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| 1. <u>REPORT DATE:</u> | : 2. <u>BUREAU AGENEA NO.</u> |
| December 19, 1978 | : |
| 3. <u>BUREAU:</u> | : JAN-79-TR-509* |
| Rail Transportation | : |
| 4. <u>SECTION(S):</u> | : 5. <u>PUBLIC MEETING DATE:</u> |
| Railroad | : |
| 6. <u>APPROVED BY:</u> | : |
| Director: R.A. Peteritas 7-5188 | : January 4, 1979 |
| Supervisor: | : |
| 7. <u>MONITOR:</u> | : |
| Commissioner Carter and | : |
| Commissioner O'Bannon | : |
| 8. <u>PERSON IN CHARGE:</u> | : |
| Hart 7-4640 | : |
| 9. <u>DOCKET NO:</u> | : |
| A. 98061 | : |
| 10. (a) CAPTION (abbreviate if more than 4 lines) | |
| (b) Short summary of history & facts, documents & briefs | |
| (c) Recommendation. | |

(a) 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, (3) EXEMPTIONS FROM THE MINIMUM OVERHEAD AND SIDE CLEARANCE REQUIREMENTS OF PART III OF THE COMMISSION'S RAILROAD REGULATIONS.

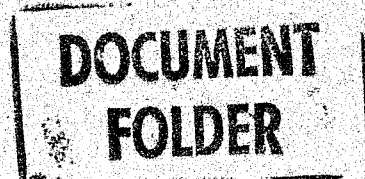
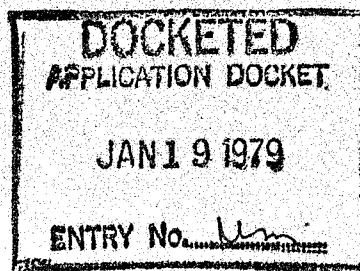
(b) Due to extended negotiations among ARCO Pipe Line Company, Mobil Pipe Line Company and Philadelphia Electric Company concerning the relocation of ARCO and Mobil facilities from their existing locations to new locations on the property of Philadelphia Electric Company, the city of Philadelphia requests an extension of time within which to complete the improvement, from December 31, 1978 to October 31, 1979.

(c) Bureau of Rail Transportation recommends that the city of Philadelphia's petition for an extension of time from December 31, 1978 to October 31, 1979 within which to complete the improvement be approved.

DCH:a

- | | |
|-----------------------------------|-------------------------------|
| 11. MOTION BY: Commissioner Bloom | Commissioner Chm. Goode - Yes |
| | Commissioner O'Bannon - Yes |
| SECONDED: Commissioner Carter | Commissioner Johnson - Yes |

CONTENT OF MOTION: Staff recommendation adopted.



January 12, 1979

A-00098061

Herbert Smolen, Deputy City Solicitor
City of Philadelphia
~~15th Floor, Municipal Services~~ *Suite 804, 1401 Arch St*
~~Building~~
Philadelphia, Pennsylvania 19102

APPLICATION OF THE CITY OF PHILADELPHIA

Dear Sir:

Enclosed, herewith, is a copy of an Executed Order issued by the Commission on January 4, 1979, in the above entitled proceeding.

Kindly acknowledge receipt and service thereof, using for that purpose the enclosed form.

Very truly yours,

C. J. McElwae
Secretary

JEC
Enclosure
Certified Mail
Receipt Requested

LAW
TRANSPORTATION
SIMILAR LETTER LIST ATTACHED

see letter dated May 4, 1979
**DOCUMENT
FOLDER**

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held January 4, 1979

Commissioners Present:

W. Wilson Goode, Chairman
Robert K. Bloom
Louis J. Carter
Helen B. O'Bannon
Michael Johnson

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.

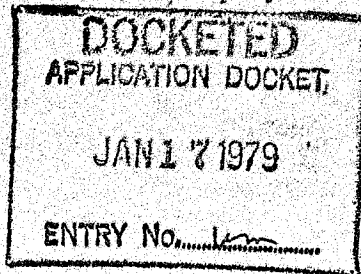
A-00098061

O R D E R

BY THE COMMISSION:

This matter is before us by reason of petition filed November 16, 1978 by the city of Philadelphia, seeking modification of the Commission's order in the above-docketed proceedings issued July 13, 1976 for an extension of time in which to complete the project, from December 31, 1978 to October 31, 1979.

In its petition, city of Philadelphia avers that due to the extended negotiations among ARCO Pipe Line Company, Mobil Pipe Line Company and Philadelphia Electric Company concerning the relocation of



DOCUMENT
FOLDER

ARCO and Mobil facilities from the existing locations to new locations on the property of Philadelphia Electric Company, the aforesaid pipeline facilities were not relocated and have remained in place; thereby delaying completion of that portion of the viaduct structure between Airport High Speed Line Station 426+00 to 430+50. Further, additional delay has occurred, due to lengthy and extended negotiations between the city and Consolidated Rail Corporation in connection with lease agreements between the parties.

Each party to the proceeding was served with a copy of the petition, more than ten (10) days have elapsed and none has advised that it desires to be heard.

Inasmuch as no exception has been entered to the modification proposed by the city of Philadelphia in its petition, this Commission is of the opinion that the petition of City of Philadelphia filed November 16, 1978 to provide for an extension of time for completion of the improvement, should be granted; THEREFORE,

IT IS ORDERED:

1. That numbered Paragraph 18 on Page 22 of our order in this proceeding issued July 13, 1976, which reads as follows, to wit:

"18. That the construction of the proposed railroad-highway crossing improvement project be fully completed, in a manner satisfactory to this Commission, on or before December 31, 1978, and that on or before said date, city of Philadelphia, Pennsylvania Department of Transportation, Trustees of Reading Company, Consolidated Rail Corporation and Philadelphia Electric Company, respectively, report to this Commission the date of actual completion of its portion of the project; and at the earliest practicable time subsequent

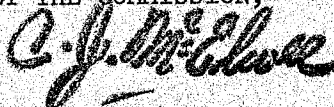
thereto, submit to this Commission a detailed statement of the actual costs incurred by it in furnishing material and in doing work in compliance with this order."

be and is hereby modified to read as follows:

18. That the construction of the proposed railroad-highway crossing improvement project be fully completed, in a manner satisfactory to this Commission, on or before October 31, 1979, and that on or before said date, city of Philadelphia, Pennsylvania Department of Transportation, Trustees of Reading Company, Consolidated Rail Corporation and Philadelphia Electric Company, respectively, report to this Commission the date of actual completion of its portion of the project; and at the earliest practicable time subsequent thereto, submit to this Commission a detailed statement of the actual costs incurred by it in furnishing material and in doing work in compliance with this order.

2. That our order of July 13, 1976 insofar as it is not inconsistent herewith remain in full force and effect.

BY THE COMMISSION,



C. J. McElwee
Secretary

(SEAL)

ORDER ADOPTED: January 4, 1979

ORDER ENTERED:

JAN 12 1979