



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

IN REPLY PLEASE
REFER TO OUR FILE

March 31, 2026

A-2025-3056342

TO ALL PARTIES OF RECORD

Application of the Pennsylvania Department of Transportation for approval to alter the public crossing (DOT 592 183 D) by the replacement of the existing bridge where State Route 3005 (40th Street) crosses, above grade, the tracks of Norfolk Southern Railway Company located in Swatara Township, Dauphin County, and the allocation of costs incident thereto.

To Whom It May Concern:

This matter is before us by reason of an application filed with the Commission on July 17, 2025, by the Pennsylvania Department of Transportation (Department) seeking Commission approval to alter the public crossing (DOT 592 183 D) by the replacement of the existing bridge where State Route 3005 (40th Street) crosses, above grade, the tracks of Norfolk Southern Railway Company (Norfolk Southern) located in Swatara Township, Dauphin County.

A field investigation and conference was arranged by a Commission staff engineer and held on October 22, 2025, near the site of the subject crossing. Representatives of the Department, GFT Infrastructure, Inc. (engineering consultant for the Department), McCormick Taylor (engineering consultant for the Department), AECOM (engineering consultant representing Norfolk Southern), Hypower LLC (representing AT&T), Veolia and UGI attended the field conference. Although notified by letter dated September 12, 2025 sent by electronic mail, there were no representatives of Dauphin County, Swatara Township, Swatara Township Authority, Paxtang Borough, Brightspeed, Buckeye Pipe Line Company LP, Verizon Pennsylvania LLC, Comcast Cable Communication Management, LLC, Crown Castle Fiber, LLC, Zayo Group, LLC, Energy Transfer/Sunoco, Pike Telecom, PPL Electric Utilities, XO Communications Services, Inc. or Lumen Technologies, Inc. in attendance.

The existing bridge (NBI Structure Number/Bridge Key 14510) was built in 1989 and consists of three (3) spans of prestressed concrete spread box beams with an 8-inch-thick composite reinforced concrete deck. The structure length center-to-center of bearing at the abutments is 143 feet. The clear roadway width is 30 feet curb-to-curb and the out-to-out is 32 feet 6 inches. The structure carries an 11-foot-wide vehicle lane and a 4-foot-wide shoulder in each direction of travel. The superstructure is supported by reinforced concrete abutments and two (2) 2-column concrete piers founded on steel H-piles.

The Department proposes installing a new bridge on a slightly different alignment from the existing bridge and changing the State Route (S.R.) designation from S.R. 3005 to S.R. 3003. This project is in conjunction with an overall larger project to reconstruct Interstate-83 (State Route 0083). After the field conference, the Department provided an electronic copy of the most recent Type, Size and Location (TS&L) report to a Commission staff engineer by electronic mail on October 28, 2025.

The proposed single span bridge will be comprised of nine (9) 33-inch-deep steel plate I-girders with a 7.5-inch-thick composite reinforced concrete deck and 1-inch-thick Polyester Polymer Concrete overlay. The center-to-center bearing at the abutments is proposed to be 114 feet 6 1/2 inches. The out-to-out width of the proposed bridge deck will be 61 feet 1 1/4 inches with a curb-to-curb width of 51 feet 6 inches. Type-1 approach slabs are proposed on the approaches to the bridge. The proposed bridge cross section from left to right (west to east) consists of a 6 foot 8-inch-wide raised curbed sidewalk, a 12 foot 6-inch-wide shoulder, three (3) 11-foot-wide travel lanes and an additional 6-foot-wide shoulder. A 13.5-inch-thick reinforced concrete vertical wall barrier with mounted railroad protective fencing is proposed on the left deck edge and an F-shaped reinforced concrete barrier with mounted railroad protective fencing is proposed on the right deck edge. The proposed bridge is on a curved horizontal alignment; therefore, a superelevated cross slope is proposed for the entire length of the bridge. The new alignment allows for straight girders on a curved deck. The substructure will consist of reinforced concrete abutments founded on micro-piling, flared wingwalls (wings A, B and C) and a u-wing (wing D). The skew angle for the substructure is 59 degrees, 36 minutes and 36 seconds to the chord line.

The proposed minimum vertical (overhead) clearance is 24-feet 9 5/8-inches with respect to the top of the northernmost track (track 1) to the underside of the bridge. The proposed minimum lateral (side) clearance is 28 feet 0 1/2-inches with respect to the centerline of the southernmost track (track 2) and the wall for abutment one. Exemptions from the Commission's minimum overhead and side clearance requirements pursuant to 52 Pa. Code §33.121 and §33.122 are not required for the proposed bridge. Any reduction in clearances during temporary construction conditions that require an exemption from 52 Pa. Code §33.121 and §33.122 must be approved by the Commission prior to the start of construction, if necessary.

The TS&L depicted a potential future track at the subject crossing. The Commission hereby notifies Norfolk Southern that the expansion of track lines is not incorporated as part of this Secretarial Letter and that any track expansions will need to be addressed as a separate and future application filed with this Commission.

According to the Federal Railroad Administration's (FRA) crossing inventory data, the crossing is located at mile post 108.82 on the Harrisburg Line. No train count or train speed data was recorded on the most recent FRA crossing inventory data for this crossing. In its application, the Department reported that the average daily traffic at this crossing is approximately 2,762 vehicles per day with 5 percent truck traffic.

The Department agrees to furnish all materials and perform all work to demolish the existing bridge and construct the proposed bridge at their sole cost and expense. The Department agrees to maintain and inspect the proposed bridge, as well as perform snow, ice and debris removal from the cartway of the bridge and the approaches thereto.

Swatara Township is directed to furnish all material and perform all work necessary for the removal of snow, ice and debris from the sidewalks of the proposed bridge and the approaches thereto.

At the time of the field conference, the Department stated that it may be necessary for the Commission to appropriate property for construction of the project. The Department was advised that if it becomes necessary for the Commission to appropriate any property, they may submit detailed right-of-way plans and property descriptions (metes and bounds) for any property for the Commission to appropriate.

The Department agrees to prepare and submit complete detailed structure plans for the proposed bridge to each party in interest for review and to this Commission for approval, at their sole cost and expense.

Norfolk Southern is directed to furnish and maintain watchmen, flagmen and/or inspectors that may be deemed necessary to protect and safeguard their railroad operations or facilities and make any required alterations to their facilities to accommodate the project at the Department's sole cost and expense and to maintain their railroad facilities, existing or altered, at their sole cost and expense.

The project will be funded 100 percent Federal funds with an estimated project cost of \$7,340,000.00.

Relocation of non-carrier public utilities is expected. Aerial utilities are located on pole lines on the western side of the existing bridge, parallel with the roadway as well as attached to the existing bridge (water, sewer and telecom). Non-carrier public utilities are directed to relocate their facilities at their initial cost and expense, if required. The proposed bridge is being designed to accommodate a water main between girder 2 and girder 3. The Department is currently working with Veolia regarding this matter.

The Commission tentatively establishes its jurisdictional limits at the subject crossing as the area within the confines of the railroad right-of-way and the highway right-of-way, along Survey and Construction Baseline 677+26.76 and 678+43.37 (as shown on the most recent TS&L provided to a Commission staff engineer on October 28, 2025) plus an additional 100-feet beyond the aforementioned stationing along the roadway approaches, including the entire footprint of the existing and proposed bridge structure, bridge appurtenances and bridge embankments.

Upon full consideration of the matters involved and inasmuch as no objection has been filed with the Commission and no party in attendance at the field conference objected to the proposed improvements as discussed, we find that a Secretarial Letter can be issued approving the application without a formal hearing.

The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that the alteration of the crossing is necessary and proper for the service, accommodation, convenience or safety of the public.

The application of the Pennsylvania Department of Transportation is approved as herein directed:

1. The caption of the subject proceeding is hereby revised as shown herein.
2. The public crossing (DOT 592 183 D) where State Route 3005 (40th Street; future State Route 3003) crosses, above grade, the tracks of Norfolk Southern Railway Company located in Swatara Township, Dauphin County be altered as herein directed.
3. Pennsylvania Department of Transportation, at its sole cost and expense, and prior to the start of construction, prepare and submit complete detailed right-of-way plans and property descriptions (metes and bounds) for any property for the Commission to appropriate to all parties for review and to the Commission for approval, if necessary.
4. Pennsylvania Department of Transportation, at its sole cost and expense, and prior to the start of construction, prepare and submit complete detailed structure plans for the subject crossing to all parties for review and to the Commission for approval.
5. Norfolk Southern Railway Company, at the sole cost and expense of Pennsylvania Department of Transportation, furnish all material and perform all work relating to its facilities which may be required as incidental to the performance of the proposed work and furnish any watchmen, flagmen, inspectors and/or engineering services that may be deemed necessary to protect the railroad's operations or facilities during the time the facilities are being installed.
6. Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and do all work necessary to establish and maintain any detours or traffic control that may be necessary to properly and safely accommodate vehicular, pedestrian and railroad traffic during the time the crossing is being altered.
7. Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary to establish and maintain any shielding or protection, as required, to safely protect the areas below during the time the crossing is being altered.
8. Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and do all work necessary to demolish the existing bridge and construct the proposed bridge in accordance with the approved plans and this Secretarial Letter.
9. Pennsylvania Department of Transportation, pay all compensation for damages, if any, due to the owners of property taken, injured or destroyed by reason of the alteration of the crossing in accordance with this Secretarial Letter.
10. Any relocation of, changes in and/or removal of any adjacent structures, equipment or facilities of any non-carrier public utility or municipal authority, which may be required as incidental to the alteration of the crossing be made by said public utility or municipal authority at its initial cost, and in such a manner as will not interfere with the alteration of the crossing; and such relocated or altered facilities thereafter be maintained by said public utility at its sole cost and expense.

11. Any relocation of, changes in and/or removal of any adjacent structures, equipment or other facilities of any non-carrier public utility company or municipal authority located beyond the limits of the highway, within the Commission's jurisdiction, which may be required as incidental to the execution of the crossing project, be made by said public utility company or municipal authority, and in such a manner as will not interfere with the construction of the project.

12. Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary to complete the remainder of the project and any other ancillary features of the project, generally in accordance with the approved plans and this Secretarial Letter.

13. Pennsylvania Department of Transportation provide at least thirty (30) days advance notice of the start of work to alter the crossing to each party involved in this proceeding.

14. All parties involved herein cooperate fully with each other so that during the time the work is being performed, vehicular, pedestrian and railroad traffic will not be endangered or unnecessarily inconvenienced and said requirements of each of the parties will be provided for and accommodated insofar as possible.

15. All work necessary to alter the crossing be completed in a manner satisfactory to this Commission on or before December 31, 2033, and that on or before said date, Pennsylvania Department of Transportation report in writing to this Commission the date of actual completion of the work.

16. All costs which are to be reimbursed by the Department of Transportation consistent with this letter shall be reimbursed pursuant to the provisions of 23 C.F.R. Parts 140 and 646. The aforesaid Federal reimbursement shall not supersede, delay or in any manner, postpone the effect of any paragraph contained in this or any related Secretarial Letter or Order.

17. This Secretarial Letter is without prejudice to the right of any party to recover all or part of any costs incurred by said party in compliance with the provisions of this Secretarial Letter, in accordance with any lawful agreement between it and any other party.

18. The terms of any agreement established in accordance with this Secretarial Letter shall not preclude the Pennsylvania Public Utility Commission from taking any action necessary to protect the public interest, including but not limited to the reassignment or enforcement of any costs or responsibilities assigned or transferred as a result of this Secretarial Letter.

19. Upon completion of the alteration of the crossing, Norfolk Southern Railway Company, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its railroad facilities at the subject crossing, existing or altered, in a safe and satisfactory condition and provide Swatara Township and the Pennsylvania Department of Transportation at least ten (10) business days' advance notice when performing any work that may affect their facilities, as directed by this paragraph.

20. Upon completion of the construction of the alteration, Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary thereafter to inspect and maintain the entire State Route 3003 (40th Street) bridge (NBI Structure Number/Bridge Key 67964) including the substructure, wingwalls, superstructure, deck, bearings, joints, parapets and fencing, all in accordance with the approved plans and the provisions of this Secretarial Letter and provide Norfolk Southern Railway Company and Swatara Township at least ten (10) business days' advance notice when performing any work that may affect their facilities, as directed by this paragraph.

21. Upon completion of the alteration of the subject crossing, Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and perform all work necessary for the removal of snow, ice and debris from the cartway of the bridge deck and the approaches thereto, constructed as part of the alteration.

22. Upon completion of the alteration of the subject crossing, Swatara Township, at its sole cost and expense, furnish all material and perform all work necessary for the removal of snow, ice and debris from the sidewalks of the bridge and the approaches thereto, constructed as part of the alteration.

23. Upon completion of the alteration of the subject crossing, each non-carrier public utility company and municipal authority, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its respective facilities, existing or altered, located within the limits of the alteration.

24. Upon completion of the work herein directed, and upon written request from any party of record, this proceeding be scheduled for a hearing at a time and place to be determined by the Commission, for the purpose of taking testimony upon the final allocation of any remaining costs incurred by the non-carrier utility companies and other matters relevant to this proceeding.

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.

Sincerely,

A handwritten signature in cursive script that reads "Matthew L. Homsher". The signature is written in black ink and is positioned below the word "Sincerely,".

Matthew L. Homsher
Secretary