



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

IN REPLY PLEASE
REFER TO OUR FILE

May 14, 2026

C-2025-3056221

TO ALL PARTIES OF RECORD

Shawn Phillips, Complainant
v.
Reading Blue Mountain and Northern Railroad, Tamaqua
Borough, and PennDOT, Respondents

To Whom It May Concern:

This matter is before us by reason of a formal complaint filed with the Commission by a private citizen Shawn Phillips (Complainant) on June 27, 2025, regarding the public crossing (DOT 591 783 C) where S. Greenwood Street and Hazle Street cross, at grade, a single track of Reading Blue Mountain & Northern Railroad Company (RBMN) located in Tamaqua Borough, Schuylkill County.

The complaint alleges that the condition of the crossing surface is dangerous, has caused damage to vehicles, and is unsafe for pedestrian traffic. Accordingly, the Complainant is seeking relief from the Commission.

Following receipt of the Complaint, a Commission staff engineer conducted a site visit on July 23, 2025, to inspect the condition of the crossing surface prior to a formal field investigation and conference. At the site visit, it was noted that S. Greenwood Street and Hazle Street are curbed, bi-directional asphalt-paved roadways with sidewalks that cross, at grade, a single track of RBMN (DOT 591 783 C). The crossing consisted of a degraded timber-and-asphalt surface and was equipped with mast-mounted, automatically operated flashing-light warning signals, crossbuck (R15-1) signs, and emergency notification system (I13-1) signs. Each roadway approach lacked grade crossing advanced warning (W10-1) signs and stop lines in advance of the active warning devices.

According to the Federal Railroad Administration's (FRA) grade crossing database the crossing is located at mile post 0.40 on RBMN's Greenwood RT line. The line experiences 2 switching train movements per day at a maximum timetable speed of 10 miles per hour. The Average Daily Traffic at the S. Greenwood Street and Hazle Street crossing was reported as being 361 vehicles per day, with 3% truck traffic, based on a 2009 traffic study. There was no accident history at the subject crossing located within the FRA's grade crossing database.

A virtual field investigation and conference was arranged by a Commission staff engineer and held on August 21, 2025, with representatives of Tamaqua Borough, RBMN, the Pennsylvania Department of Transportation, and the Complainant in attendance. During the virtual field investigation and conference RBMN indicated that the crossing surface was already scheduled for replacement in mid-September 2025, and Tamaqua Borough, in conjunction with the replacement, would repave the roadway approaches to the crossing.

As indicated at the virtual field conference, RBMN replaced the existing timber and asphalt crossing surface with a hot mix asphalt crossing surface in mid-September 2025. Tamaqua Borough completed its paving of the approach roadways during the week of September 22nd, 2025, however the stop lines and grade crossing advanced warning (W10-1) signs were still missing. On March 24, 2026, Tamaqua Borough provided photographs of the installed grade crossing advanced warning (W10-1) signs and temporary stop lines indicating that the items had been installed since January 2026.

On April 15, 2026, a Commission staff engineer performed a safety inspection of the replaced crossing surface and approach roadway paving and found all work to have been satisfactorily completed. By electronic mail dated April 16, 2026, a Commission staff engineer requested the involved parties notify the Commission if they were dissatisfied with the completed work, were seeking any reimbursement for costs it incurred, or objected to the closure of the formal complaint. No party has responded with any objections.

After a careful review of the record, we find that all the outstanding matters brought to the Commission's attention by the Formal Complaint have been satisfied by the parties, therefore the subject proceeding can be closed.

The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that the affirmation of the completed work is necessary and proper for the service, accommodation, convenience, or safety of the public; THEREFORE:

1. The actions taken by Reading Blue Mountain & Northern Railroad Company to replace the existing timber and asphalt crossing surface with hot mix asphalt at the public crossing (DOT 591 783 C) where S. Greenwood Street and Hazle Street cross, at grade, a single track of Reading Blue Mountain & Northern Railroad Company located in Tamaqua Borough, Schuylkill County, be and is hereby affirmed.

2. Reading Blue Mountain & Northern Railroad Company, at its sole cost and expense, furnish all material and perform all work necessary to maintain its railroad facilities at the subject crossing, including the automatic flashing light warning signal and all appurtenant equipment, in accordance with Part 8 of the Manual on Uniform Traffic Control Devices, and this Secretarial Letter. Additionally, Reading Blue Mountain & Northern Railroad Company is directed to maintain the new asphalt crossing surface for the full width of the roadway, shoulders, and sidewalks located between the rails and for a distance of twenty-four (24) inches beyond the outermost rails, at all times, in a safe, smooth and satisfactory condition. Reading Blue Mountain & Northern Railroad Company is to provide Tamaqua Borough at least ten (10) business days' advance notice when performing any work under this paragraph that may affect its facilities.

3. Tamaqua Borough, at its sole cost and expense, furnish all material and perform all work necessary to maintain the highway approach roadway of the subject crossing to points twenty-four (24) inches beyond each outside rail. Additionally, Tamaqua Borough is directed to maintain the grade crossing advance warning signs and stop lines in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter. Tamaqua Borough is to provide Reading Blue Mountain & Northern Railroad Company at least ten (10) business days' advance notice when performing any work under this paragraph that may affect its facilities.

4. Tamaqua Borough, at its sole cost and expense, furnish all material and perform all work necessary to maintain the sidewalks at the subject crossing in a safe and satisfactory condition, including snow, ice, and debris removal in accordance with this Secretarial Letter.

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

6. 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.

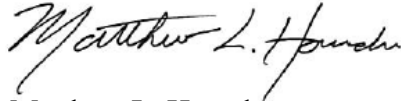
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax 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.

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