

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PPL Electric Utilities Corporation for	:	
approval of the alteration of the crossing where State	:	
Route 1005 (Mount Sidney Road) crosses, above grade,	:	
tracks of the National Railroad Passenger Service	:	A-2025-3054947
(AMTRAK) (DOT 518 160 Y) for the purpose of	:	
replacing an existing utility pole and relocating	:	
aerial utility lines in East Lampeter Township, Lancaster	:	
County	:	

PREHEARING CONFERENCE ORDER

An Initial Call-In Telephonic Prehearing Conference has been scheduled in this case for Tuesday, March 10, 2026, at 10:00 a.m. In anticipation of the prehearing conference, and in accordance with the provisions of 66 Pa.C.S. §333 and 52 Pa. Code §§5.221-5.223, this Prehearing Conference Order is being issued.

To participate in the prehearing conference, you must dial the toll-free number listed below. You will be prompted to enter a passcode number, which is also listed below. You will be asked to speak your name and then the telephone system will connect you to the hearing.

Toll-free Bridge Number: 888.456.5124

Passcode Number: 9563241

You must call into the hearing on the scheduled day and time. You will not be called by the Administrative Law Judge.

The parties shall comply with the following:

1. **Consistent with 52 Pa. Code § 5.222(d), on or before Friday, March 6, 2026, each party shall file and serve a prehearing memorandum.**

2. Entities receiving notice of the prehearing conference that are not yet parties to this proceeding may seek intervention pursuant to 52 Pa.Code §§ 5.71-5.75.

3. All parties must serve me at jcoogan@pa.gov with any documents you file in this proceeding. If you send any document or correspondence to me, you must send a copy to all other parties in the case. The current service list is attached to this order.

4. Pursuant to 52 Pa. Code §§1.21-1.23, you may represent yourself if you are an individual or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *pro hac vice*, represent you. However, if you are a partnership, corporation, trust, association, joint venture, other business organization, trust, trustee, legal representative, receiver, agency, governmental entity, municipality or other political subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania or admitted *pro hac vice* represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall ensure that their appearance is entered in accordance with the provisions of 52 Pa. Code § 1.24(b).

5. Parties that do not participate in the prehearing conference may be removed from the service list for this proceeding.

6. In preparation for the prehearing conference, parties should review the following Commission regulations regarding non-rate prehearing conferences:

(c) The following matters shall be considered at prehearing conference:

- (1) The possibilities for settlement of the proceeding, subject to the approval of the Commission.
- (2) The amount of hearing time which will be required to dispose of the proceeding and the establishment of a schedule of hearing dates.
- (3) Arrangements for the submission of direct testimony of witnesses in writing in advance of hearing to the extent practicable, and for the submission in advance of hearing or written requests for information which a party contemplates asking another party to present at hearing.

- (4) Other matters that may aid in expediting the orderly conduct and disposition of the proceeding and the furtherance of justice, including the following:
 - (i) The simplification of the issues.
 - (ii) The exchange and acceptance of service of exhibits proposed to be offered in evidence.
 - (iii) The obtaining of admissions as to, or stipulations of, facts not remaining in dispute, or the authenticity of documents which might properly shorten the hearing.
 - (iv) The limitation of the number of witnesses.
 - (v) A proposed plan and schedule of discovery which may include specific limitations on the number of written interrogatories and requests for admissions a party may propound on another party.
- (d) Parties and counsel will be expected to attend the conference fully prepared for a useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto.
 - (1) The preparation must include submission of a prehearing memorandum and list:
 - (i) The presently identified issues.
 - (ii) The names and addresses of the witnesses.
 - (iii) The proposed area of testimony of each witness.
 - (2) The preparation may include:
 - (i) Development of a proposed procedural schedule.
 - (ii) Advance study of all relevant materials.
 - (iii) Advance informal communication between the parties, including requests for additional data and information, to the extent it appears feasible and desirable.
- (e) Failure of a party to attend the conference, after being served with notice of the time and place thereof, without good cause shown, shall constitute a waiver of all objections to the agreements reached and to an order or ruling with respect thereto.

52 Pa. Code §§ 5.222(c)-(e).

7. The parties shall provide information in their written testimony responding to the list of Questions and Procedure prepared by the Commission's Bureau of Technical Utility Services attached to this Prehearing Conference Order.

8. Parties should review the regulations relating to discovery – specifically 52 Pa. Code § 5.331(b) – which provides, inter alia, that participants try to initiate discovery as early in the proceeding as possible – and 52 Pa. Code § 5.322 – which encourages parties to exchange information on an informal basis. The parties are expected to pursue resolution of discovery issues among themselves; motions to compel should be filed only after such efforts have failed.

9. Any request for a change of the scheduled prehearing conference date shall state the agreement or opposition of other parties, and shall be filed no later than five (5) days prior to the prehearing conference. 52 Pa. Code § 1.15(b). Requests for change must be sent to me, with copies to all parties of record.

10. Parties are reminded that Commission policy promotes settlements. 52 Pa. Code § 5.231(a). The parties are encouraged to commence settlement discussions amongst themselves for this proceeding as early as possible. Even if the parties are unable to settle this case, they may still resolve some of the questions or issues during their discussions. If the parties reach an agreement on all issues, a formal hearing will not be necessary. The parties are also reminded that the presiding officer may participate in settlement discussions upon agreement of all parties. 52 Pa. Code § 5.223(c); *see also*, 52 Pa. Code § 5.231(c).

Date: February 17, 2026

/s/

John M. Coogan
Administrative Law Judge

QUESTIONS AND PROCEDURE

1. National Railroad Passenger Corporation (AMTRAK) submit evidence of the location of its Right of Way lines at the public highway/rail crossing (DOT 518 160 Y) where State Route 1005 (Mount Sidney Road) crosses, above grade, tracks of AMTRAK.
2. Pennsylvania Department of Transportation (Department) submit evidence of the location of its Right of way lines at the public highway/rail crossing (DOT 518 160 Y) where State Route 1005 (Mount Sidney Road) crosses, above grade, tracks of AMTRAK.
3. PPL Electric Utilities, Corporation (PPL) submit testimony and evidence of the location of the wooden and metal poles located at the public highway/rail crossing (DOT 518 160 Y).
4. AMTRAK submit testimony and evidence of all operator(s) of the railroad line at the subject public highway/rail crossing (DOT 518 160 Y).
5. AMTRAK submit testimony and evidence as to the number of sets of tracks presently located at the subject highway/rail crossing.
6. AMTRAK submit testimony and evidence indicating the average daily number of trains that run below the existing highway/rail crossing structure.
7. AMTRAK provide testimony on whether it believes the Pennsylvania Public Utility Commission has exclusive jurisdiction within a Pennsylvania public highway/rail crossing.
8. AMTRAK provide testimony on whether it believes utilities such as PPL have due process rights with the Pennsylvania Public Utility Commission to alter, occupy, relocate, maintain and or construct, its facilities within a Pennsylvania public highway/rail crossing.
9. AMTRAK provide testimony and evidence on whether it submits rail safety applications as the applicant to the Pennsylvania Public Utility Commission when it alters its bridge structures and facilities located within a Pennsylvania public highway/rail crossing.
10. AMTRAK provide testimony and evidence on whether it submits rail safety applications to the Pennsylvania Public Utility Commission when it constructs above grade and at-grade crossings in Pennsylvania.
11. AMTRAK provide testimony and evidence on whether it submits rail safety applications to the Pennsylvania Public Utility Commission when it relocates above grade and at-grade crossings in Pennsylvania.

12. AMTRAK provide testimony and evidence on how much it charges in fees, license agreements, occupation and permits for utilities to alter, construct, abandon and or relocate its facilities within a Pennsylvania Public Utility Commission jurisdictional public highway/rail crossing.
13. AMTRAK provide testimony and evidence of federal statutes that mandate that highway entities or utilities have to enter into a license agreement with AMTRAK within a Pennsylvania Public Utility Commission jurisdictional public highway/rail crossing.
14. AMTRAK provide testimony and evidence on whether maintenance of its own facilities within a Pennsylvania Public Utility Commission jurisdictional public highway/rail crossing is a tax on AMTRAK.
15. AMTRAK provide testimony and evidence on what entity should be responsible for maintenance of AMTRAK facilities within a Pennsylvania Public Utility Commission jurisdictional public highway/rail crossing.
16. AMTRAK submit testimony and evidence as to whether they are the owner of the rail lines and railroad infrastructure along this line and lines that are located under or near the public highway/rail crossing structure.
17. AMTRAK submit testimony and evidence as to the existing minimum horizontal clearance, as measured from the centerline of tracks to the substructures of the existing highway/rail crossing structure.
18. AMTRAK submit testimony and evidence as to the existing minimum vertical clearance, as measured from the top of tracks for each set of tracks to the bottom of the existing PPL aerial facilities at the public highway/rail crossing.
19. PPL submit testimony and evidence providing the construction scheduling it would need for the removal of the existing wooden pole and restringing of aerial facilities onto the metal pole at the subject highway/rail crossing structure.
20. PPL submit testimony indicating what portion of the work and cost it will agree to perform and bear for the future maintenance and replacement of their utility facilities at the existing public highway/rail crossing.
21. PPL submit any past orders or actions of this Commission, or its predecessor, which may have dealt with the construction, alteration, or reconstruction or maintenance of utility facilities at the subject highway/rail crossing structure involved herein.
22. Whether any party in interest, or any other party, desires to submit any additional relevant testimony.

A-2025-3054947 - APPLICATION OF PPL ELECTRIC UTILITIES FOR APPROVAL OF THE ALTERATION OF THE CROSSING 518160Y BY THE INSTALLATION OF ELECTRIC FACILITIES WHERE MOUNT SIDNEY ROAD (STATE ROAD 1005) CROSSES BY OVERPASS THE TRACKS OF AMTRAK, LOCATED IN EAST LAMPETER TOWNSHIP IN LANCASTER COUNTY

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