

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

1. <u>REPORT DATE:</u> February 4, 1987	2. <u>BUREAU AGENDA NO.</u> MAR-87-SC-RS-84* Revised
3. <u>BUREAU:</u> Safety and Compliance	
4. <u>SECTION(S):</u> Rail Safety	5. <u>PUBLIC MEETING DATE:</u> March 5, 1987
6. <u>APPROVED BY:</u> Director: Nicely 3-3846 Supervisor: Lehman 7-9732	
7. <u>MONITOR:</u>	
8. <u>PERSON IN CHARGE:</u> Calder 7-5648	
9. <u>DOCKET NO:</u> A-00105535	

10. (a) CAPTION (abbreviate if more than 4 lines)
 (b) Short summary of history & facts, documents & briefs
 (c) Recommendation

(a) Application of Consolidated Rail Corporation for approval of the alteration of the at-grade, above-grade and below-grade crossings of its tracks in Perry, Juniata, Mifflin, Huntingdon and Blair Counties.

(b) By its order entered April 24, 1985, the Commission approved the application of Consolidated Rail Corporation and directed the railroad company, on or before December 31, 1986, to alter 50 crossings, at-grade and grade-separated, of public highways and its mainline tracks in Perry, Juniata, Mifflin, Huntingdon and Blair Counties. A petition was filed December 15, 1986 by the railroad company, requesting modification of the above-referenced order by an extension of time, for the reason that with the exception of Crossing No. 8, all work has been completed. However, two of the crossings have been repaved on a temporary basis, due to the arrival of winter weather. In regard to Crossing No. 8, the railroad company requests permission to retain the second track through the crossing, for operating purposes, thereby eliminating the necessity to alter the crossing. Accordingly, the railroad company requests an extension of time until July 31, 1987 to complete Crossings Nos. 7 and 15 by installation of permanent paving, and withdrawal of the alteration of Crossing No. 8.

(Continued)

11. MOTION BY: Commissioner Shane Commissioner Chm. Taliaferro - Yes
 Commissioner
 SECONDED: Commissioner Fischl Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

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(c) The Bureau of Safety and Compliance recommends issuance of an order granting the petition filed December 15, 1986 by the railroad company. There are no objections to the petition by any party in interest.

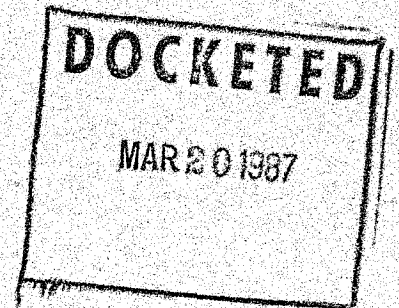


COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

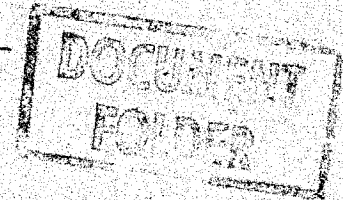
March 16, 1987

IN REPLY PLEASE
REFER TO OUR FILE
A-00105535

To All Parties



Application of Consolidated Rail Corporation, for approval of the alteration of the crossings, at grade, above grade or below grade, by removal of the tracks of said corporation where they cross public highways at 46 locations, at in Perry, Juniata, Mifflin, Huntingdon and Blair Counties.



To Whom It May Concern:

This is to advise you that an Order has been adopted by the Commission in public meeting held March 5, 1987.

A Copy of an Order has been enclosed for your records.

Very truly yours,


Jerry Rich, Secretary

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Encls.
Cert. Mail

Bureau of S & C - Rail Trans.
Similar letter to: See attached list.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held March 5, 1987

Commissioners Present:

Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane

Application of Consolidated Rail Corporation, for approval of the alteration of the crossings, at-grade, above-grade or below-grade, by removal of the tracks of said corporation where they cross public highways at 46 locations, in Perry, Juniata, Mifflin, Huntingdon and Blair Counties.

A-00105535

ORDER

BY THE COMMISSION:

This matter is before us upon a petition filed December 15, 1986 by Consolidated Rail Corporation, seeking modification of the Commission order entered April 24, 1985, which order directed the railroad company, on or before December 31, 1986, to complete the work of altering 50 railroad-highway crossings of public highways and its tracks, in Perry, Juniata, Mifflin, Huntingdon and Blair Counties.

The railroad company, in its petition, requests an extension of time, from December 31, 1986 to July 31, 1987, within which to complete the work, pointing out that all of the crossings, with the exception of Crossing No. 8 have been altered, but that it was not possible to place permanent paving material in two of the crossings (Nos. 7 and 15) on or before December 31, 1986, due to the onset of winter weather. The railroad company proposes to remove the temporary material and install permanent paving material on or before July 31, 1987.

Subsequent to the Commission order entered April 24, 1985, the railroad company determined that the second track through Miller Township Road 440 (Crossing No. 8), should be retained for operating purposes, thereby negating the necessity for the alteration of the crossing. Accordingly, the railroad company, in its petition, requests that the Commission order be modified so as to exclude any reference to the alteration of said crossing.

Each party to the proceeding has been served with a copy of the petition and none has advised that it has any objection to the petition filed by the railroad company.

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We have carefully reviewed the record in this proceeding and the petition filed December 15, 1986 by Consolidated Rail Corporation, and are of the opinion that the subject petition should be granted, and with the requirement that the railroad company notify the Commission, by letter, not later than June 30, 1987, of the progress of the work, we will modify the order entered April 25, 1985 accordingly; THEREFORE,

IT IS ORDERED:

1. That the petition filed December 15, 1986 by Consolidated Rail Corporation be and is hereby granted.

2. That numbered Paragraph 9 on Page 7 of our order entered April 24, 1985, which reads as follows, to wit:

"9. That all work necessary to complete the alteration of the railroad-highway crossings be done in a manner satisfactory to this Commission on or before December 31, 1986, and that on or before said date, Consolidated Rail Corporation report to this Commission the date of actual completion of the work; said notification to include letters of approval of said work from each of the involved government entities."

be and is hereby modified to read as follows:

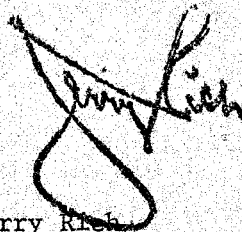
9. That all work necessary to complete the alteration of the railroad-highway crossings be done in a manner satisfactory to this Commission on or before July 31, 1987, and that on or before said date, Consolidated Rail Corporation report to this Commission the date of actual completion of the work; said notification to include letters of approval of said work from each of the involved government entities.

3. That numbered Paragraphs 4 and 12 on Pages 6 and 8 of our order entered April 24, 1985 be and are hereby modified so as to exclude any reference to the crossing, at grade, of Township Road 440 and the tracks of Consolidated Rail Corporation (Crossing No. 8), located in Miller Township, Perry County.

4. That Consolidated Rail Corporation notify the Commission, by letter, not later than June 30, 1987, of the progress of the work.

5. That in all respects not inconsistent herewith, our order entered April 24, 1985 remain in full force and effect.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Krich". The signature is written in a cursive style with a large, sweeping initial "J".

Jerry Krich
Secretary

(SEAL)

ORDER ADOPTED: March 5, 1987

ORDER ENTERED: **MAR 16 1987**