

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application Docket No. 71522

In re: Application of CITY OF PHILADELPHIA - For approval of the construction of a bridge to carry 70th Street over the grade of the tracks of The Philadelphia, Baltimore and Washington Railroad Company and The Pennsylvania Railroad Company (operating as lessee of The Philadelphia, Baltimore and Washington Railroad Company) in the City and County of Philadelphia.

ORDER

BY THE COMMISSION, JANUARY 27, 1948.

70th Street, an improved highway in the City and County of Philadelphia, was laid out and established to a width of 70 feet across the right of way and four main tracks of The Philadelphia, Baltimore and Washington Railroad Company (leased and operated by The Pennsylvania Railroad Company) by an ordinance of the Council of the City of Philadelphia, dated March 11, 1947. In the instant application, City of Philadelphia seeks our approval of the construction of a bridge to carry 70th Street over and across the tracks and right of way of the railroad company. By its petition filed concurrently with the instant application, City of Philadelphia seeks a preliminary order temporarily approving the construction of the crossing above grade, pending final determination of the matter, as set forth in this application.

A field conference and investigation was arranged by a member of the staff of the Commission and held at the site of the crossing above grade on Wednesday, January 14, 1948, at which, The Pennsylvania Railroad Company, City of Philadelphia, and The Bell Telephone Company of Pennsylvania were represented.

A general and detail plan attached to the instant application as Exhibit "B", provides for the construction of a new crossing above grade. It is proposed to construct a half-through steel plate girder and steel I-beam bridge which will provide a minimum vertical clearance of 20 feet between the tops of rails and the

RECORD FOLDER

JAN 30 1948

bottom of the bridge superstructure and which will provide a horizontal clearance of about 90 feet between the faces of the stone-faced concrete abutments. The new bridge will provide an asphalt plank surface on a concrete roadway about 40 feet in width between concrete curbs and will provide a concrete sidewalk supported on brackets and approximately eight feet clear in width on each side of the roadway. Provision is made for installation of water mains and electric conduits in the sidewalk areas of the bridge.

At the field conference it was determined that it will be necessary to lower the catenary electric transmission lines of the railroad company and to elevate certain overhead wire lines of the railroad company to accommodate construction of the bridge. Representatives of the railroad company and the city present at the field conference stated that they are mutually satisfied with the plans submitted with the instant application and are in agreement as to the division of work and the allocation of the incident costs. This agreement is embodied in a formal contract between the city and the railroad companies which is filed with this Commission and docketed at P.U.M.C. 1594.

It was also stated at the field conferences that it will not be necessary for this Commission to lay out and establish any new highway, to vacate any existing highway or to appropriate any property for the purposes of the improvement.

We are of the opinion that a preliminary order temporarily approving the construction of the improvement should issue and, accordingly, we shall order the construction of the new crossing above grade, at a point in the City and County of Philadelphia, to carry 70th Street over and across the four main tracks and right of way of The Philadelphia, Baltimore and Washington Railroad Company (leased and operated by The Pennsylvania Railroad Company) in accordance with the general and detail plan attached to the instant application as Exhibit B.

Disposition of the application which seeks permanent approval of the construction of the new crossing above grade will be by further order; THEREFORE,

IT IS ORDERED:

1. That the prayer of the petition of City of Philadelphia, filed January 7, 1948, and docketed at A. 71522, seeking a preliminary order temporarily approving the construction of a new crossing at grade, be and is hereby granted.

2. That a crossing above grade, at a point in the City and County of Philadelphia, be constructed to carry 70th Street over and across the four main tracks and right of way of The Philadelphia, Baltimore and Washington Railroad Company (leased and operated by The Pennsylvania Railroad Company), in accordance with the general and detail plan attached to the instant application as Exhibit "B", which said plan is hereby approved and made part hereof.

3. That The Pennsylvania Railroad Company furnish all materials and do all work necessary to make any temporary or permanent relocations or alterations of its tracks, poles, wire lines, catenary transmission system or other facilities to permit construction of the improvement in accordance with the approved plan and, in addition, to maintain watchmen or flagmen to protect its train operations during the time the said temporary or permanent relocations or alterations are being made and during the time the new bridge is being constructed over its tracks in accordance with this order.

4. That any relocation of, changes in, or removal of any adjacent structures, equipment or other facilities of any public utility, which may be required as incidental to the execution of the improvement, herein ordered, be made by said public utility in such a manner as will not interfere with the construction of the improvement.

5. That Philadelphia Electric Company furnish all materials and do all work necessary to install its wire facilities

on the new bridge, herein ordered constructed, in accordance with the approved plan.

6. That City of Philadelphia furnish all materials and do all work necessary to complete the remainder of the improvement in accordance with the approved plan.

7. That City of Philadelphia cooperate with The Pennsylvania Railroad Company during the time the crossing improvement is being constructed so that operation of the railroad company's facilities will not be endangered.

8. That, during the time the new bridge is being constructed over its tracks, The Pennsylvania Railroad Company cooperate with City of Philadelphia in the construction of the improvement and operate its trains in the vicinity of said crossing in a safe manner, at reduced speed and under control.

9. That this order remain in effect only until such time as a further order has been issued in this proceeding by this Commission after hearing has been had and in any event shall not remain in effect after January 1, 1949.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

John H. Scragg
Chairman

ATTEST:

A. Walter
Acting Secretary

Commissioner Scragg being absent did not participate in the vote on this order.

Before
THE PUBLIC UTILITY COMMISSION
Of The
COMMONWEALTH OF PENNSYLVANIA

FILED AT HEARIN

In the matter of the application of ((
((
_____) Municipal Contract Docket
(Name of Applicant))) or
for a certificate of public convenience)) Application Docket
evidencing the Commission's approval ((
of ((
(Nature of Application) ((No. _____

STATE OF Pennsylvania)
COUNTY OF Philadelphia) ss:

On this 1st day of March, A. 1948
before me, the subscriber, a Notary Public in and for said County and
State, personally appeared Rita C. Nardone

who, being duly sworn according to law, deposes and says, that he is
the clerk of the Philadelphia Daily News
(Publisher, Editor, Manager) (Name of Publication)

published at Philadelphia
(City OR Town)

in the County of Philadelphia, and State of Pennsylvania;
and that the annexed is a true copy of a notice in the above matter
published in said publication in the regular issues of Saturday
February 28, 1948, and Monday, (month and
(day)
March 1, 1948.
(Month AND Day)

Rita C. Nardone
(Signature of Affiant)

Sworn and subscribed before me the day and year aforesaid.
Martha Reese
By Commission Expires at end of Next Session of Senate (Notary Public)

My Commission expires _____, 1948.

NOTICE IS HEREBY GIVEN THAT THE
application has been made to the Penn-
sylvania Public Utility Commission under
the provisions of the Public Utility Law
by the City of Philadelphia for the
approval of the construction of a subse-
danean utility tunnel over the streets of
BALTIMORE AND WASHINGTON RAIL-
ROAD COMPANY THE PENNSYLVANIA
VANIA RAILROAD COMPANY (operat-
ing as lessee of THE PHILADELPHIA
BALTIMORE AND WASHINGTON RAIL-
ROAD COMPANY) and the City of Phila-
delphia for the purpose of having
a public hearing upon the application
filed hereon on Wednesday, March 11,
1948 at 10:00 A.M. in the City Hall,
Philadelphia when and where all per-
sons interested may appear and be
heard. City of Philadelphia

STATEMENT OF ADVERTISING COSTS

Lines @	\$
Lines @	\$
To _____	Dr.
For publishing the notice or publication attached hereto on the above stated dates _____	\$ _____
Probating same _____	\$ _____
TOTAL _____	\$ _____

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS
_____, publisher of _____
(Name of Newspaper)

a newspaper of general circulation, hereby acknowledges receipt of
the aforesaid notice and publication costs and certifies that the
same have been duly paid.

(Name of Newspaper)

By _____

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MAR 11 1948