

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Application of the Department of</b>	:	
<b>Transportation of the Commonwealth of</b>	:	
<b>Pennsylvania to Alter the Public</b>	:	<b>Docket No. A-2023-3037711</b>
<b>Above-Grade Crossing by Replacing</b>	:	
<b>The Existing Bridge where State Road 3022</b>	:	
<b>(Maclay Street) Crosses, Above-Grade, the</b>	:	
<b>Tracks of Norfolk Southern Railroad</b>	:	
<b>(DOT No.: 518 088 K) in the City of Harrisburg,</b>	:	
<b>Dauphin County PA, and the Allocation of</b>	:	
<b>Costs Incident Thereto</b>	:	<b>Filed Electronically</b>

**STIPULATION AS TO COSTS AND EXPENSES**

It is hereby stipulated by and between the parties herein, through their undersigned counsel,<sup>1</sup> that Dauphin County shall not be allocated any costs and expenses of the ordered alteration in the above-captioned proceeding. Moreover, Dauphin County need not participate in the Initial In-Person Hearing scheduled to be held on Wednesday, June 17, 2026.

Respectfully submitted,



Guy P. Beneventano, Esquire  
Supreme Court ID #43107  
4075 Linglestown Road, PMB #345  
Harrisburg, PA 17112  
(717) 652-4600  
Guy@Beneventanolaw.com

**Counsel for Dauphin County**

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<sup>1</sup> For PennDOT, see Counsel's signature affixed hereto, plus Counsel's emails dated March 12, 2026 and April 16, 2026 collectively attached hereto at Exhibit A. For Norfolk Southern, see emails dated March 18, 2026 and April 16, 2026 attached hereto collectively at Exhibit B.

993

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Leah Jo Bobula  
Assistant Counsel, Governor's Office of General Counsel  
Harrisburg, PA 17105-8212  
(717) 783-6531  
lbobula@pa.gov

**Counsel for PA Department of Transportation**

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Benjamine C. Dunlap, Jr.  
Cohen Seglins Pallas Greenhall & Furman, PC  
240 N. 3<sup>rd</sup> Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101  
(717) 234-5530  
bdunlap@cohenseglia.com

**Counsel for Norfolk Southern Railway Company**

DATE: April 16, 2026

EXHIBIT A

**Subject:** RE: A-2023-3037711 Maclay Street

**From:** "Allensworth, Chad" <callenswor@pa.gov>

**Date:** 3/17/26, 11:58 AM

**To:** "Bobula, Leah" <lbobula@pa.gov>, Benjamin C Dunlap <bdunlap@cohenseglias.com>, "GUY P. BENEVENTANO" <guy@guyblaw.com>

Good afternoon. I am willing to address this issue informally by email. Once the issue is resolved, I will issue an order.

Attorney Dunlap – The below email indicates that PennDOT agrees that Dauphin County will not incur any costs in this matter and they do not oppose Dauphin County foregoing participation in the hearing. Please advise as to Norfolk Southern's position on points.

Thank you.



Chad L. Allensworth  
Administrative Law Judge  
Office of Administrative Law Judge  
400 North Street  
Harrisburg, PA 17120  
PH: 717-787-1399  
FAX: 717.213.6812  
**Email:** [callenswor@pa.gov](mailto:callenswor@pa.gov)  
**Consumer Hotline:** 1.800.692.7380

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**From:** Bobula, Leah <lbobula@pa.gov>

**Sent:** Thursday, March 12, 2026 3:12 PM

**To:** Allensworth, Chad <callenswor@pa.gov>

**Cc:** Benjamin C Dunlap <bdunlap@cohenseglias.com>; GUY P. BENEVENTANO <guy@guyblaw.com>

**Subject:** A-2023-3037711 Maclay Street

Good afternoon Your Honor,

After speaking further with my client as well as the positive progression that has occurred with Norfolk Southern regarding a resolution in this case, my client has decided that although they appreciate the opportunity to file a written motion regarding the billboard issue as discussed during the prehearing conference, a full resolution is imminent at this time. As such, the Department has chosen not to file a written motion.

Additionally, the Department agrees that Dauphin County will not incur any costs as related to the specific plans filed for this project and does not have any objection to Dauphin County foregoing participation in the hearing should one occur.

Thank you for your time. Please let me know if you need me to file this officially with the docket.



**Leah Jo Bobula** | Assistant Counsel

Governor's Office of General Counsel

**Subject:** RE: [External] PUC Stipulation  
**From:** "Bobula, Leah" <lbobula@pa.gov>  
**Date:** 4/16/26, 10:04 AM  
**To:** Guy Beneventano <Guy@guyblaw.com>, "bdunlap@cohenseglias.com" <bdunlap@cohenseglias.com>

Thanks, here ya go!

Leah Jo Bobula | Assistant Counsel  
Governor's Office of General Counsel  
Department of Transportation | Office of Chief Counsel  
400 North Street | P.O. Box 8212 | Harrisburg, PA 17105-8212  
Phone: 717.787.3128  
[lbobula@pa.gov](mailto:lbobula@pa.gov) | <http://www.penndot.pa.gov/>

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-----Original Message-----

From: Guy Beneventano <Guy@guyblaw.com>  
Sent: Thursday, April 16, 2026 10:01 AM  
To: Bobula, Leah <lbobula@pa.gov>; bdunlap@cohenseglias.com  
Subject: [External] PUC Stipulation

ATTENTION: This email message is from an external sender. Do not open attachments or click links from unknown senders. To report suspicious email, use the Report Phishing button in Outlook.  
<<https://www.pa.gov/content/dam/copapwp-pagov/en/oa/documents/documents/report-phish-button-user-guide.pdf>>

Good morning: Consistent with your emails, I have prepared the attached stipulation for filing with the Commission. Please affix your signatures to the stipulation and return the signature page, via email, to me at your earliest convenience.

Thank you.

--  
Guy P. Beneventano, Esq.  
4075 Linglestown Road  
PMB #345  
Harrisburg, PA 17112  
Office: 717-652-4600

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Attachments:

**EXHIBIT B**

**Subject:** RE: A-2023-3037711 Maclay Street [CSPGF-ACTIVE.FID140904]

**From:** "Benjamin C. Dunlap, Jr." <bdunlap@cohenseglias.com>

**Date:** 3/18/26, 3:00 PM

**To:** "Allensworth, Chad" <callenswor@pa.gov>, "Bobula, Leah" <lbobula@pa.gov>, "GUY P. BENEVENTANO" <guy@guyblaw.com>

Good Afternoon ALJ Allensworth,

Norfolk Southern agrees that Dauphin County will not incur any costs as related to the specific plans filed for this project and does not have any objection to Dauphin County foregoing participation in any hearing on the matter.

Thank you,

**Benjamin C. Dunlap, Jr.** • Partner

Cohen Seglias Pallas Greenhall & Furman PC

240 North Third Street, 7th Floor • Harrisburg, PA 17101

P: 717.234.5530 • D: 717.480.5303



---

**From:** Allensworth, Chad <callenswor@pa.gov>

**Sent:** Tuesday, March 17, 2026 11:58 AM

**To:** Bobula, Leah <lbobula@pa.gov>; Benjamin C. Dunlap, Jr. <bdunlap@cohenseglias.com>; GUY P. BENEVENTANO <guy@guyblaw.com>

**Subject:** RE: A-2023-3037711 Maclay Street

Good afternoon. I am willing to address this issue informally by email. Once the issue is resolved, I will issue an order.

Attorney Dunlap - The below email indicates that PennDOT agrees that Dauphin County will not incur any costs in this matter and they do not oppose Dauphin County foregoing participation in the hearing. Please advise as to Norfolk Southern's position on points.

Thank you.



[www.puc.pa.gov](http://www.puc.pa.gov)



Chad L. Allensworth  
Administrative Law Judge  
Office of Administrative Law Judge  
400 North Street  
Harrisburg, PA 17120  
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**Subject:** RE: PUC Stipulation [CSPGF-ACTIVE.FID140904]

**From:** "Benjamin C. Dunlap, Jr." <bdunlap@cohenseglias.com>

**Date:** 4/16/26, 12:52 PM

**To:** "Guy Beneventano" <Guy@guyblaw.com>, "lbobula@pa.gov" <lbobula@pa.gov>

Guy,

The wording of this stipulation is much broader than what I had agreed to on behalf of NS, which only concerned the property appropriations against NS. Also, this is PennDOT's project, not NS's, so we do not know what other matters might arise in the future. Under those circumstances, I cannot recommend to my client that I be authorized to sign this.

In addition, as you may have seen, NS has withdrawn its objection to PennDOT ROW plans and property appropriations, so that issue has been put to rest.

Ben

Benjamin C. Dunlap, Jr. • Partner  
Cohen Seglias Pallas Greenhall & Furman PC  
240 North Third Street, 7th Floor • Harrisburg, PA 17101  
P: 717.234.5530 • D: 717.480.5303  
[bdunlap@cohenseglias.com](mailto:bdunlap@cohenseglias.com)  
[www.cohenseglias.com](http://www.cohenseglias.com)

-----Original Message-----

From: Guy Beneventano <Guy@guyblaw.com>

Sent: Thursday, April 16, 2026 10:01 AM

To: lbobula@pa.gov; Benjamin C. Dunlap, Jr. <bdunlap@cohenseglias.com>

Subject: PUC Stipulation

Good morning: Consistent with your emails, I have prepared the attached stipulation for filing with the Commission. Please affix your signatures to the stipulation and return the signature page, via email, to me at your earliest convenience.

Thank you.

--  
Guy P. Beneventano, Esq.  
4075 Linglestown Road  
PMB #345  
Harrisburg, PA 17112  
Office: 717-652-4600

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-----Attachments:-----

Stipulation Costs & Expenses PUC 4-2026.pdf

521 KB

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Transportation of the Commonwealth of :  
Pennsylvania to Alter the Public : **Docket No. A-2023-3037711**  
Above-Grade Crossing by Replacing :  
The Existing Bridge where State Road 3022 :  
(Maclay Street) Crosses, Above-Grade, the :  
Tracks of Norfolk Southern Railroad :  
(DOT No.: 518 088 K) in the City of Harrisburg, :  
Dauphin County PA, and the Allocation of :  
Costs Incident Thereto :

**CERTIFICATE OF SERVICE**

I certify that I am this day via electronic mail serving a copy of the foregoing document upon the persons and in the manner indicated below, which service satisfies the requirements of 52 Pa. Code §1.24(b)(2), as follows:

Leah Jo Bobula  
Governor's Office of General Counsel  
Pennsylvania Department of Transportation  
400 North Street  
Harrisburg, PA 17120  
[lbobula@pa.gov](mailto:lbobula@pa.gov)

Benjamin C. Dunlap, Jr., Esquire  
Joshua D. Bonn, Esquire  
240 North Third Street, 7th Floor  
Harrisburg, PA 171101  
Telephone: 717-480-5303  
Email: [bdunlap@cohenseglia.com](mailto:bdunlap@cohenseglia.com)  
[jbonn@cohenseglia.com](mailto:jbonn@cohenseglia.com)

The Honorable Chad L. Allensworth  
Administrative Law Judge  
[callenswor@pa.gov](mailto:callenswor@pa.gov)

*/s/ Guy P. Beneventano*  
**Guy P. Beneventano, Esquire**  
4075 Linglestown Road, PMB #345  
Harrisburg, PA 17112  
(717) 652-4600  
[Guy@Beneventanolaw.com](mailto:Guy@Beneventanolaw.com)

DATE: April 17, 2026