



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

IN REPLY PLEASE  
REFER TO OUR FILE

May 15, 2026

A-2025-3055484

**TO ALL PARTIES OF RECORD**

Suspension of the public crossing (DOT 264 099 S) where Jackson Street formerly crossed, at grade, a single track of Reading Blue Mountain & Northern Railroad Company located in the City of Scranton, Lackawanna County.

To Whom It May Concern:

This matter has been initiated by the Bureau of Technical Utility Services Rail Safety Section to formally abolish the at grade public crossing (DOT 264 099 S), where Jackson Street formerly crossed, a single track of Reading Blue Mountain & Northern Railroad Company (RBMN) located in the City of Scranton (City), Lackawanna County.

On March 25, 2025, the Commission received an application docketed at A-2025-3054208, requesting approval to alter the subject public crossing by the installation of an aerial fiber optic cable. Upon review of the application by a Commission staff engineer, it was determined that the crossing surface had been removed and the roadway approaches were barricaded to traffic; however, no record of the crossing's abolition or suspension was found within the Commission's files.

A Commission staff engineer performed a site visit of the crossing on July 7, 2025, and held a virtual field investigation and conference on July 31, 2025. Representatives of the City, RBMN, and the Pennsylvania Department of Transportation were in attendance of the virtual field conference. Although notified by letter sent via electronic mail dated July 17, 2025, there were no representatives from Lackawanna County, Pennsylvania Northeast Regional Railroad Authority, Empire Access, or Verizon in attendance of the virtual meeting.

It was noted that the former Jackson Street crossing was located approximately 350-feet east of the intersection with S. Dewey Avenue and 215-feet west of the intersection with S. Sherman Avenue. Jackson Street is an asphalt paved bi-directional roadway without centerlines that formerly crossed (DOT 264 099 S), at grade, a single track of RBMN. Sidewalks exist on both approaches to the crossing but terminate in advance of the concrete barricades placed near the edges of the railroad's right-of-way. Yellow Type 1 Object Markers (OM1-1) and "Road Closed" (R11-2) signs have been placed with the concrete barricades as well as "No Outlet" (W14-2) signs on each roadway approach. On the northwest side of the subject crossing asphalt paving extends from the edge of the roadway to the back side of baseball dugouts which are part of the City's West Scranton Junior Invaders Field. On the southwest side of the crossing a private driveway entrance exists entering RBMN's right-of-way to the right side of the existing concrete barricades providing access to a private residence located at R2225 Jackson Street. The concrete barricades on the west side of the crossing only extend the width of the roadway surface and do not adequately prevent public access to RBMN's property.

During the virtual field investigation and conference representatives of the City were not in support of the abolition of the crossing due to a future culvert replacement project of the City's which is anticipated to occur within the next 5 years. It was felt that the future project may require the installation of a temporary crossing surface and warning devices to provide residents access to their homes while construction of a new culvert on the northern side of the crossing was being completed. The City also indicated a desire to install additional concrete barricades to further close off access to the former crossing in addition to upgrading the existing signs to denote the end of the roadway.

The City, at its sole cost and expense, agreed to 1) install additional concrete barricades on each side of the crossing extending in width to more adequately close off access to the railroad's property from both the paved roadways and park side, 2) remove the yellow Type 1 Object Markers (OM1-1) and place Type 4 Object Markers (OM4-1, OM4-2, or OM4-3) along the concrete barricades to adequately delineate the end of Jackson Street, and 3) install signage to delineate the private driveway and discourage through traffic use of the drive.

The City agrees to provide for maintenance and protection of highway and pedestrian traffic during the time the work is being performed, at its sole cost and expense.

Representative of RBMN expressed a desire to eliminate the private driveway entrance to their right-of-way. The driveway, which parallels their tracks, lies within 15-feet of the centerline of the track and is therefore considered to be fouling their line. Fouling of a railroad's line occurs when people, equipment, or materials are within the prescribed distance of the centerline of track, thereby creating an operational hazard of potential contact with a train.

Reading Blue Mountain & Northern Railroad Company agrees to furnish and maintain watchmen, flagmen, inspectors, and/or engineering services that may be deemed necessary to protect and safeguard its railroad operations or facilities while the additional barricades and signs are being installed, at its initial cost and expense.

Reading Blue Mountain & Northern Railroad Company is directed to work with the property owner of the private driveway to safeguard and/or relocate the private driveway which enters its railroad right-of-way so as to eliminate any potential safety hazards caused by the fouling of its tracks, at its sole cost and expense.

According to the Manual on Uniform Traffic Control Devices acceptable alternatives to the placement of concrete barricades with Type 4 Object Makers include appropriately sized Type 3 barricades with retroreflective red and white striping.

Since the City was not in support of the abolition of the crossing, a Commission staff engineer recommended the crossing be suspended following the installation of the additional barricades and signs. Following completion of the City's future culvert replacement project it was recommended that an application be made to the Commission requesting approval to abolish the crossing.

The suspension of the crossing was discussed in detail during the virtual field conference with all attending parties of record and none have advised that they object to the issuance of a Secretarial Letter, prior to hearing, approving the suspension of the subject public crossing.

The Commission hereby establishes its jurisdictional limits at the subject public crossing as the area within the confines of the railroad and highway right-of-way.

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 alteration, must be approved by the Commission.

Upon full consideration of the matters involved and inasmuch as no objection has been filed with the Commission, we find that a Secretarial Letter can be issued directing the work necessary for the suspension of the crossing 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 and suspension of the crossing is necessary and proper for the service, accommodation, convenience, or safety of the public; THEREFORE:

1. The caption of the subject proceeding is hereby revised as shown herein.
2. The public crossing (DOT 264 099 S) where Jackson Street formerly crossed, at grade, a single track of Reading Blue Mountain & Northern Railroad Company located in the City of Scranton, Lackawanna County, be and is hereby suspended upon satisfactory completion of the work directed herein.
3. City of Scranton, at its sole cost and expense, furnish all material and perform all work necessary to establish and maintain any detours or traffic controls that may be required to properly and safely accommodate vehicular and pedestrian traffic during the time the work is being performed to suspend the crossing.
4. City of Scranton, at its sole cost and expense, furnish all material and perform all work necessary to 1) install additional concrete barricades on each side of the subject crossing extending in width to more adequately close off access to the railroad's property from both the paved roadways and park side, 2) remove the yellow Type 1 Object Markers (OM1-1) and place Type 4 Object Markers (OM4-1, OM4-2, or OM4-3) along the concrete barricades to adequately delineate the end of Jackson Street, and 3) install signage to delineate the private driveway and discourage through traffic use of the drive.

5. Reading Blue Mountain & Northern Railroad Company, at its initial cost and expense, furnish all material and perform all work necessary to 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 work is being performed to suspend the crossing.

6. Reading Blue Mountain & Northern Railroad Company, at its sole cost and expense, furnish all material and perform all work necessary to work with the property owner of the private driveway to safeguard and/or relocate the private driveway which enters its railroad right-of-way so as to eliminate any potential safety hazards caused by the fouling of its tracks.

7. 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, which may be required as incidental to the alteration of the crossing be made by said public utility company or municipal authority at its initial cost and expense, 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 or municipal authority at its sole cost and expense.

8. City of Scranton, at its sole cost and expense, pay all compensation for damages, if any, due to the owners of property taken, injured, or destroyed by reason of its portion of the alteration work to suspend the subject crossing in accordance with this Secretarial Letter.

9. Reading Blue Mountain & Northern Railroad Company, at its sole cost and expense, pay all compensation for damages, if any, due to the owners of property taken, injured, or destroyed by reason of its portion of the alteration work to suspend the subject crossing in accordance with this Secretarial Letter.

10. 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 so that the requirements of each of the parties will be provided for and accommodated insofar as possible.

11. City of Scranton and Reading Blue Mountain & Northern Railroad Company, cooperate with the non-carrier utilities involved, so that during the alteration of the subject crossing, the facilities of the non-carrier utilities will not be endangered or unnecessarily interrupted.

12. City of Scranton, at least ten (10) days prior to the start of work, notify local emergency management services and all parties of record of the actual date on which work will begin.

13. The alteration of the crossing be completed on or before December 31, 2026, and that on or before said date City of Scranton and Reading Blue Mountain & Northern Railroad Company, report in writing the date of actual completion of the work to this Commission and certify to the parties of record and this Commission that the work has been satisfactorily completed in accordance with this Secretarial Letter.

14. Upon completion of the alteration of the subject crossing, Reading Blue Mountain & Northern Railroad Company, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its railroad facilities located at the suspended Jackson Street public crossing (DOT 264 099 S), all in accordance with this Secretarial Letter. Reading Blue Mountain & Northern Railroad Company is to provide the City of Scranton at least ten (10) business days' advanced notice when performing any work under this paragraph that may affect its facilities.

15. Upon completion of the alteration of the subject crossing, the City of Scranton, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its highway facilities on the roadway approaches to the suspended Jackson Street public crossing (DOT 264 099 S), including the concrete barricades, Type 4 Object Markers, "Road Closed" (R11-2) signs, "No Outlet" (W14-2) signs, and any other ancillary facilities installed; all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter. The City of Scranton 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.

16. 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 suspended Jackson Street public crossing (DOT 264 099 S).

17. Any interested party or entity seeking to alter the suspended crossing shall make a formal application to this Commission for approval prior to any alteration of the crossing. Alterations include, but are not limited to, any installation, removal or modification of any fixed utility facilities or trail related facilities at the site of the subject suspended public crossing (DOT 264 099 S).

18. 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 costs incurred by the non-carrier utility companies and municipal authorities 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".

Matthew L. Homsher  
Secretary