

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of :
Transportation of the Commonwealth of : Docket No. A-2021-3028010
Pennsylvania for Approval to Alter the Public :
Crossing (DOT 518 047 F) by the : Electronically Filed
Replacement of the Viaduct Bridge, :
Approach Structure to the John Harris :
Memorial Bridge, Where State Route 0083 :
(Interstate 83) Crosses, Above Grade, Front :
Street, Ramp C, Ramp B, the Tracks of :
National Railroad Passenger Corporation :
(AMTRAK) and Norfolk Southern Railway :
Company Located in the City of Harrisburg, :
Dauphin County :

**NORFOLK SOUTHERN RAILWAY COMPANY'S
PREHEARING CONFERENCE MEMORANDUM**

Norfolk Southern Railway Company (“Norfolk Southern”), by and through its undersigned counsel, hereby files this Prehearing Conference Memorandum in the above proceeding, pursuant to the Prehearing Conference Order of Administrative Law Judge (“ALJ”) Chad L. Allensworth, dated January 5, 2026.

1. History of the Proceeding.

On August 6, 2025, Norfolk Southern objected to the final, signed and sealed electric traction/catenary structure plans submitted by the Pennsylvania Department of Transportation (“PennDOT”) and approved by the Commission in the July 17, 2025, Secretarial Letter, because the proposed location of the Amtrak catenary towers will interfere with Norfolk Southern’s future operations.

Specifically, the proposed catenary towers P-1662 1/2 and P-1661 1/2 would not permit Norfolk Southern to install a future additional track. The existing structures being replaced

by PennDOT allow Norfolk Southern to construct the additional track, which was likely present at some point in the history of the existing catenary towers. The proposed catenary tower locations provide less horizontal clearance and would not permit an additional Norfolk Southern track to be constructed for that reason.

2. Norfolk Southern’s Position on Each Issue Listed in the Commission’s Opinion and Order for this matter entered on October 9, 2025.

- a. Should PennDOT be ordered to alter its construction plans for the project to allow Norfolk Southern to construct an additional track on its property at the crossing?

Suggested answer in the affirmative.

- b. Alternatively, would approval of PennDOT’s currently submitted plans be preempted by the Interstate Commerce Commission Termination Act of 1995, 49 U.S.C. § 10101, *et seq.* (“ICCTA”) as the proposed location of Amtrak’s catenary towers would impede and unduly burden Norfolk Southern’s future rail operations?

Suggested answer in the affirmative.

3. Proposed Plan and Schedule of Discovery.

See below.

4. Listing of Proposed Witnesses and Subject of Testimony

Robert Hoffer, PE
Structural Engineer, Transportation
AECOM
110 Sterling Parkway
Mechanicsburg, PA 17050
Telephone: (717) 790-3467
Email: Robert.Hoffer@aecom.com

5. Possibility of Settlement

As the parties are cooperating to try to accommodate each other's needs, Norfolk Southern believes the possibility of settlement is good. Specifically, counsel for Norfolk Southern has been informed that PennDOT recently sent updated plans regarding the catenary poles to Amtrak for its review.

6. The Amount of Hearing Time Needed.

A half day total.

7. Proposed Litigation Schedule Agreed to by all Parties.

Discovery Complete by: April 10, 2026

Joint Stipulation: May 1, 2026

Written Testimony: May 8, 2026

Written Rebuttal Testimony: June 8, 2026

Provide witness schedule 3 business days before the hearing

Hearing: week of June 22, 2026

Briefing schedule to be established at the hearing.

8. **Other Matters Deemed Appropriate.**

None

Respectfully submitted,

**COHEN, SEGLIAS, PALLAS,
GREENHALL & FURMAN, PC**

By: 

Benjamin C. Dunlap, Jr., Esquire

Supreme Court I.D. #66283

Joshua D. Bonn, Esquire

Supreme Court I.D. # 93967

240 North Third Street, 7th Floor

Harrisburg, PA 171101

Telephone: 717-480-5303

Email: bdunlap@cohenseglias.com

jbonn@cohenseglias.com

Counsel for Norfolk Southern Railway Company

Date: March 4, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of :
Transportation of the Commonwealth of : Docket No. A-2021-3028010
Pennsylvania for Approval to Alter the Public :
Crossing (DOT 518 047 F) by the : Electronically Filed
Replacement of the Viaduct Bridge, :
Approach Structure to the John Harris :
Memorial Bridge, Where State Route 0083 :
(Interstate 83) Crosses, Above Grade, Front :
Street, Ramp C, Ramp B, the Tracks of :
National Railroad Passenger Corporation :
(AMTRAK) and Norfolk Southern Railway :
Company Located in the City of Harrisburg, :
Dauphin County :

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing Prehearing Conference

Memorandum in the above-captioned action this day via electronic mail and/or USPS First Class

Mail to the following:

Leah Jo Bobula
Governor's Office of General Counsel
Pennsylvania Department of Transportation
400 North Street
Harrisburg, PA 17120
lbobula@pa.gov

Charlotte Krupa
PPL Electric Utilities Corporation
2 North Ninth Street. GENN3
Allentown, PA 18101-1179
cakrupa@pplweb.com

Candace Hager
Third Party Development Lead
National Railroad Passenger Corporation
Amtrak's 30th St. Station
4S Box 64
Philadelphia, PA 19104
Candace.Cervino@amtrak.com

Ahmed Lasloudji
Engineer
PennDOT District 8-0
Grade Crossing Unit
2140 Herr Street
Harrisburg, PA 17013
alasloudji@pa.gov

Douglas Starling, PE
Norfolk Southern Railway Company
1200 Peachtree Street NE
12th Floor
Atlanta, GA 30309
douglas.starling@nscorp.com

Julianne Freeman
Norfolk Southern Corporation
650 West Peachtree Street NW
Atlanta, GA 30308
Julianne.freeman@nscorp.com

Isaac P. Wakefield
Scott T. Wyland, Esquire
Salzmann Hughes, PC
1801 Market Street, Suite 300
Camp Hill, PA 17011
iwakefield@salzmannhughes.com
swyland@salzmannhughes.com

James Jacobsen
Zayo Bandwidth
2561 Bernville Road
Reading, PA 19605
James.jacobsen@zayo.com

Christopher Kufro
Executive – PennDOT District 5-0
2140 Herr Street
Harrisburg, PA 17103-1699
ckufro@pa.gov

Kevin Keefe
District Executive – PennDOT
Engineering District 8-0
2140 Herr Street
Harrisburg, PA 17103-1699
kkeefe@pa.gov

Scott Dreiling
Verizon Business MCI
630 Clark Avenue
King of Prussia, PA 19406
Scott.j.dreiling@verizon.com

Daniel Leonard
Grade Crossing Manager
Engineer
PennDOT
PO Box 3362
400 North Street
Harrisburg, PA 17105-3362
Served via USPS First Class Mail

Robert Zimmel
Verizon Pennsylvania Inc.
509 Cherry Drive
Hershey, PA 17033
Served via USPS First Class Mail

Mike Sweigard
Comcast Cable Communications Inc.
4601 Smith St.
Harrisburg, PA 17109
Served via USPS First Class Mail

Date: March 4, 2026

/s/ Karen L. Gagne

Karen L. Gagne, Administrative Assistant to
Benjamin C. Dunlap, Jr., Esquire