



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

IN REPLY PLEASE
REFER TO OUR FIL
A-2025-3056558

November 19, 2025

TO ALL PARTIES OF RECORD

Application of Norfolk Southern Railway Company for approval of the alteration of the crossing where State Route 0772 (Newport Road) crosses, at grade, track of Norfolk Southern Railway Company (DOT 517 736 W) by the replacement of the existing high-type concrete crossing surface with an asphalt crossing surface in Upper Leacock Township, Lancaster County.

To Whom It May Concern:

This matter is before us by reason of an application filed July 29, 2025, by Norfolk Southern Railway Company (NS) for approval of the alteration of the crossing surface where State Route 0772 (Newport Road) crosses, at grade, a single track of NS (DOT 517 736 W) in Upper Leacock Township, Lancaster County.

Upon receipt of the application, a field investigation and conference was arranged by a Commission staff engineer and held at the site of the subject crossing on September 15, 2025. A representative of Upper Leacock Township was in attendance. Although notified by letter dated September 4, 2025, sent via electronic mail, there were no representatives of UGI Utilities, Inc, Lancaster County, Frontier Communications of PA, Inc., USDI Utility Safety and Design, Inc., Buckeye Partners, PPL Electric Utilities Corporation, or the Pennsylvania Department of Transportation in attendance.

At the field conference, it was noted that State Route 0772 (Newport Road) is a two (2) lane, bidirectional roadway crossing a single track of NS near its intersection with State Route 1027 (Horseshoe Road). The crossing was equipped with cantilevered flashing light signals and gates on separate posts, on the northbound lane and post mounted flashing light signals and gates on the southbound travel lane. There are crossbucks (R15-1), emergency notification system signage (I13-1) and "DO NOT STOP ON TRACKS" signs (R8-8) on both sides of the crossing. The northbound and southbound approach roadways of State Route 0772 (Newport Road) are equipped with a grade crossing advance warning sign (W10-1). State Route 1027 (Horseshoe Road) is equipped with advance warning signs (W10-3) on both approaches to its intersection with State Route 0772 (Newport Road). There were no visible pavement markings or stoplines on State Route 0772 (Newport Road). The alteration of the crossing surface was complete at the time of the field conference. The new asphalt rail seal crossing

surface that replaced the previous concrete panels, was smooth and transitioned well to the approach roadway therefore the subject alteration was satisfactorily completed.

The purpose of the alteration was to enhance public safety, in that the existing concrete panel crossing surface was deteriorated beyond practical maintenance. Replacement was necessary to assure the continued safe passage of vehicular traffic.

The Commission hereby establishes its jurisdictional limits at the subject crossing as the area within the confines of the railroad right-of-way and the highway right-of-way.

NS will be directed to accept future maintenance responsibility for the railroad crossing surface to points 24-inches beyond the outside rail.

NS has served a copy of the application to all parties in interest. None of the parties have responded with any objection to the subject application.

The Commission has exclusive jurisdiction in crossing alterations and is the final arbiter of any fees associated with a crossing application. Any conditions, including fees associated with a crossing application, must be approved by the Commission.

Upon full consideration of the matters involved, we find that a hearing is not necessary and that a Secretarial Letter may be issued approving the application and affirming the alteration.

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.

We have carefully reviewed the record in this proceeding and are of the opinion that a public hearing is not necessary inasmuch as all work has been satisfactorily completed and the affected parties of record have not requested or petitioned the Commission for a hearing for any unresolved issues or final allocation of maintenance responsibilities and costs incurred by the project.

In the interest of public safety, we find that the action taken by Norfolk Southern Railway Company to replace the crossing surface as stated above, be affirmed, THEREFORE:

1. The caption of the subject proceeding is hereby revised as shown herein.
2. The action taken by Norfolk Southern Railway Company to alter the subject crossing by replacing the existing high type concrete panels with a rail seal and asphalt crossing surface be and is hereby affirmed.
3. Norfolk Southern Railway Company, at its sole cost and expense, furnish all material and perform all work necessary to alter the subject crossing by replacing the existing concrete panels with rail seal and asphalt where State Route 0772 (Newport Road) crosses, at grade, a single track of Norfolk Southern Railway Company (DOT 571 736 W) in Upper Leacock Township, Lancaster County, all in accordance with this Secretarial Letter.

4. Norfolk Southern Railway Company, at its sole cost and expense, furnish all material and perform all work necessary to establish and maintain any detours or traffic controls that may be required to properly and safely accommodate highway and pedestrian traffic during the time the crossing is being altered.

5. Any relocation of, changes in and/or removal of any adjacent structures, equipment or other facilities of any non-carrier public utility, which may be required as incidental to the alteration of the crossing, be made by said public utility at its initial cost, and in such a manner as will not interfere with the alteration of the crossing; and such relocated or altered facilities thereafter be maintained by said public utility, at its sole cost and expense.

6. Norfolk Southern Railway Company, at its sole cost and expense, furnish all material and perform all work necessary to complete the remainder of the project, and any other ancillary features of the project, generally in accordance with this Secretarial Letter.

7. Norfolk Southern Railway Company, at its sole cost and expense, pay all compensation for damages, if any, due to owners of property taken, injured, or destroyed by reason of the alteration of the crossing in accordance with this Secretarial Letter.

8. All parties involved herein cooperate fully with each other so that during the time the work is being performed, vehicular, pedestrian and railroad 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. Norfolk Southern Railway Company cooperate with the non-carrier utilities involved, so that during the alteration of the involved crossing, the facilities of the non-carrier utilities will not be endangered or unnecessarily interrupted.

10. Norfolk Southern Railway Company, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its railroad facilities through the subject crossing, including the cantilevered and post mounted warning devices, gates and all appurtenant equipment, and maintain at all times in a smooth and satisfactory condition the asphalt and rail seal crossing surface to points twenty-four (24) inches beyond each outside rail, in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter, and provide Pennsylvania Department of Transportation at least ten (10) business days advance notice when performing any work that may affect their facilities as directed by this paragraph.

11. Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and do all work necessary thereafter to maintain the highway to the subject crossing to points twenty-four (24) inches beyond each outside rail and in addition, maintain the grade crossing advance warning signs (W10-1) on State Route 0772 (Newport Road) and (W10-3) on State Route 1027 (Horseshoe Road), “DO NOT STOP ON TRACK” (R8-8) signs located at the crossing and stop lines and pavement markings, if required, 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 that may affect their facilities as directed by this paragraph.

12. Upon written request from any party of record, this proceeding be scheduled for a hearing at a time and place to be determined by the Commission, for the purpose of taking testimony upon the final allocation of any remaining costs incurred by the non-carrier utility companies and other matters relevant to this proceeding.

13. The Commission thereby issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that since all physical work has been completed, 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, stylized initial 'M'.

Matthew L. Homsher
Secretary