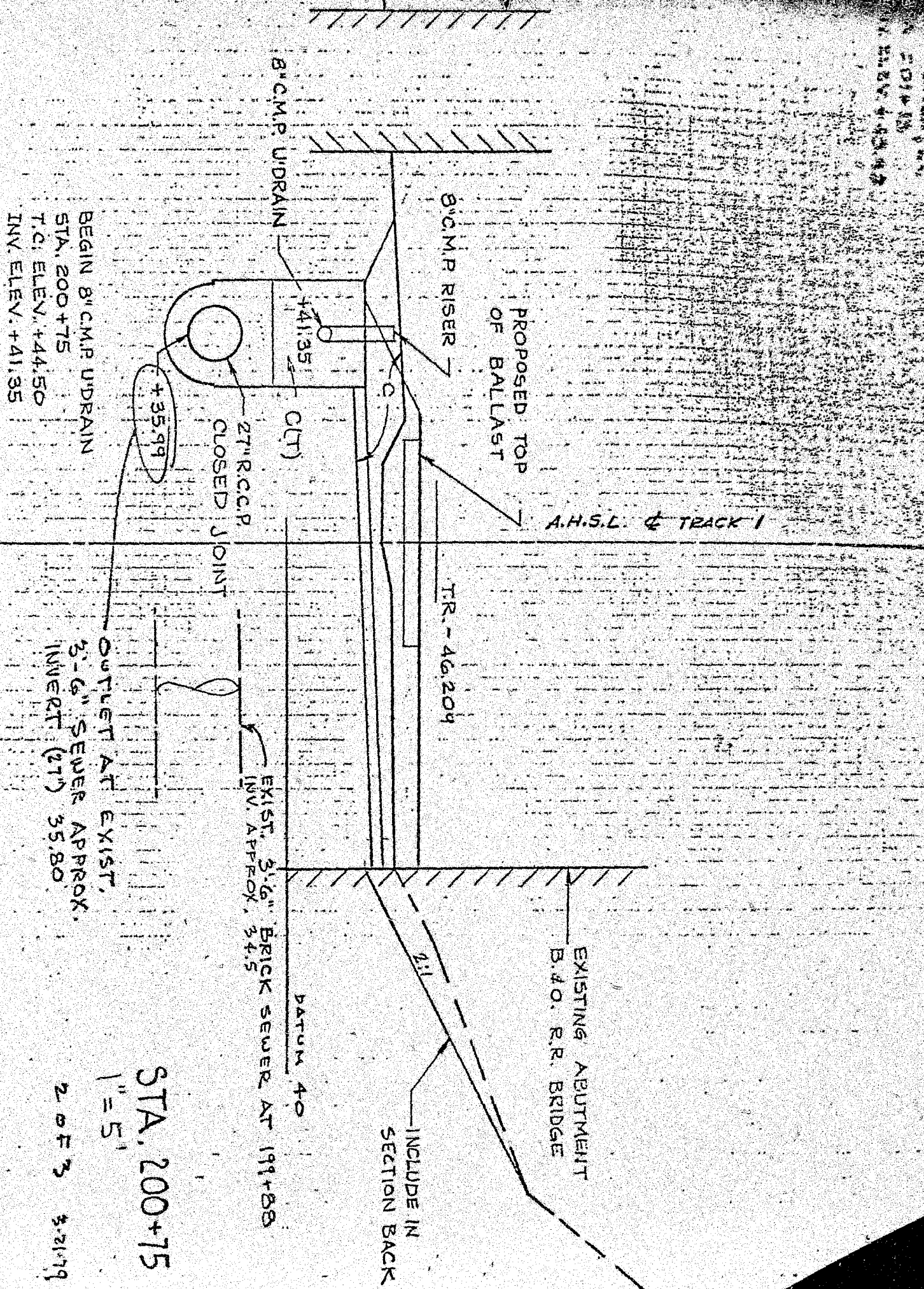
RAYMOND KITTY
Deputy in Charge of Litigation

HERBERT SMOLEN
Deputy City Solicitor

BY: 
HERBERT SMOLEN
Deputy City Solicitor

Attorneys for the
City of Philadelphia

NO. 2100
FOIA
REV. 4-15-82



BEGIN 8" C.M.P. UDRAIN
STA. 200+75
T.C. ELEV. +44.50
INV. ELEV. +41.35

PROPOSED TOP
OF BALLAST

A.H.S.L. TRACK 1

TR. - 46209

27" R.C.C.P.
CLOSED JOINT

CLT)

OUTLET AT EXIST.

3'-6" SEWER APPROX.
INVERT (27) 35.80

EXIST. 3'-6" BRICK SEWER AT 199+88
INV. APPROX. 34.5

EXISTING ABUTMENT
B. & O. R.R. BRIDGE

INCLUDE IN
SECTION BACK

STA. 200+75

1" = 5'

2 OF 3 3-21-79

DATUM 40

2:1

TRACK No. 4

INLET
35
43.73

C.I. PIPE

0.6'

F

8" C.M.P. U'DRAIN

PROPOSED TOP OF BALLAST

A.H.S.L. @ TRACK 1

T.R. 46.177

+40.96

C(T)

27" R.C.P.
CLOSED JOINT

+36.39

REMOVE 27 L.F. EXISTING 36" C.I. PIPE TO
INLET. SEAL OPENING IN EXISTING INLET
CLEAN BOTH INLETS & CONNECTING PIPE.

EXISTING ABUTMENT
B. & O. R.R. BRIDGE

STA 201+50
BEGIN GABION

STA. 201+54
1" = 5'

BEGIN DITCH, LT.

STA. 201+13

INV. ELEV. +43.93

3 OF 3 3-21-77

May 8, 1979

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, Debror, 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) exceptions from the minimum overhead and side clearance requirements of Part III of the Commission's Railroad Regulations.

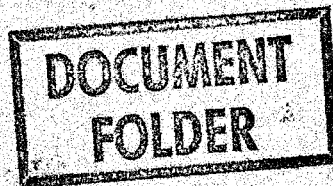
Sally J. Kircher, Attorney
The Baltimore and Ohio
Railroad Company
P.O. Box 6419
Cleveland, Ohio 44101

Dear Madam:

Receipt is acknowledged of your letter of May 1, 1979, advising that you now represent The Baltimore and Ohio Railroad Company in connection with the above captioned application and that your name should be substituted for the name of Paul Hitchcock, Esquire, who had previously represented said railroad company in connection with this application.

Your letter of May 1, 1979, will be placed in the record of this case to reflect that you are now the attorney for The Baltimore and Ohio Railroad Company.

As requested, all parties in interest in connection with this matter are listed on the attached sheet.



Very truly yours,

for WILLIAM F. THIERFELDER
Acting Secretary

Attachment
cc: Bureau of Rail Transportation
Law Bureau, Rail Div.
Office of ALJ
HHT:mpk

Application of the City of Philadelphia

Herbert Soelen, Deputy Solicitor
City of Philadelphia
Suite 804, 1401 Arch Street
Philadelphia, Pennsylvania 19102

Herbert G. Zohn, Assistant
Attorney General
Department of Transportation
Room 511, Transportation & Safety Building
Harrisburg, Pennsylvania 17120

W. Preston Granbery, Attorney
The Bell Telephone Company
of Pennsylvania
One Parkway
Philadelphia, Pennsylvania 19102

Edward H. Huss, Staff Counsel
Southeastern Pennsylvania
Transportation Authority
2028 PSFS Building
12 South 12th Street
Philadelphia, Pennsylvania 19107

W. Scott Armentrout, Esquire
AMTRAK (National Railroad Passenger Corp)
532 Suburban Station Building
1617 J. F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103

Rudolph A. Chillemi, Assistant
General Counsel
Philadelphia Electric Company
2301 Market Street
P.O. Box 8699
Philadelphia, Pennsylvania 19101

D. S. Kauffman, District Manager
ARCO Pipeline Company
P.O. Box 2086
Sinking Springs, Pennsylvania 19608

Texas Eastern Transmission Corporation
c/o C. T. Corporation
123 South Broad Street
Philadelphia, Pennsylvania 19109

Robert Swajkos, Attorney
The Penn Central Corporation
3100 IVB Building
1700 Market Street
Philadelphia, Pennsylvania 19103

Joel E. Mazor, Commerce Counsel
Consolidated Rail Corporation
1135 Six Penn Center Plaza
Philadelphia, Pennsylvania 19104

Richard P. Randall, Attorney
The Gulf Companies
P.O. Box 8056
Philadelphia, Pennsylvania 19101

Barton A. Hertzbach, Esquire
Obenshaver, Rebsam, Maxwell & Hippel
15th and Chestnut Streets
14th Floor, The Packard Building
Philadelphia, Pennsylvania 19102
(for Philadelphia Gas Works)

Howard M. Tugel, Division Plant
Superintendent
American Telephone and Telegraph
Company
60 West Avenue
Wayne, Pennsylvania 19087

I. I. Koser, Division Manager
Mobil Pipe Line Company
P.O. Box 989
Plainfield, New Jersey 07061

Thomas P. Shearer, Esquire
711 Frick Building
Pittsburgh, Pennsylvania 15219
(for United Transportation Union)

Lockwood W. Fogg, Secretary
Trustees of Reading Company
One Plymouth Meeting Mall
Plymouth Meeting, Pennsylvania 19462

MAY 7 11 51 AM '79



RECEIVED
SECRETARY'S OFFICE
PUBLIC UTILITY
COMMISSION

Terminal Tower
P. O. Box 6419
Cleveland, Ohio 44101

216/623-2476

May 1, 1979

Pennsylvania Public Utility Commission
North Office Building
P.O. Box 3265
Harrisburg, Pennsylvania 17120

ATTENTION: SECRETARY

Re: Application Docket No. A.98061
Petition for Additional Exemption

Dear Sir:

This letter will inform you that I, Sally J. Kircher, am now representing The Baltimore and Ohio Railroad Company in the above-mentioned case and my name should be substituted for the name of Mr. Paul Hitchcock who had previously represented the B&O in this case.

I would also appreciate your forwarding to me a copy of all known parties of record so that these persons may also be informed that I have substituted as counsel for The Baltimore and Ohio Railroad Company. My name and address are as follows:

Sally J. Kircher
Attorney - The Baltimore and Ohio Railroad Company
P.O. Box 6419
Cleveland, Ohio 44101

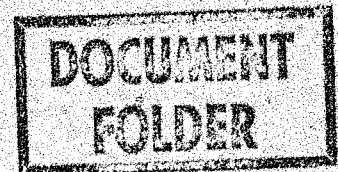
Thank you very much for your consideration.

Sincerely,

Sally J. Kircher
Sally J. Kircher
Attorney

SJK/bjt

cc: Mr. J. H. Gobel





AT&T Long Lines

5554 Port Royal Road
Springfield, Virginia 22151

RECEIVED

MAY 16 1979

Public Utility Commission

*FILE
Quid*

May 11, 1979

Honorable William Shane
Chief Administrative Law Judge
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17120

Re: A. 98061

Dear Judge Shane:

This is in response to your letter to Howard M. Tugel, Division Plant Superintendent dated April 27, 1979 regarding the high speed passenger line to the airport from suburban station.

Our engineers have examined plans for this route and determined that American Telephone and Telegraph Long Lines Department has no facilities in conflict with planned construction. The Bell Telephone Company of Pennsylvania does have some involvement and will have a representative at the June 6 hearing.

Your interest in notifying us of this proposed construction is greatly appreciated.

Yours very truly,

D. M. Morton
Liaison Representative

DOCUMENT
FOLDER



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

May 24, 1979

FILE
Q/M

IN REPLY PLEASE
REFER TO OUR FILE

A. 98061

W. Scott Armentrout, Esquire
Amtrak
Room 532, Suburban Station Bldg.
1617 J. F. Kennedy Blvd.
Philadelphia, Pennsylvania 19103

Re: Application of the City of Philadelphia

Dear Mr. Armentrout:

This letter is to inform you that your request for continuance of the hearing scheduled for June 6, 1979, in Philadelphia, on the above docketed proceeding has been denied.

Very truly yours,

William Shane, Chief
Administrative Law Judge

CC: Herbert Smolen, Deputy City Solicitor
City of Philadelphia
Law Bureau
Bureau of Transportation

DOCUMENT
FOLDER

Request for Continuance

RECEIVED
MAY 21 1979
Office of the A. L. J.
Public Utility Commission



May 17, 1979

William Shane
Chief
Administrative Law Judge
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, Pennsylvania 17120

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 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. A. 98061

Dear Mr. Shane:

Your letter of April 27 states that a hearing on the subject matter will be held Wednesday, June 6. I will be out of town the entire first week of June (4 - 8) and ask that this matter be set sometime subsequent to June 11.

Very truly yours,

W. Scott Armentrout

W. Scott Armentrout
Assistant General Counsel
Northeast Corridor

WSA:mm

cc: Lou Cheifetz - Amtrak
K. G. Longo, Esq. - City of Philadelphia
R. S. Starr, - City of Philadelphia

DOCUMENT
FOLDER

July 27, 1979

A-98061

U-78018911

Herbert Smolen
Deputy City Solicitor
City of Philadelphia
Suite 304 - 1401 Arch Street
Philadelphia, Pennsylvania 19102

Agreement dated October 11, 1977, as amended, between the City of Philadelphia and Mobil Pipe Line Company relating to the relocation of said company's pipeline facilities, partly in the City of Philadelphia and partly in Tinticum Township, Delaware County, in the construction of the Airport High Speed Line.

Dear Sir:

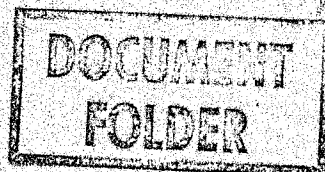
Receipt is acknowledged of your letter of July 24 together with the original and 2 copies of the agreement between the City of Philadelphia and Mobil Pipe Line Company amending an agreement between the parties dated October 11, 1977.

There has been no change by the Commission of its decision at U-78018911 that Mobil Pipe Line Company is not a public utility, therefore, the amendment which you have submitted will be placed in the application docketed at A.98061.

Very truly yours,

for William P. Thierfelder
Secretary

HHH:sjp



November 9, 1978

IN REPLY PLEASE
REFER TO OUR FILE

U-78018911

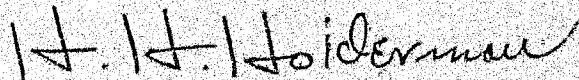
Herbert Smolen
Deputy City Solicitor
City of Philadelphia
Suite 804 U.G.I. Building
1401 Arch Street
Philadelphia, Pennsylvania 19102

Agreement dated October 11, 1977, as amended, between the City of Philadelphia and Mobil Pipe Line Company relating to the relocation of said company's pipeline facilities, partly in the City of Philadelphia and partly in Tinicum Township, Delaware County, in the construction of the Airport High Speed line.

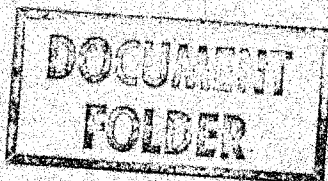
Dear Sir:

In reply to your letter of November 2, 1978, this is to advise that the Commission at its Public Meeting of February 8, 1978 dismissed the above agreement for lack of jurisdiction because Mobil Pipe Line Company is not a public utility engaging in intrastate commerce as defined under Article I, Section 2(e) of the Public Utility Law. However, a copy of this agreement was placed in the Application of the City of Philadelphia - A.98061, the high-speed rail line between Philadelphia International Airport and Suburban Station.

Very truly yours,



for C. J. McELWEE
Secretary





CITY OF PHILADELPHIA

Philadelphia, Pa. 19107

SHELDON L. ALBERT
City Solicitor

HERBERT ENGELW
DEPUTY CITY SOLICITOR
CITY OF PHILADELPHIA
SUITE 204
1401 ARCH STREET
PHILADELPHIA, PA. 19102
MU 6-8720

RECEIVED

July 24, 1979

JUL 26 1979

**SECRETARY'S OFFICE
Public Utility Commission**

Pennsylvania Public Utility Commission
North Office Building
P. O. Box 3265
Harrisburg, Pennsylvania 17120

Attention: Secretary

Re: Agreement dated October 11, 1977, as amended, between the City of Philadelphia and Mobil Pipe Line Company relating to the relocation of said company's pipeline facilities, partly in the City of Philadelphia and partly in Tinicum Township, Delaware County, in the construction of the Airport High Speed Line.

P. U. C. Docket No. U-78018911 A.98061

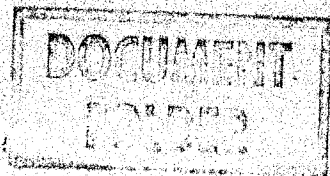
Dear Sir:

Under date of November 9, 1978, your office advised me that the above mentioned Agreement, which had previously been filed with you together with an Amendment thereto, under the applicable provisions of the Public Utility Law relating to Public Utility-Municipal Corporation Agreements, had not been accepted under said provisions of the Public Utility Law because Mobil Pipe Line Company was not a public utility as defined by the Public Utility Law. However, you further advised that a copy of the Agreement was placed in Application Docket No. A.98061.

I enclose herewith a copy of said letter dated November 9, 1978, which I received from your office.

This is to advise you that the above mentioned Agreement was further amended under date of May 3, 1979. Since the original Agreement was placed in the A.98061 docket, even though not accepted under the PU-MC provisions of the Public Utility Law; in order

(continued)



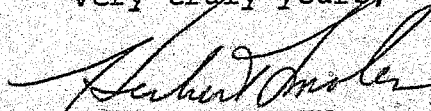
Pennsylvania Public Utility Commission - Secretary
July 24, 1979
P.U.C. Docket No. U-78018911 and A.98061

for the record to be correct, I am enclosing herewith an original and two (2) copies of said Amendment of May 3, 1979.

In the event that Mobil Pipe Line Company is now considered a public utility under the law, kindly consider the enclosed Amendment to be filed under the Public Utility-Municipal Corporation provisions of the law. In the event that Mobil Pipe Line Company is still not considered a public utility under the law, then would you kindly place this Amendment with the original Agreement which your office placed in Docket No. A.98061, so that the record is clear.

Kindly acknowledge receipt of this letter and enclosures.

Very truly yours,



HERBERT SMOLEN
Deputy City Solicitor

HS:bn
enclosures

RECEIVED

JUL 26 1979

SECRETARY'S OFFICE
Public Utility Commission
day of

ORIGINAL

THIS AMENDMENT OF AGREEMENT, Made this 3RD ¹⁹⁷⁹ ~~1978~~ _{MAY} A.D., by and between THE CITY OF PHILADELPHIA, hereinafter called "City" and MOBIL PIPELINE COMPANY, hereinafter called "Mobil".

A98061

W I T N E S S E T H:

WHEREAS, the City, in order to carry out the proper development of certain rights-of-way designated for the construction of the Airport High Speed Rail Line facilities and associated structures, considers it necessary and desirable to relocate certain of MOBIL's pipeline installations located within said rights-of-way, and

WHEREAS, due to MOBIL's expertise, the City deemed it desirable to have said relocations performed by or at the direction of MOBIL, and

WHEREAS, the City is willing to reimburse MOBIL for the actual costs incurred by MOBIL for said relocations and for certain inspection services to be performed by MOBIL in areas of work to be performed by the City which could adversely affect MOBIL's facilities, and

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
JUL 31 1979
ENTRY No. *BW*

WHEREAS, the City and MOBIL entered into an Agreement dated October 11, 1977, and

WHEREAS, to comply with certain requirements of the Federal Funding Agency (UMTA), said agreement was amended by Agreement dated December 27, 1977, and

WHEREAS, said Agreement, as amended, included a cost proposal setting forth certain estimated costs to be incurred by MOBIL and set a maximum limit of reimbursement of \$357,000.00, and

WHEREAS, said Agreement, as amended, required that for the portions of the work to be subcontracted by MOBIL, MOBIL should receive sealed bids and award any such subcontract to the lowest responsive and responsible bidder, and

WHEREAS, the lowest bids received for the work to be subcontracted exceeded the estimated costs for such work as provided in said Agreement, as amended, and

WHEREAS, at the time of said Agreement, MOBIL submitted an estimate for inspection costs to be provided by MOBIL for a one year period in areas of work to be performed by the City which could adversely affect MOBIL's facilities, and

WHEREAS, based on plans for such work by the City which have been prepared subsequent to the date of said Agreement, the City

desires to extend the period of MOBIL's inspection services to three years, and

WHEREAS, the actual costs incurred by MOBIL for certain other portions of the work have differed from the estimated costs set forth in said Agreement, and

WHEREAS, for the reasons set forth above, the City and MOBIL desire to revise the estimate of costs set forth in said Agreement, and

WHEREAS, the City and MOBIL desire to increase the maximum limit of reimbursement pursuant to said Agreement by \$27,000.00 to a new maximum limit of \$384,000.00.

NOW THEREFORE, the parties hereto, intending to be legally bound, agree as follows:

- (1) Paragraph 6 of said Agreement dated October 11, 1977, as amended, shall be amended to read as follows:

"(6) CITY agrees to pay to MOBIL the sum of MOBIL's costs incurred in the performance of the work described in paragraph 4 less the salvage value of MOBIL's existing pipes, however, in no event shall the amount due MOBIL exceed Three Hundred Eighty-Four Thousand Dollars (\$384,000.00)."

(2) The first sentence of Paragraph 9 of said Agreement, as amended, shall be amended to read as follows:

"(9) MOBIL's costs, not to exceed \$384,000.00, shall be paid by CITY to MOBIL either:"

(3) MOBIL's cost proposal dated November 21, 1976, attached to said Agreement as Exhibit "D" and made part thereof shall be superseded and replaced by MOBIL's revised cost proposal dated September 11, 1978, which is attached hereto as Exhibit "D-1" and made part hereof.

(4) In all other respects, the covenants and conditions of the aforesaid Agreement dated October 11, 1977, as amended December 27, 1977, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be properly executed the day and year first above written.

THE CITY OF PHILADELPHIA

Approved as to form
SHELDON L. ALBERT
City Solicitor
Per *William J. McManus*
Asst. City Solicitor 5-16-79

By: *[Signature]*
Commissioner of Public Property

MOBIL PIPELINE COMPANY

SEAL

Attest: *J. J. Harris*
Assistant Secretary

By: *[Signature]*
Vice President *WK*

FOR THE RELOCATION OF MOBIL PIPE LINE COMPANY'S
6-5/8" O.D. GIBSON POINT PRODUCTS PIPELINE
TO ACCOMMODATE THE PHILADELPHIA AIRPORT HIGH SPEED LINE

1. ENGINEERING SERVICES

A.	Right-of-Way Agent - Draft agreement with City, obtain license agreement from Conrail.	\$ 3,000.
	Engineer - Stake line prior to construction and control during construction.	5,000.
B.	Inspection - During Construction	
	(a) Inspector 60 days @ \$125/day	7,500
	(b) Construction Foreman & 4 Pipeliners 10 days each @ \$100/day	5,000
	(c) Mobil Inspector - 3 years for inspection during AHSL work around pipelines and expenses.	34,600.
	(d) Phila. Electric Co. Inspector	2,000.
	(e) Conrail Inspector	1,000.
	(f) X-Ray - 20 days \$250/day	5,000.
C.	Engineer & Draftsman - As-Built Drawings as required.	3,000.
	TOTAL ENGINEERING SERVICES	66,100.

2. CONSTRUCTION

A.	Contract cost to lay 4500 ft.	217,000.
B.	Materials	
	(a) Line Pipe 4500' 6-5/8" OD .280 wt, 5L, Gr.B. Seamless DRL, coated w/X-Tru Coat	29,250.
	(b) Coating Materials	900.
	(c) 2" Galvanized vent pipe, vent caps, signs and test leads	250.
	(d) 220' 10-3/4" OD .365 wt, Gr.B Casing	1,600.
	(e) Casing Thinsulators & End Seals	300.
	(f) Cathod Protection	6,000.
	(g) Nitrogen to purge pipeline	10,000.
		48,300.
	Tax on Materials	2,700.
		51,000.
	TOTAL CONSTRUCTION COSTS	268,000.
	Sub-Total	334,100.
	Overhead @ 14.92% =	49,900.
	GRAND TOTAL	\$384,000.

9-11-78

EXHIBIT D-1

CONTRACT SUMMARY AND ENDORSEMENT

TO THE LAW DEPARTMENT

DATE

The attached bid and award described below is referred to you for certification as to form, and where no annual surety bond is on file, to have Contractor post satisfactory bond.

FINANCE CONTRACT NO. <i>7-522</i>	CONTRACTOR <i>Mobil Pipeline Company</i>	AMOUNT OF AWARD	ANNUAL SURETY BOND
LAW DEPT. NO. <i>7913412</i>			
BID NO.			
DESCRIPTION		PERIOD COVERED	

REQUISITION NOS.

ENDORSEMENT

OFFICE OF THE DIRECTOR OF FINANCE - ACCOUNTING DIVISION

OFFICE OF THE CITY CONTROLLER

Examined:

Examined:

James G. Plewes *7/10/79*
(For the Director of Finance) (Date)

(For the City Controller) (Date)

Funds being available under appropriations to the following agencies to pay the amounts indicated, viz., I approve this contract as to availability of funds for the purchase orders listed below.

Francis J. Lindner *7.10.79*
(For the Director of Finance) (Date) *JP* (For the City Controller) (Date)

P. O. NO.	ACCOUNT CODES	DEPARTMENT OR AGENCY	AMOUNT
<i>291111</i>	<i>2579 20 41 41 258</i>	<i>NO Public Property</i>	<i>27000.00</i>
<i>Amendment increase contract limit to 384000.00</i>			



CITY OF PHILADELPHIA

LAW DEPARTMENT
8th Floor, 1401 Arch Street
Philadelphia, Pa. 19102

SHELDON L. ALBERT
City Solicitor

September 19, 1979

RECEIVED

SEP 21 1979

SECRETARY'S OFFICE
Public Utility Commission

Pennsylvania Public Utility Commission
North Office Building
Harrisburg, Pa. 17120

Attention: Secretary

Re: Application of City of Philadelphia
Docket No. 98061

07009292

Dear Sir:

Enclosed herewith please find a May 3, 1979 Amendment to Agreement of October 11, 1977 between the City of Philadelphia and Mobil Pipeline Company.

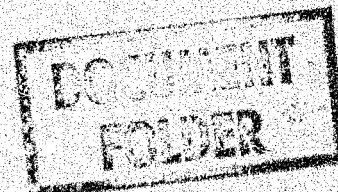
Your office had previously filed the original Agreement and subsequent Amendment of December 27, 1977 in the above Application file, since you advised that Mobil Pipeline Company had not been considered a public utility under the Public Utility Law and the Public Utility-Municipal Corporation provisions of the Act.

Accordingly, so that the docket is clear, kindly place the enclosed Amendment with the original Agreement and previous Amendment, in the above Docket Number, and kindly acknowledge.

Very truly yours,


HERBERT SMOLEN
Deputy City Solicitor

HS/sc
Enc.



September 24, 1979

A.98061

Herbert Smolen - Deputy City Solicitor
City of Philadelphia
Law Department
8th Floor, 1401 Arch Street
Philadelphia, Pennsylvania 19102

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.

Dear Sir:

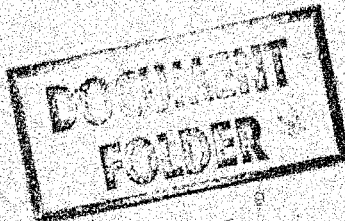
Receipt is acknowledged of your letter of September 19, 1979 together with 1 copy of the amended agreement dated May 3, 1979 between the City of Philadelphia and Mobile Pipeline Company.

Since the Commission dismissed U-78018911 because Mobile Pipeline Company is not a public utility, the agreement and your letter will be placed in the above docketed application.

Very truly yours,

for William P. Thierfelder
Secretary

HHH:sjp



September 27, 1979

A. 92061

Herbert Smolen, Deputy City Solicitor
City of Philadelphia
8th Floor, 1401 Arch Street
Philadelphia, Pennsylvania 19102

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.

Dear Sir:

Receipt is acknowledged of your letter of September 19, 1979, advising that, in accordance with the Commission's order, issued in the above entitled proceeding, all work required to be done by the City of Philadelphia, was completed on August 15, 1979.

Very truly yours,

for William F. Thierfelder
Secretary

cc: Bureau of Rail Transportation
HHH:inc

DOCUMENT
FOLDER



CITY OF PHILADELPHIA

LAW DEPARTMENT
8th Floor, 1401 Arch Street
Philadelphia, Pa. 19102

SHELDON L. ALBERT
City Solicitor

September 19, 1979

RECEIVED

SEP 21 1979

SECRETARY'S OFFICE
Public Utility Commission

Pennsylvania Public Utility Commission
North Office Building
Harrisburg, Pa.

Attn: Secretary

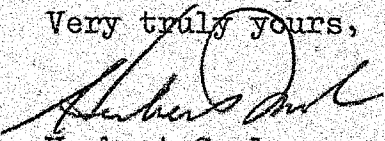
Re: Application of the City
A-98061

Dear Sir:

Pursuant to paragraph 18 of Commission Order adopted July 13, 1976 and entered July 22, 1976, as modified by Commission Order adopted January 4, 1979 and entered January 12, 1979 regarding the above matter, this is to advise you that work was completed on the Viaduct structure on or about August 15, 1979.

A detailed statement of the actual costs incurred will be submitted as promptly as possible.

Very truly yours,


Herbert Smolen
Deputy City Solicitor

cc: Herbert G. Zahn, Esq.
Joel E. Mazor, Esq.
David E. McCormick, Esq.
Edward F. Gilhooley, Esq.
Rudolph A. Chillemi, Esq.
Judith B. Soken, Esq.

HS/sc

DOCUMENT
FOLDER

RECEIVED

APR 14 1980

SECRETARY'S OFFICE
Public Utility Commission

Amtrak



April 9, 1980

Judge Rudolph S. Pallastrone
Administrative Law Judge
2700 Lewis Tower Building
Philadelphia, Pennsylvania 19102

Re: Application of 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 high-speed passenger line from Suburban Station to the Philadelphia International Airport in the City of Philadelphia, (2) the allocation of costs and expenses incident thereto, and (3) exemption from minimum overhead and side clearance requirements of Part III of the Commission's Railroad Regulations. Docket A. 98061

Dear Sir:

In connection with the hearings on the above-captioned matter which have been scheduled periodically over the past several years, please be advised that Amtrak as successor to Penn Central Transportation Company has been in active negotiations with the City of Philadelphia to discuss the terms and conditions for the conveyance of certain property interests between 60th and 52nd Streets, and for the construction and future operation of the Airport High Speed Line in the City of Philadelphia.

These discussions are moving along steadily and an agreement should be in final form shortly. Copies of the agreement will be furnished as an exhibit in these proceedings when consummated.

Very truly yours,

W. Scott Armentrout
Assistant General Counsel
Northeast Corridor

WSA:mm

cc: W. P. Thierfelder, Secretary
Pennsylvania Public Utility Commission

Parties of Record

