



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

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

March 6, 2026

Via Electronic Filing

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

Re: 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 (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
Docket No. A-2025-3054947

I&E Prehearing Conference Memorandum

Dear Secretary Homsher:

Enclosed for electronic filing is the Bureau of Investigation and Enforcement's ("I&E") **Prehearing Conference Memorandum** in the above-referenced matter.

Copies have been served on the parties of record in accordance with the attached Certificate of Service. If you have any questions, please contact the undersigned.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Rosul', is written over a light blue horizontal line.

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 John M. Coogan (via e-mail – jcoogan@pa.gov)
William Sinick, P.E. (via email – wilsinick@pa.gov)

**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 : Docket No. 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 MEMORANDUM
OF THE
BUREAU OF INVESTIGATION AND ENFORCEMENT**

TO ADMINISTRATIVE LAW JUDGE JOHN M. COOGAN:

The Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”) files this Prehearing Conference Memorandum in accordance with the Prehearing Conference Order of Administrative Law Judge (“ALJ”) John M. Coogan dated February 17, 2026.

I. HISTORY OF THE PROCEEDING

On May 1, 2025, PPL Electric Utilities Corp. (“PPL”) filed an application with the Commission to alter its facilities within the public right-of-way of Mount Sidney Road in East Lampeter Township, Lancaster County, Pennsylvania, where said road crosses the facilities of the National Railroad Passenger Service (“Amtrak”) at public rail-highway crossing DOT 518 160 Y.

On May 27, 2025, The Commission's Bureau of Technical Utility Services – Rail Safety Division issued a letter to the interested parties, including PPL and Amtrak, apprising the parties that objections to the application were due by June 16, 2025.

On June 16, 2025, Amtrak filed an objection to PPL's application to alter its facilities.

On July 1, 2025, PPL filed Preliminary Objections to Amtrak's letter objecting to the application.

On August 13, 2025, Amtrak filed an Answer to PPL's Preliminary Objections, along with New Matter.

Also on August 13, 2025, Amtrak filed a Protest to PPL's May 1, 2025, application.

On September 2, 2025, PPL filed its Reply to New Matter.

On September 17, 2025, Amtrak filed a Motion to Supplement the Record to which PPL filed an answer on October 7, 2025.

On February 9, 2026, the undersigned counsel entered his appearance in this matter on behalf of I&E.

On February 12, 2026, an Initial Telephonic Prehearing Conference Notice was issued by the Presiding Officer scheduling a telephonic prehearing conference for March 10, 2026.

On February 17, 2026, a Prehearing Conference Order was issued by the Presiding Officer in this matter, requesting Prehearing Memoranda from the parties to be filed no later than Friday, March 6, 2026.

II. I&E PREHEARING CONFERENCE MEMORANDUM

A. Service

All service on and communication to I&E in this proceeding should be addressed to:

By Mail: Grant Rosul, Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

By Telephone: (717) 783-5243

By E-mail: grosul@pa.gov

B. Issues to be Addressed

The issues to be addressed are whether PPL's electric line and other facilities are within the right-of-way of Mount Sidney Road in East Lampeter Township, Lancaster County, Pennsylvania, and if so, whether the Commission's regulation of the rail-highway crossing at Amtrak's facilities is barred by the doctrine of federal preemption on the ground that Amtrak was established by a federal statute, specifically the Rail Passenger Service Act of 1970, P.L. 91-518, 84 Stat. 1327.

It is the position of I&E that the Commission retains jurisdiction over public rail-highway crossings even when the rail utility is a federally-created entity.

C. Witnesses

Should this matter proceed to a hearing, I&E's witness will be William Sinick, P.E., Senior Civil Engineer Manager, Pennsylvania Public Utility Commission, Bureau of Technical Utility Services, Rail Safety Division.

William Sinick's contact information is as follows:

William Sinick, P.E.
Pennsylvania Public Utility Commission
Bureau of Technical Utility Services – Rail Safety Division
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 787-5936
wilsinick@pa.gov

I&E reserves the right to modify the identified witness and/or present additional witnesses as it deems necessary based on the issues identified by the parties.

D. Position Regarding Written Pre-Served Testimony

I&E supports the use of written pre-served testimony in this matter. In addition to serving judicial efficiency and conserving Commission resources, pre-served written testimony will allow for better understanding among the parties to have testimony presented in a written format given the technical nature of this matter.

E. Statement Regarding Settlement

I&E supports settlement of this matter and is open and willing to discuss settlement with PPL and Amtrak.

F. Amount of Hearing Time Needed

Should this matter proceeding to a hearing, I&E estimates that one half day (4 hours) for a hearing would be sufficient. This estimation may change depending on the witnesses offered and testimony presented by Amtrak and PPL.

G. Plan and Schedule of Discovery

I&E proposes that discovery be conducted consistent with the Commission's regulations at 52 Pa. Code §§ 5.321, *et seq.*

H. Proposed Litigation Schedule

I&E proposes the following litigation schedule:

1. Written direct testimony due on May 22, 2026.
2. Written rebuttal testimony due on June 5, 2026.
3. Witness schedule due 3 business days before the hearing.
4. Hearing to occur the week of June 15, 2026.
5. Briefing schedule to be established at the hearing.

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, PA 17120
Phone: (717) 783-5243
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Dated: March 6, 2026

**BEFORE THE
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purpose of replacing an existing utility pole :
and relocating aerial utility lines in East :
Lampeter Township, Lancaster County :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Prehearing Conference Memorandum** dated March 6, 2026, upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

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