



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

IN REPLY PLEASE
REFER TO OUR FILE

November 5, 2025

A-2025-3057083

TO ALL PARTIES OF RECORD

Application of Penn Township for approval of the alteration of the public crossing (DOT 591 640 E) by the addition of stop signs where Auction Road (T-879) crosses, at grade, a single track of Norfolk Southern Railway Company located in Penn Township, Lancaster County.

To Whom It May Concern:

This matter is before us by reason of an application filed with the Commission on August 26, 2025 by Penn Township (Township) seeking Commission approval to modify the subject at grade public crossing (DOT 591 640 E) by the installation of “STOP” signs (R1-1) and additional advance warning signage where Auction Road (T-879) crosses a single track of Norfolk Southern Railway Company (NS) in Penn Township, Lancaster County.

A field investigation and conference was arranged by a Commission staff engineer and held on October 6, 2025, at the site of the subject crossing. Representatives of the Township were in attendance. Although notified by letter dated September 19, 2025, sent by electronic mail, there were no representatives of the Pennsylvania Department of Transportation (Department), NS or Lancaster County in attendance at the field conference.

At the field conference, it was noted that Auction Road (T-879) at the site of the crossing is a two lane, bidirectional asphalt paved roadway that crosses over a single track of NS with an asphalt and rubber rail seal crossing surface. The crossing is equipped with crossbuck signs (R15-1), “YIELD” signs (R1-2) and emergency notification system signs (I13-1). The roadway approaches are equipped with grade crossing advance warning signs (W10-1), pavement markings and stop lines on both approaches to the crossing. A private driveway was noted along the eastbound approach to the crossing, located adjacent to the tracks. Heavy vegetation and embankments from existing homes were noted on both approaches which prevents motorists from having a clear view of approaching trains. Additionally, along the right-of-way of NS there is thick, overgrown vegetation that prevents motorists from having a clear view of the tracks at the crossing.

At the field conference, the Township described the details of the alteration. The existing “Yield” signs (R1-2) will be removed, and the existing crossbucks (R15-1) and Emergency notification signs (I13-1) will be replaced onto a new, higher posts on both sides of the crossing. “STOP” signs (R1-1) and an additional non-standard sign reading “LOOK BOTH WAYS BEFORE CROSSING” will also be added to the new posts on both sides of the crossing. Additionally, for a minimum of 30 days and up to 90 days “Red Type B Flashing Lights” will be placed on top of the installed stop signs to alert motorists to the change in signage at the crossing. On the approach roadways, new “STOP AHEAD” (W3-1) signs with “Yellow Type B Flashing Lights” on top are proposed on both approaches to the crossing. The yellow Type B flashing lights above the “STOP AHEAD” signs will remain in place for a minimum of 30 days and up to 90 days to alert motorists to the change in signage at the crossing. Lastly, a non-standard sign reading “ACTIVE RAIL LINE” will be installed below the existing grade crossing advance warning signs (W10-1) on both approaches to the crossing. NS agreed to replace the existing posts at the crossing, remove the existing “YIELD” signs (R1-2), and install the new “STOP” signs (R1-1). NS agreed to maintain this signage in addition to the Crossbucks, Emergency notification system signage, and posts on both sides of the crossing. The Township agreed to furnish and maintain the “Red Type B Flashing Lights” and “LOOK BOTH WAYS BEFORE CROSSING” signs at the crossing, the “STOP AHEAD” (W3-1) signs with “Yellow Type B Flashing Lights”, and the “ACTIVE RAIL LINE” signs on both approaches to the crossing. The Township agreed to remove the red and yellow flashing lights after the 30-90 day time period has elapsed. NS also agreed to trim vegetation along its right-of-way to increase sight distance of approaching trains at the crossing, and likewise, the Township agreed to trim vegetation along the roadway approaches to the crossing to improve sight distance.

Prior to the October 6, 2025 field investigation and conference, an informal meeting was held at the site of the crossing with NS, the Township and the Department in attendance. The parties at the meeting, the diagnostic field team, discussed the subject alteration and determined that the addition of stop signs at this crossing was appropriate for the given site conditions provided the Township submit an application to the Commission for the alterations. The addition of a stop sign for the private driveway along the eastbound approach to the crossing was also discussed, however given the proximity of the driveway to the tracks there was no room to safely place the stop sign. The Township included additional justification in their August 26, 2025 application that stated *Pennsylvania Code 75 Pa. C.S. § 3324 – Vehicle Entering or Crossing Roadway* – states that “*The driver of a vehicle entering a roadway from any place other than another roadway shall yield the right-of-way to all vehicles approaching on the roadway to be entered*”, therefore all users of the private driveway are required to stop before pulling out onto Auction Road (T-879).

All work is to be performed in accordance with the sketch plan hereby entitled: “EXHIBIT A” consisting of a single sheet submitted to the Commission with the application on August 26, 2025.

The non-carrier public utilities will be directed to alter or relocate their facilities as necessary to construct the project at their initial cost and expense.

No detour will be required for the proposed installation. The Township agrees to perform all installation of its facilities in coordination with NS, and will provide temporary traffic control, if needed, when the proposed signage is installed.

The applicant has certified that a copy of the application has been served on each party in interest and none have advised that it objects to the issuance of a Secretarial Letter, prior to hearing, approving the application.

Upon full consideration of the matter involved, we determine that it is not necessary to schedule a hearing in this proceeding at this time and that issuance of a Secretarial Letter without hearing is proper since none of the parties has expressed any objections to the proposal.

The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that the alteration of the crossing is necessary and proper for the service, accommodation, convenience or safety of the public.

The application of Penn Township is approved as herein directed:

1. The caption of the subject proceeding is hereby revised as shown herein.
2. The public crossing where Auction Road (T-879) crosses, at grade, a single track of Norfolk Southern Railway Company (DOT 591 640 E) in Penn Township, Lancaster County be altered generally in accordance with the sketch plan entitled: "EXHIBIT A" consisting of a single sheet submitted to the Commission on August 26, 2025; which plan is made part hereof and is hereby approved except insofar as it may relate to the division of work, deletion of work, or the allocation of costs and expenses incident to the installation of the project.
3. Norfolk Southern Railway Company, at its sole cost and expense, furnish all material and perform all work required to install new posts on both sides of the crossing with Crossbuck signs (R15-1), "STOP" signs (R1-1) and Emergency notification system signs (I13-1).
4. Penn Township, at its sole cost and expense furnish all material and perform all work required to install and maintain the "LOOK BOTH WAYS BEFORE CROSSING" signs at the crossing, the "STOP AHEAD" (W3-1) signs and the "ACTIVE RAIL LINE" signs on the approach roadways to the subject crossing, all in accordance with the approved sketch plan and this Secretarial Letter.
5. Penn Township, at its sole cost and expense furnish all material and perform all work required to install temporary Red Type B flashing lights on top of the new "STOP" (R1-1) signs at the crossing, and Yellow Type B flashing lights on top of the "STOP AHEAD" (W3-1) signs on the approaches to the crossing, in accordance with the approved sketch plan, for a minimum of 30 days and up to 90 days.
6. Norfolk Southern Railway Company, at the sole cost and expense of the Penn Township, furnish all material and perform all work relating to the railroad's facilities which may be required as incidental to the performance of the proposed work; furnish construction engineering and inspection service, if required, as a result of the proposed work; and furnish and maintain flagmen and watchmen, as required, to protect its operations during the time the work is being performed across, above and adjacent to its tracks.
7. Any relocation of, changes in or removal of any adjacent structures, equipment or other facilities of any non-carrier public utility company or municipal authority located within the limits of this Commission's jurisdiction, which may be required as incidental to the execution of the crossing project, be made by said public utility company or municipal authority at its initial cost and expense, and in such manner as will not interfere with the construction of the project.

8. All parties involved herein cooperate fully with each other so that during the time the work is being performed, vehicular, pedestrian and rail traffic will not be endangered or unnecessarily inconvenienced, and so that the requirements of each of the parties will be provided for and accommodated insofar as possible.

9. All work necessary to complete the alteration of the subject crossing be done in a manner satisfactory to this Commission on or before December 31, 2026, and that on or before said date, Penn Township report to this Commission in writing the date of actual completion of the work.

10. Penn Township, at least seven (7) days prior to the start of work, notify all parties in interest of the actual date on which work will begin.

11. Penn Township pay all compensation for damages, if any, due to owners of property taken, injured, or destroyed by reason of the construction of the crossing in accordance with this Secretarial Letter.

12. Upon completion of the alteration of the crossing, Norfolk Southern Railway Company, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its railroad facilities at the subject crossing, including the crossbuck signs (R15-1), Emergency notification system signs (I13-1), "STOP" signs (R1-1) and posts at the crossing and maintain at all times in a smooth and satisfactory condition, the asphalt crossing surface for a distance of 24 inches beyond the outermost rail located all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter; and provide Penn Township at least ten (10) business days advance notice when performing any work as directed by this paragraph.

13. Upon completion of the alteration of the crossing, Penn Township, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its highway approach roadways to the subject crossing up to 24 inches beyond the outermost rail and in addition, maintain the "LOOK BOTH WAYS BEFORE CROSSING" signs located at the crossing, the "STOP AHEAD" (W3-1) signs, grade crossing advance warning signs (W10-1), and "ACTIVE RAIL LINE" signs on both approaches to the subject crossing and the pavement markings and stop lines, as required, on the approaches thereto, all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter and provide Norfolk Southern Railway Company at least ten (10) business days advance notice when performing any work as directed by this paragraph .

14. Upon completion of the construction of the proposed project, each non-carrier public utility company and municipal authority, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its respective facilities, existing or altered, located within the limits of the improvement.

15. Upon completion of the work herein directed, and upon a written request by any party hereto, this proceeding be scheduled for a hearing at a time and a place assigned by this Commission, upon due notice to all parties, to receive evidence relative to the allocation of initial costs incurred, if any, by the non-carrier public utility companies and municipal authorities, and any other matters relevant to this proceeding.

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 cursive script that reads "Matthew L. Homsher".

Matthew L. Homsher
Secretary