

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation :
of the Commonwealth of Pennsylvania for :
Approval to Alter the Public Above-Grade Crossing :
by Replacing the Existing Bridge Where State :
Route 3022 (Maclay Street) Crosses Above Grade : A-2023-3037711
the Tracks of Norfolk Southern Railway Co :
Railroad (DOT No.: 518 088 K) in the City of :
Harrisburg, Dauphin County, and the Allocation :
of Costs Incident Thereto :

PREHEARING ORDER FOR IN-PERSON HEARING

On or about January 19, 2023, Pennsylvania Department of Transportation (“PennDOT”) filed an application for the alteration of the public grade where State Route 3022 (Maclay Street) crosses above grade the tracks of the railroad at DOT No.: 518 088 K in the City of Harrisburg, Dauphin County.

On March 2, 2023, a Public Utility Commission (“Commission”) staff engineer conducted a virtual field investigation and conference at the site of the crossing.

On May 4, 2023, the Commission issued a Secretarial Letter that approved PennDOT’s application as directed subject to 25 specific steps to be taken.

On April 9, 2025, PennDOT filed Final Right-of-Way Plans for SR 3022 Section 005.

On April 29, 2025, Norfolk Southern Railway Company (“Norfolk”) objected to PennDOT’s Final Right-of-Way Plans.

On May 8, 2025, PennDOT filed its Answer to Norfolk's objections.

The telephonic prehearing conference convened as scheduled on March 3, 2026. Counsel for the PennDOT, Norfolk and Dauphin County appeared for the prehearing conference.

THEREFORE,

IT IS ORDERED:

1. LITIGATION SCHEDULE. The following schedule is adopted:

- a. Discovery completed by: **April 7, 2026**
- b. Joint stipulations submitted due: **April 17, 2026**
- c. Written direct testimony due: **May 1, 2026**
- d. Written rebuttal testimony due: **June 1, 2026**
- e. Witness schedule due: **June 11, 2026**
- f. Briefing schedule to be established at hearing

2. DATE AND TIME OF HEARING. An initial in-person hearing will be held in this case on:

Wednesday, June 17, 2026, beginning at 10:00 AM

Location: Hearing Room 4, Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Witnesses must be present at the time of the hearing.

3. **PRESENTING DOCUMENTS/EXHIBITS.** That the parties shall copy all other parties on documents they file with the Commission or serve on me. Any documents filed with the Secretary's Bureau shall be served on the other parties and also be emailed to me at callenswor@pa.gov.

4. **WRITTEN TESTIMONY.** That written testimony shall comply with the requirements of 52 Pa. Code § 5.412 and shall be marked with numerical, sequential statement numbers. No written testimony will be admitted into evidence unless accompanied by a verification or affidavit of the witness.

5. **INTRODUCTION OF EVIDENCE IN REBUTTAL.** That all parties shall comply with the provisions of 52 Pa. Code § 5.243(e) which prohibits the introduction of evidence during rebuttal which should have been included in the party's case-in-chief or which substantially varies from the party's case-in-chief unless the party is introducing evidence in support of a proposed settlement.

6. **STIPULATIONS.** That the parties shall stipulate to any matters they reasonably can to expedite this proceeding, lessen the burden of time and expenses in litigation on all parties and conserve precious administrative hearing resources. 52 Pa. Code §§ 5.232 and 5.234.

7. **SUBPOEANAS.** That parties intending to subpoena witnesses for the evidentiary hearing, shall review the procedures established in 52 Pa. Code § 5.421 and shall submit any written application to me sufficiently in advance of the evidentiary hearing date so that the other parties will have the required ten (10) days' notice to answer or object, and so that the party requesting the subpoena shall have enough time to receive the subpoena and serve it.

8. **SETTLEMENT.** That Commission policy is to encourage settlements. 52 Pa. Code § 5.231(a). Therefore, you are urged to discuss informally

A-2023-3037711 - APPLICATION OF THE DEPARTMENT OF TRANSPORTATION OF THE COMMONWEALTH OF PENNSYLVANIA TO ALTER THE PUBLIC ABOVEGRADE CROSSING BY REPLACING THE EXISTING BRIDGE WHERE STATE ROUTE 3022 (MACLAY STREET) CROSSES ABOVE GRADE THE TRACKS OF NORFOLK SOUTHERN RAILROAD (DOT 518 088 K) IN THE CITY OF HARRISBURG, DAUPHIN COUNTY, AND THE ALLOCATION OF COSTS INCIDENT THERETO.

Revised March 4, 2026

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