



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

IN REPLY PLEASE
REFER TO OUR FILE

November 10, 2025

C-2020-3016906

TO ALL PARTIES OF RECORD

Reading Blue Mountain & Northern Railroad Company

v.

Pennsylvania Department of Transportation, Pittston Township
and Luzerne County.

To Whom It May Concern:

By Recommended Decision issued December 14, 2022, the Commission's Office of Administrative Law Judge through an assigned Administrative Law Judge (ALJ), ordered Reading Blue Mountain & Northern Railroad Company, at its sole cost and expense, to reconstruct the existing SR 2019 (Oak Street) asphalt and rail seal highway/rail crossing surface adjusting track geometry and transitioning the approach roadway pavement safely and smoothly through the crossing area.

On January 3, 2023, Reading Blue Mountain & Northern Railroad Company filed exceptions to the Recommended Decision issued on December 14, 2022.

By Order entered on April 20, 2023, the Commission denied the Exceptions of Reading Blue Mountain & Northern Railroad Company and adopted the ALJ's Recommended Decision.

Reading Blue Mountain & Northern Railroad Company petitioned the Commonwealth Court of Pennsylvania (Court) for review and appeal of the Commission's Final Order entered on April 20, 2023, and argued before the Court on May 7, 2024.

By Order dated June 4, 2024, the Commonwealth Court of Pennsylvania Affirmed the Commission's Final Order directing Reading Blue Mountain & Northern Railroad Company to reconstruct the public highway/rail crossing surface and strongly urged by footnote on said Order that RBMN should commence reconstruction of the crossing in an expeditious manner.

As part of the Commission's April 20, 2023, Order adopting the ALJ's recommended decision all work necessary to complete the work at the subject public crossing was ordered to be completed six months from the date of the April 20, 2023, Order.

To date no work has been completed at the subject crossing. Reading Blue Mountain & Northern Railroad Company submitted what was titled a crossing surface construction plan on December 2, 2024, which was not agreed upon with the Pennsylvania Department of Transportation and did not conform with the Commission's Final Order.

On September 19, 2025, the Commission's Bureau of Investigation and Enforcement (I&E) by electronic mail contacted a representative of Reading Blue Mountain & Northern Railroad Company (RBMN) to inquire the status of resubmission of construction plans that conform to the Commission's Final Order and that are agreed upon by the Pennsylvania Department of Transportation.

I&E informed Reading Blue Mountain & Northern Railroad Company that amicable resolution was preferred over enforcement action and directed RBMN to submit the revised crossing reconstruction plans for the crossing and its approach roadways within 60 days or by November 21, 2025.

RBMN advised I&E by electronic mail on October 1, 2025, that they could meet the November 21, 2025, deadline.

On October 1, 2025, RBMN filed a letter-petition requesting a time extension until November 21, 2025.

We have carefully reviewed the record in this proceeding and in interest of an amicable resolution of all parties involved the Commission will grant the Reading Blue Mountain & Northern Railroad Company an extension of time to November 21, 2025, to submit the crossing reconstruction plans that conform with the Commission's Final Order and that is agreed upon with the Pennsylvania Department of Transportation.

This Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code.

THEREFORE:

The letter-petition of the Reading Blue Mountain & Northern Railroad Company received by the Commission on October 1, 2025, requesting an extension of time, be and is hereby granted to the extent herein directed:

1. Reading Blue Mountain & Northern Railroad Company, at its sole cost and expense, by November 21, 2025, prepare and submit a crossing surface construction plan that includes an existing and proposed roadway profile grade with elevations that includes the grade on the roadway approaches to the crossing surface and grade through the crossing surfaces, a plan, elevation, and cross-section view of the crossing surfaces which show roadway material specifications, dimensions, elevations of rails/roadway and planned super-elevation and grade of the railroad tracks through the public crossing at Oak Street (DOT 361 425 J). The construction plans shall be submitted to all parties for review and to the Commission for approval.

2. In all other respects, our Order dated April 20, 2023, adopting the Recommended Decision of Administrative Law Judge Emily I. DeVoe, issued on December 14, 2022, remains in full force and effect.

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,



Matthew L. Homsher
Secretary