



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

IN REPLY PLEASE
REFER TO OUR FILE

March 18, 2026

C-2024-3045375

TO ALL PARTIES OF RECORD

Stephen Poole, Complainant
V.
East Penn Railroad, LLC and PennDOT, Respondents

To Whom It May Concern:

This matter is before the Commission by reason of a Formal Complaint filed by a private citizen, Stephen Poole (Complainant), alleging the public crossing (DOT 531 793 U) where Crowl Toot Road (T-340) crosses, at grade, a single track of East Penn Railroad, LLC (East Penn) located in Lower Oxford Township, Chester County is in poor condition and in need of repairs. The Formal Complaint was received by the Commission on December 13, 2023.

Upon receipt of the Formal Complaint a field investigation and conference was arranged by a Commission staff engineer and held on February 5, 2024, at the site of the subject crossing with representatives of East Penn, the Pennsylvania Department of Transportation (Department), Lower Oxford Township, and the Complainant in attendance. Although notified by letter sent via email dated January 22, 2024, there were no representatives from Chester County in attendance.

At the field investigation and conference the condition of the crossing surface was discussed with all attending parties. East Penn agreed to make temporary repairs to the crossing surface at its sole cost and expense, and the Department indicated it would work with East Penn to allocate Federal Grade Crossing (Section 130) funding to replace the crossing surface and upgrade the railroad warning devices.

On November 4, 2024, the Commission received the Department's application requesting approval to alter the subject crossing docketed at A-2024-3051951. On January 6, 2025, the Commission approved the Department's application, the allocation of costs, and assignment of future maintenance responsibilities at the subject crossing.

On January 8, 2026, the Department notified the Commission via email that the alteration of the subject crossing had been completed. A final inspection was arranged by a Commission staff engineer and held on March 11, 2026, where it was determined that all work had been satisfactorily completed.

A Commission staff engineer made multiple attempts at contacting the Complainant, including extending an invitation to participate in the final inspection. No responses from the Complainant have been received, nor were they in attendance at the final inspection. No party present at the final inspection stated they were seeking any reimbursement for costs it incurred on the project. We have carefully reviewed the record of this proceeding and find that all outstanding matters have been satisfied by the parties.

After a careful review of the record, we find that the matters brought to the Commission's attention by the Formal Complaint have been addressed by the Department's application docketed at A-2024-3051951, therefore the subject case can be closed.

The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that:

1. The case be "CLOSED."

The Parties are reminded that failure to comply with this or any Order or Secretarial Letter in this proceeding may result in an enforcement action seeking civil penalties and/or other sanctions pursuant to 66 Pa. C.S. § 3301.

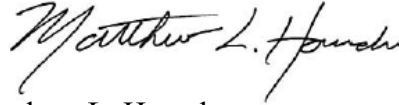
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax or by e-mail. Parties are encouraged to file formal documents by eFiling with the Secretary of the Commission by opening an eFiling account through the Commission's website (the account is free of charge) and accepting eservice at <https://www.puc.pa.gov/filing-resources/efiling/>.

If your filing contains confidential material, you are required to file by overnight delivery to ensure the timely filing of your submission. There are certain filings that cannot be eFiled, such as filings containing confidential or proprietary material. These must be submitted to the Secretary by overnight delivery, priority, or certified mail to allow tracking of your filing.

If you are dissatisfied with the resolution of this matter, you may, as set forth in 52 Pa. Code §§ 1.31 and 5.44, file a Petition for Reconsideration from Staff Action (Petition) with the Commission within twenty (20) days of the date of this letter. The Petition shall be eFiled with the Secretary of the Commission or sent to: Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120, and must be filed within twenty (20) days, or if no timely request is made, the action will be deemed to be a final action of the Commission.

The Petition MUST include: (1) a written statement (divided into numbered paragraphs) outlining the reasons for the request; (2) the case docket number (it is provided for you at the top right-hand corner of this letter); (3) the party on whose behalf the petition is made; (4) a Certificate of Service on the other parties of record; and (5) a Verification with original signature in accordance with 52 Pa. Code § 1.36.

Very truly yours,

A handwritten signature in black ink that reads "Matthew L. Homsher". The signature is written in a cursive style with a large, stylized initial "M".

Matthew L. Homsher
Secretary