



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

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

November 10, 2025

Via Electronic Filing

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Application of Department of Transportation of the Commonwealth of Pennsylvania for approval to alter two (2) public crossings by the rehabilitation of the existing bridge where State Route 0018 (Seventh Avenue) crosses, above grade, one (1) track of Norfolk Southern Railway Company (DOT 503 768 L) located in New Brighton Borough and two (2) tracks of CSX Transportation, Inc. (DOT 584 878 T) located in the City of Beaver Falls, all in Beaver County, and the allocation of costs incident thereto.
Docket No. A-2024-3045709

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to alter the public above grade crossing by the replacement of the existing bridge carrying State Route 0011 (West King Street) over track of Norfolk Southern Railway Company (DOT 592 122 M) in Shippensburg Borough and Southampton Township, Franklin County, and all the allocation of costs incident thereto.
Docket No. A-2022-3031613

Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to replace the existing bridge where West Lackawanna Avenue crosses above the track(s) of Norfolk Southern Railway corporation, DOT Number 265 971 V in the City of Scranton, Lackawanna County and the allocation of costs incident thereto.
Docket No. A-2023-3043493

Application of the Pennsylvania Department of Transportation for approval to alter the public crossing (DOT# 592 188 M) by the removal and replacement of the existing bridge where Seventeenth Street crosses, above grade, the tracks of Norfolk Southern Railway Company in the City of Harrisburg, Dauphin County, and the allocation of costs incident thereto.
Docket No. A-2024-3051983

Matthew L. Homsher, Secretary

November 10, 2025

Page 2

Application of Westmoreland County for Approval to Replace an Above Grade Crossing By the Installation of a Single-Span Girder Bridge Where West Broadway Avenue/Fourth Street Crosses Norfolk Southern Railroad (NSRC) BR0028787- PT-331.87; U.S. Department Federal Highway Administration (FHWA) Will Fund the Bridge Replacement, But Westmoreland County Will own and Maintain the Bridge Located in the Borough of North Irwin, Westmoreland County, Pennsylvania.
Docket No. A-2024-3052077

Application of Montgomery County for approval to reconstruct overhead crossing for Norfolk Southern Dale Secondary line at Ridge Pike, Section MG4 (Montgomery County Bridge No. 0), Plymouth Township, Montgomery County
Docket No. A-2024-3050051

I&E Motion to Accept I&E's Reply Exceptions *Nunc Pro Tunc*

Dear Secretary Homsher:

Enclosed for electronic filing is the **Motion to Accept I&E's Reply Exceptions *Nunc Pro Tunc*** of the Public Utility Commission's Bureau of Investigation and Enforcement in the above referenced proceeding.

Copies have been served on the parties of record in accordance with the Certificate of Service. If you have any questions, please do not hesitate to contact me.

Sincerely,



Grant Rosul
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318204
(717) 783-5243
grosul@pa.gov

GR/ac
Enclosures

cc: Per Certificate of Service
Administrative Law Judge F. Joseph Brady (via email – fbrady@pa.gov)
Office of Special Assistants (via email – ra-OSA@pa.gov)
Allison C. Kaster, Director, I&E (via email – akaster@pa.gov)
Carrie B. Wright, Deputy Chief Prosecutor, I&E (via email – carwright@pa.gov)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Department of Transportation	:	
of the Commonwealth of Pennsylvania for	:	
approval to alter two (2) public crossings by	:	
the rehabilitation of the existing bridge where	:	
State Route 0018 (Seventh Avenue) crosses,	:	
above grade, one (1) track of Norfolk	:	Docket No. A-2024-3045709
Southern Railway Company (DOT 503 768 L)	:	
located in New Brighton Borough and two (2)	:	
tracks of CSX Transportation, Inc. (DOT 584	:	
878 T) located in the City of Beaver Falls, all	:	
in Beaver County, and the allocation of costs	:	
incident thereto.	:	

Application of the Department of	:	
Transportation of the Commonwealth of	:	
Pennsylvania for approval to alter the public	:	
above grade crossing by the replacement of the	:	
existing bridge carrying State Route 0011	:	Docket No. A-2022-3031613
(West King Street) over track of Norfolk	:	
Southern Railway Company (DOT 592 122 M)	:	
in Shippensburg Borough and Southampton	:	
Township, Franklin County, and all the	:	
allocation of costs incident thereto.	:	

Application of the Department of	:	
Transportation of the Commonwealth of	:	
Pennsylvania for approval to replace the	:	
existing bridge where West Lackawanna	:	
Avenue crosses above the track(s) of Norfolk	:	Docket No. A-2023-3043493
Southern Railway corporation, DOT Number	:	
265 971 V in the City of Scranton,	:	
Lackawanna County and the allocation of	:	
costs incident thereto.	:	

Application of the Pennsylvania Department	:	
of Transportation for approval to alter the	:	
public crossing (DOT# 592 188 M) by the	:	
removal and replacement of the existing	:	
bridge where Seventeenth Street crosses,	:	Docket No. A-2024-3051983
above grade, the tracks of Norfolk Southern	:	
Railway Company in the City of Harrisburg,	:	
Dauphin County, and the allocation of costs	:	
incident thereto.	:	

Application of Westmoreland County for	:	
Approval to Replace an Above Grade	:	
Crossing By the Installation of a Single-Span	:	
Girder Bridge Where West Broadway	:	
Avenue/Fourth Street Crosses Norfolk	:	
Southern Railroad (NSRC) BR0028787- PT-	:	Docket No. A-2024-3052077
331.87; U.S. Department Federal Highway	:	
Administration (FHWA) Will Fund the	:	
Bridge Replacement, But Westmoreland	:	
County Will own and Maintain the Bridge	:	
Located in the Borough of North Irwin,	:	
Westmoreland County, Pennsylvania.	:	

Application of Montgomery County for	:	
approval to reconstruct overhead crossing for	:	
Norfolk Southern Dale Secondary line at	:	Docket No. A-2024-3050051
Ridge Pike, Section MG4 (Montgomery	:	
County Bridge No. 0), Plymouth Township;	:	
Montgomery County	:	

MOTION TO ACCEPT I&E’S REPLY EXCEPTIONS NUNC PRO TUNC

The Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement (“I&E”) , by and through its prosecuting attorney, hereby files this Motion to Accept I&E’s Reply Exceptions *Nunc Pro Tunc* pursuant to 52 Pa. Code § 5.103. In support thereof, I&E respectfully avers the following:

1. On October 21, 2025, the Presiding Officer in this matter, ALJ Brady issued a Recommended Decision.
2. On October 31, 2025, Norfolk Southern Railroad Company (“Norfolk Southern”) filed its Exceptions to the Recommended Decision pursuant to 52 Pa. Code § 5.533.
3. In the Secretarial Letter provided to the Parties, the time specified for filing Reply Exceptions was Friday, November 7, 2025.
4. However, I&E inadvertently missed this date.

5. Ordinarily, “a reply shall be filed within 10 days of the date that an exception is due.” 52 Pa. Code § 5.535

6. The date I&E is filing its Reply Exceptions is the following Monday, November 10.

7. The Petitioner in these consolidated cases, Norfolk Southern, will not be prejudiced by a late-filed Reply Exceptions.

8. The difference between the date set for the filing of reply exceptions by ALJ Brady and the date of I&E’s Reply Exceptions *nunc pro tunc* is one working day.

WHEREFORE, I&E respectfully requests that the Commission accept I&E’s Reply Exceptions *nunc pro tunc*.

Respectfully submitted,



Grant Rosul
Prosecutor
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120
(717) 783-5243
grosul@pa.gov

Dated: November 10, 2025

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Department of Transportation	:	
of the Commonwealth of Pennsylvania for	:	
approval to alter two (2) public crossings by	:	
the rehabilitation of the existing bridge where	:	
State Route 0018 (Seventh Avenue) crosses,	:	
above grade, one (1) track of Norfolk	:	Docket No. A-2024-3045709
Southern Railway Company (DOT 503 768 L)	:	
located in New Brighton Borough and two (2)	:	
tracks of CSX Transportation, Inc. (DOT 584	:	
878 T) located in the City of Beaver Falls, all	:	
in Beaver County, and the allocation of costs	:	
incident thereto.	:	

Application of the Department of	:	
Transportation of the Commonwealth of	:	
Pennsylvania for approval to alter the public	:	
above grade crossing by the replacement of the	:	
existing bridge carrying State Route 0011	:	Docket No. A-2022-3031613
(West King Street) over track of Norfolk	:	
Southern Railway Company (DOT 592 122 M)	:	
in Shippensburg Borough and Southampton	:	
Township, Franklin County, and all the	:	
allocation of costs incident thereto.	:	

Application of the Department of	:	
Transportation of the Commonwealth of	:	
Pennsylvania for approval to replace the	:	
existing bridge where West Lackawanna	:	
Avenue crosses above the track(s) of Norfolk	:	Docket No. A-2023-3043493
Southern Railway corporation, DOT Number	:	
265 971 V in the City of Scranton,	:	
Lackawanna County and the allocation of	:	
costs incident thereto.	:	

Application of the Pennsylvania Department	:	
of Transportation for approval to alter the	:	
public crossing (DOT# 592 188 M) by the	:	
removal and replacement of the existing	:	
bridge where Seventeenth Street crosses,	:	Docket No. A-2024-3051983
above grade, the tracks of Norfolk Southern	:	
Railway Company in the City of Harrisburg,	:	
Dauphin County, and the allocation of costs	:	
incident thereto.	:	

Application of Westmoreland County for	:	
Approval to Replace an Above Grade	:	
Crossing By the Installation of a Single-Span	:	
Girder Bridge Where West Broadway	:	
Avenue/Fourth Street Crosses Norfolk	:	
Southern Railroad (NSRC) BR0028787- PT-	:	Docket No. A-2024-3052077
331.87; U.S. Department Federal Highway	:	
Administration (FHWA) Will Fund the	:	
Bridge Replacement, But Westmoreland	:	
County Will own and Maintain the Bridge	:	
Located in the Borough of North Irwin,	:	
Westmoreland County, Pennsylvania.	:	

Application of Montgomery County for	:	
approval to reconstruct overhead crossing for	:	Docket No. A-2024-3050015
Norfolk Southern Dale Secondary line at	:	
Ridge Pike, Section MG4 (Montgomery	:	
County Bridge No. 0), Plymouth Township,	:	
Montgomery County	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Motion to Accept I&E's Reply Exceptions *Nunc Pro Tunc*** dated November 10, 2025, upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by Electronic Mail:

Benjamin C. Dunlap, Jr.
Cohen Seglias Pallas Greenhall & Furman, PC
240 North Third Street, 7th Floor
Harrisburg, PA 17101
bdunlap@cohenseglias.com

Stuart Miller
Pennsylvania Electric Company
1910 West Market Street
Akron, OH 44313
smiller@firstenergycorp.com

Leah J. Bobula, Esq.
Karen Cummings, Esq.
Pennsylvania Dept. of Transportation
Office of Chief Counsel
P.O. Box 8212
Harrisburg, PA 17105-8212
lbobula@pa.gov
kcummings@pa.gov

Timothy Andrews, Esquire
2 North Main Street
Suite 103
Greensburg, PA 15601
Timandrewsesq@gmail.com

Dwain Koser
Cumberland/Franklin Joint Municipal
Authority
204 West King Street
Shippensburg, PA 17257
dkoser@cfjma.com

Kevin Plasterer
Shippensburg Borough
111 N. Fayette Street
Shippensburg, PA 17257
kplasterer@shippensburg.pa.us

Sam Cressler
Southampton Township
705 Municipal Drive
Shippensburg, PA 17257
scressler@southamptontownship.org

Adam Cubbedge
250 Lincoln Way East
Chambersburg, PA 17201
Adam.cubbedge@centurylink.com

Shawn Starling, P.E.
Norfolk Southern Railway Corporation
650 West Peachtree Street, NW-Box 45
Atlanta, GA 30308
Douglas.starling@nscorp.com
PAPUC@aecom.com

Montgomery County
P.O. Box 311
Norristown, PA 19404
Matthew.Edmond@Montgomerycountypa.gov
Brian.Phillips@Montgomerycountypa.gov

Karen Weiss
Plymouth Township
700 Belvoir Road
Plymouth Meeting, PA 19462
plymouth@plymouthtownship.org

Pennsylvania Department of Transportation
Right-of-Way & Utility Division
Bureau of Design-Project Delivery
P.O. Box 3362
Harrisburg PA 17105-3362
marchappel@pa.gov

Pennsylvania Department of Transportation
District 6-0
Mary Ann Lang
7000 Geerdes Boulevard
King of Prussia, PA 19406-1525
malang@pa.gov

John Yurko
Comcast Cable Communications Inc
339 Baltimore Street
Shippensburg, PA 17257
John_yurko@cable.comcast.com

Darren Marsteller
Comcast Cable Communication
Management, LLC
234 West Main Street, Suite 103
Leola, PA 17540
dmarsteller@americomm-llc.com

Richard L. Williams
Lumen
Ritter Road, Suite 101
Mechanicsburg, PA 17055
Richard.l.williams@lumen.com

Pete Dettling
PECO Energy Company (Electric)
1050 West Swedesford Road
Berwyn, PA 19312
Charles.dettling@exeloncorp.com

John L. Ruskay
Sunoco Pipeline LP
525 Fritztown Road
Sinking Spring, PA 19608
John.ruskay@energytransfer.com

Scott Nubbemeyer
Verizon Pennsylvania, LLC
1050 Virginia Drive
Fort Washington, PA 19304
John.alessandrini@verizon.com
Scott.nubbemeyer@verizon.com

Service by First Class Mail:

William Dempster
UGI Utilities Inc.
1301 AIP Drive
Middletown, PA 17057

Erika Martino
Pennsylvania Turnpike Commission
700 South Eisenhower Blvd.
Middletown, PA 17057

David Hayward
Crown Castle (Fiber)
3200 Horizon Drive, Suite 150
King of Prussia, PA 19406

Tim Armstrong
Crown Castle (Fiber)
3200 Horizon Drive, Suite 150
King of Prussia, PA 19406

Michael Gabriel
PECO Energy Company (Gas)
1050 West Swedesford Road
Berwyn, PA 19312

John Alessandrini
Verizon Business
630 Clarks Avenue
King of Prussia, PA 19406

Jason Woodyshak
Windstream Communications
14 Corporate Circle, Suite 7
East Syracuse, NY 13057

Chris Ricciuti
Zayo Bandwidth
170 Robbins Road
Downingtown, PA 19335



Grant Rosul
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318204
(717) 783-5243
grosul@pa.gov