



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET
HARRISBURG, PENNSYLVANIA 17120

IN REPLY PLEASE
REFER TO OUR FILE

November 4, 2025

A-2011-2233889

TO ALL PARTIES OF RECORD

Application of Norfolk Southern Railway Company for approval of an exemption from the Commission's overhead clearance requirements at 52 Pa. Code § 33.121 for a track operated by Norfolk Southern Railway Company, located in the City of Pittsburgh in Allegheny County.

To Whom It May Concern:

On March 31, 2011, Norfolk Southern Railway Company (Norfolk Southern) filed an application with the Commission requesting approval of an exemption from the Commission's overhead clearance requirements pursuant to 52 Pa. Code § 33.121 for a track it operates at the public crossing (DOT 507 450 B).

By Order adopted on June 9, 2011, the Commission granted Norfolk Southern's exemption request, allowing for a minimum vertical clearance of 19 feet at the North Avenue and Brighton Road bridge.

During the course of this proceeding, the Northside Leadership Conference (NSLC) initially filed a Motion to Consolidate several dockets, including A-2011-2233889, that involved Norfolk Southern's Pittsburgh Vertical Clearance Project and later joined Rail Pollution Protection Pittsburgh's Petition for Reconsideration of the First Interim Order on the parties' Motion to Consolidate (see A-2018-3006432).

On October 27, 2022, docketed at A-2018-3006432, Norfolk Southern filed a Joint Motion to Remand Matter to the Bureau of Technical Utility Services (Joint Motion) which was entered into between Norfolk Southern, the Commission's Bureau of Investigation and Enforcement and the City of Pittsburgh. The Joint Motion alleges the parties reached a settlement in Commonwealth Court within the context of settlement discussions about Norfolk Southern's overall Pittsburgh Vertical Clearance Project, which sought to increase vertical clearances on the rail lines on Pittsburgh's North Side.

Following settlement, the NSLC's Joinder to Petition for Reconsideration and all pending appeals were subsequently withdrawn from this, and the related proceedings.

This docket, A-2011-2233889, has remained open and dormant, but no further action is pending or required, therefore it may be closed. The application for the alteration of the crossing at North Avenue and Brighton Road remains open, docketed at A-2018-3006432.

The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that the case be “CLOSED.”

The Parties are reminded that failure to comply with this or any Order or Secretarial Letter in this proceeding may result in an enforcement action seeking civil penalties and/or other sanctions pursuant to 66 Pa. C.S. § 3301.

All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax or by e-mail. Parties are encouraged to file formal documents by eFiling with the Secretary of the Commission by opening an eFiling account through the Commission’s website (the account is free of charge) and accepting eService at <https://www.puc.pa.gov/filing-resources/efiling/>.

If your filing contains confidential material, you are required to file by overnight delivery to ensure the timely filing of your submission. There are certain filings that cannot be eFiled, such as filings containing confidential or proprietary material. These must be submitted to the Secretary by overnight delivery, priority or certified mail to allow tracking of your filing.

If you are dissatisfied with the resolution of this matter, you may, as set forth in 52 Pa. Code §§ 1.31 and 5.44, file a Petition for Reconsideration from Staff Action (Petition) with the Commission within twenty (20) days of the date of this letter. The Petition shall be eFiled with the Secretary of the Commission or sent to: Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120, and must be filed within twenty (20) days, or if no timely request is made, the action will be deemed to be a final action of the Commission.

The Petition MUST include: (1) a written statement (divided into numbered paragraphs) outlining the reasons for the request; (2) the case docket number (it is provided for you at the top right-hand corner of this letter); (3) the party on whose behalf the petition is made; (4) a Certificate of Service on the other parties of record; and (5) a Verification with original signature in accordance with 52 Pa. Code § 1.36.

Sincerely,

A handwritten signature in black ink that reads "Matthew L. Homsher". The signature is written in a cursive style with a large initial "M".

Matthew L. Homsher
Secretary