

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of	:	
Transportation of the Commonwealth of	:	
Pennsylvania to Alter the Public	:	Docket No. A-2023-3037711
Above-Grade Crossing by Replacing	:	
The Existing Bridge where State Road 3022	:	
(Maclay Street) Crosses, Above-Grade, the	:	
Tracks of Norfolk Southern Railroad	:	
(DOT No.: 518 088 K) in the City of Harrisburg,	:	
Dauphin County PA, and the Allocation of	:	
Costs Incident Thereto	:	Filed Electronically

PREHEARING CONFERENCE MEMORANDUM OF DAUPHIN COUNTY

I. History of the Proceeding

On January 19, 2023, the Pennsylvania Department of Transportation (hereafter, Department) filed the above-captioned Application with the Commission. Pursuant to the Application (see ¶5 thereof), the Department “is seeking approval to replace the superstructure of the existing bridge carrying State Route 3022, Segment 0030, Offset 0000 over the tracks of Norfolk Southern Railroad at railroad milepost PT-106.04.” According to the Department, “[i]t is anticipated that the funding for the project will be 100% Federal funds.” (See Application at ¶8.)

On May 4, 2023, the Commission issued a Secretarial Letter pursuant to which it “finds that the alteration of the crossing is necessary and proper for the service, accommodation, convenience or safety of the public.” (Secretarial Letter at page 4.) Moreover, pursuant to the Secretarial Letter, “[t]he application of [the Department] is approved as herein directed[.]” (Id.)

The Commission thereafter directs twenty-five steps be taken to alter the public crossing. The costs and expenses of such alteration are largely allocated to the Department and Norfolk Southern Railway Company. (See, e.g., Secretarial Letter at nos. 3-8, 12, 19-21.) Limited costs and expenses are allocated to the City of Harrisburg (see nos. 22 and 23.) None are allocated to Dauphin County.

Thereafter, certain documents were filed pursuant to the Secretarial Letter.

On April 30, 2025, Norfolk Southern Railway Company filed an Objection to Final Right-of-Way Plan Submission for SR 3022 Section 005 R/W.

Pursuant to the Fourth Prehearing Conference Order, a prehearing conference shall be held on Tuesday, March 3, 2026.

II. Statement of Legal Issues

Whether any costs and expenses of the ordered alteration should be allocated to Dauphin County. (Suggested answer in the negative.)

III. Witnesses

Daniel F. Long, P.E.
Team Leader/Transportation
Herbert, Rowland & Grubic, Inc.
369 East Park Drive
Harrisburg, PA 17111

The subject of Mr. Long's testimony will be the unreasonableness of making any cost allocation to Dauphin County. His testimony will consist of an engineering analysis.

Respectfully submitted,

/s/ Guy P. Beneventano

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