



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

IN REPLY PLEASE  
REFER TO OUR FILE

April 3, 2026

A-2025-3056952

**TO ALL PARTIES OF RECORD**

Application of the Pennsylvania Department of Transportation for approval to rehabilitate the existing dual bridges where State Route 0079 (I-79) crosses, above grade, the tracks of CSX Transportation, Inc. (DOT Nos. 928 612 N, 937 659 H, 928 615 J, 928 609 F) and Norfolk Southern Railway Company (DOT Nos. 955 900 E and 955 901 L) in the City of Erie, Erie County, the allocation of costs incident thereto, and an exemption from the Commission’s minimum side clearances required by 52 Pa. Code, Section 33.122.

To Whom It May Concern:

This matter is before us by reason of an application filed with the Commission on August 14, 2025, by the Pennsylvania Department of Transportation (Department) seeking Commission approval to alter the subject public crossings by the rehabilitation of the dual bridges where State Route 0079 (I-79) crosses, above grade, the tracks of Norfolk Southern Railway Company (Norfolk Southern), CSX Transportation, Inc. (CSXT), West 16th Street and Irwin Drive, located in the City of Erie, Erie County. The public crossings involved in this proceeding are more particularly described in the following table:

No.	DOT No.	Location Under Bridge	Railroad Operator	Track Name	Railroad Milepost	Total Trains/Day	Maximum Timetable Speed
1	955 900 E	Span 2 & 3, Northbound (NB) / Span 2 Southbound (SB)	Norfolk Southern	Old Main	90.45	1	15 mph
2	955 901 L	Span 8, NB/SB	Norfolk Southern (On CSXT Property)	Lake Erie	90.50	18	60 mph
3	928 615 J	Span 8, NB	CSXT	Erie West	89.60	N/A	N/A
4	928 609 F	Span 8, SB	CSXT	Erie West	89.60	N/A	N/A
5	928 612 N	Span 10, NB	CSXT	Erie West	89.30	53	60 mph
6	937 659 H	Span 10, SB	CSXT	Erie West	89.30	53	60 mph

Note: Table data derived from most recently available U.S. DOT Crossing Inventory Form.

A field investigation and conference was arranged by a Commission staff engineer and held on September 17, 2025, at the site of the subject crossings. Representatives of the Department, WSP (design consultant engineer for the Department), Colliers Engineering & Design (consultant engineer representing CSXT), AECOM (consultant engineer representing Norfolk Southern), the City of Erie, Penelec and Erie Water Works attended the field conference. Although notified by letter dated August 26, 2025, sent by electronic mail, there were no representatives of Erie County, Verizon North LLC, Erie City Bureau of Sewers or Zito Media Communications, LLC in attendance.

The existing State Route 0079 (I-79) dual bridges (NBI Structure Numbers/Bridge Keys 15986 [northbound] and 15990 [southbound]) were originally constructed in 1983, each carrying three (3) lanes of traffic. The existing bridge superstructures each consist of twelve (12) spans of multiple steel plate I-girders supported by reinforced concrete piers and abutments founded on piles. The northbound and southbound bridges measure 1563 feet 4 1/2 inches and 1573 feet 2 7/8 inches in length from the center-to-center of bearings from abutment 1 to abutment 2, respectively. Based on publicly available data provided by the Department, the structures are in overall fair condition and carry approximately 20,265 vehicles per day with 6 to 7 percent trucks combined.

The Department proposes to rehabilitate the existing dual bridges. The alteration will provide for the following: 1) steel strengthening, repairs and miscellaneous retrofits to the superstructure, 2) replacement of the existing deck and barriers, 3) replacement of the expansion joints and retrofit of the southern abutments and relocation of the expansion joint to the end of the approach slabs, 4) replacement of the bearings, 5) replacement of the approach slabs, 6) installation of railroad protective fencing and snow wall/fence in selected locations, 7) removal of the remaining portions of the existing de-icing system, 8) removal of the existing bridge lighting and 9) replacement of all scuppers and downspout pipes. The Department will also perform maintenance-type activities including: 1) concrete repairs to areas of spalling, delamination and cracking, 2) installation of a protective coating to the substructure, 3) full repainting of the existing structural steel, 4) abutment slope wall paving repairs and 5) repairs to the overhead sign structures attached to the southbound bridge.

Light standards are attached to the existing bridges. Light standard means a street light, light pole, lamp post, street lamp, lamp standard, or other raised source of light located inside the right-of-way of a public road or highway. The light standards proposed to be removed from the existing bridges will not be replaced.

Upon review of the 90 percent plans provided to a Commission staff engineer by the Department on March 12, 2026, it was noted that the proposed minimum vertical (overhead) clearances exceed the Commission's minimum clearance requirements pursuant to 52 Pa. Code §33.121 at all crossings. The minimum lateral (side) clearance requirements pursuant to 52 Pa. Code §33.122 are exceeded at the crossings, with the exception of the two (2) spur tracks located within spans 2 and 3 at DOT 955 900 E (Crossing No. 1), more particularly described in the following table:

No.	DOT No.	Horizontal (Side) Clearance from centerline of rail to nearest obstruction		
		Minimum Clearance (Existing)	Track	Reference Location
1	955 900 E	11'-1 3/4"	Northern spur track	SB Bridge, southern face of Pier 2
		11'-6 7/8"	Southern spur track	NB Bridge, northern face of Pier 2

Following a careful review of Commission records, it has been determined that an exemption from the Commission's side clearance requirements at Crossing No. 1 (DOT 955 900 E) appears to have never been memorialized by Secretarial Letter or Commission Order and/or was not located within the Commission's records. Although the tracks at this spur appear to no longer serve the adjacent industry because they are paved over beyond the limits of the crossing, this Secretarial Letter will serve to formally memorialize the existing aforementioned side clearances.

Any reduction in clearances during temporary construction conditions that requires an exemption from 52 Pa. Code §33.121 and/or §33.122 must be approved by the Commission prior to the start of construction, if necessary.

The Department agrees to furnish all materials and perform all work to rehabilitate the existing bridges at their sole cost and expense. The Department agrees to maintain and inspect the bridges as well as provide for the removal of snow, ice and debris from the cartway of the bridge decks, at their sole cost and expense.

The Department was advised that if it becomes necessary for the Commission to appropriate any property, it 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 dual bridge rehabilitation at the subject crossings to each party in interest for review and to this Commission for approval, at their sole cost and expense.

CSXT and Norfolk Southern are directed to furnish and maintain watchmen, flagmen and/or inspectors that may be deemed necessary to protect and safeguard their respective 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 respective railroad facilities, existing or altered, at their sole cost and expense.

Relocation of non-carrier public utilities is expected. There are no non-carrier public utilities attached to the existing bridges or proposed to be attached to the bridges as part of this construction. Non-carrier public utilities are directed to relocate their facilities at their initial cost and expense, if required.

The project is anticipated to be funded with State funds with an estimated project cost of \$53,000,000.00.

The Commission tentatively establishes its jurisdictional limits at the subject crossings as the area within the confines of the railroad rights-of-way and the highway right-of-way for the entire length of both bridges plus an additional 100 feet along the roadway approaches, including the entire footprint of the bridge structures, bridge appurtenances and bridge embankments.

The Commission has exclusive jurisdiction in crossing alterations and is the final arbiter of any fees associated with a crossing application. Any conditions, including fees associated with a crossing application, must be approved by the Commission.

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 crossings are 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. Exemption from the Commission's minimum side clearance requirements of 52 Pa. Code §33.122, be and is hereby granted, in this particular instance, for a side clearance of 11 feet 1 3/4 inches with respect to the centerline of northern spur track to southern face of Pier 2 of the southbound bridge and 11 feet 6 7/8 inches with respect to the centerline of southern spur track to northern face of Pier 2 of the northbound bridge at public crossing (DOT 955 900 E).
3. Any operating railroads over the subject line, issue appropriate notice warning its employees of the restrictive clearances herein, all in accordance with its standard operating practice.
4. The existing dual bridges where State Route 0079 (I-79) crosses, above grade, the tracks of CSX Transportation, Inc. (DOT Nos. 928 612 N, 937 659 H, 928 615 J, 928 609 F) and Norfolk Southern Railway Company (DOT Nos. 955 900 E and 955 901 L) in the City of Erie, Erie County be altered as herein directed.
5. 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.

6. 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 crossings to all parties for review and to the Commission for approval.

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

8. CSX Transportation, Inc., 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 constructed.

9. 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 constructed.

10. 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 crossings are being altered.

11. Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and do all work necessary to rehabilitate the existing bridges; all constructed in accordance with the approved plans and this Secretarial Letter.

12. 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 crossings are being altered.

13. 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 crossings in accordance with this Secretarial Letter.

14. 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 crossings 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 crossings; and such relocated or altered facilities thereafter be maintained by said public utility or municipal authority at its sole cost and expense.

15. 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.

16. 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.

17. 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.

18. All work necessary to alter the crossings be completed in a manner satisfactory to this Commission on or before December 31, 2030, 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.

19. 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.

20. 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.

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

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

23. Upon completion of the alteration of the subject crossings, 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 0079 (I-79) dual bridges (NBI Structure Numbers/Bridge Keys 15986 [northbound] and 15990 [southbound]) including the substructures, wingwalls, superstructures, decks, parapets, fencing and the remainder of the improvement including the roadway pavement, approach slabs, roadway surface, drainage facilities, sign structures, and any other ancillary features of the alteration constructed in accordance with the provisions of this Secretarial Letter and provide CSX Transportation, Inc., Norfolk Southern Railway Company and the City of Erie at least ten (10) business days' advance notice when performing any work that may affect their facilities, as directed by this paragraph.

24. Upon completion of the alteration of the subject crossings, 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 decks, constructed as part of the alteration.

25. Upon completion of the alteration of the subject crossings, 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.

26. 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 above the printed name and title.

Matthew L. Homsher  
Secretary