

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held May 21, 2026

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

Application of the Pennsylvania Department of Transportation for approval to alter the public crossing (DOT 528 374 T) by the installation of new curbs, sidewalks, and detectable warning surfaces in connection with the replacement of an adjacent highway bridge where State Route 0322 (Main Street) crosses, at grade, one (1) track of Buffalo & Pittsburgh Railroad, Incorporated located in Reynoldsville Borough, Jefferson County, and the allocation of costs incident thereto.

Docket No.
A-2025-3058703

ORDER

BY THE COMMISSION:

On November 19, 2025, the Commonwealth of Pennsylvania Department of Transportation (Department) filed an application with the Commission seeking approval to alter the public at grade crossing (DOT 528 374 T) by the installation of new curbs, sidewalks, and detectable warning surfaces in connection with the replacement of an adjacent highway bridge. On January 8, 2026, a field investigation and conference was held at the site of the subject crossing. At the field conference, the Department averred it would be necessary for the Commission to appropriate certain portions of railroad property to accommodate the proposed project.

By Secretarial Letter dated January 27, 2026, the Commission directed the alteration of the public crossing (DOT 528 374 T), allocation of costs and assignment of future maintenance responsibilities. Paragraph Number 3 of the Commission's Secretarial Letter directed the Department to submit for approval the right-of-way plans and property descriptions for the highway-railroad crossing alteration project involved in this proceeding.

The final right-of-way plans were received March 5, 2026, and consist of a total of twenty-three (23) sheets, including two (2) sheets of color-coded plans. The Department is requesting the Commission approve the right-of-way plans that include appropriation of three (3) tracts of property from Buffalo & Pittsburgh Railroad, Incorporated.

The Department avers that each party to the proceeding was served a copy of the plans for review. On March 20, 2026, a Commission staff engineer issued a 20-day query letter requesting each party in interest to review the right-of-way plans and property appropriation submission and notify the Commission of any objections by April 9, 2026. None of the parties have advised the Commission that it objects to approval of the plans.

The metes and bounds descriptions required for the property appropriation associated with the said right-of-way plans were submitted to the Commission on March 5, 2026, and are defined herein by this Order.

We hereby approve the right-of-way plans and appropriate the property described in detail in the ordering paragraphs.

The parties are reminded that any failure to comply with any Secretarial Letter or Order in this proceeding may result in an enforcement action seeking civil penalties and/or other sanctions pursuant to 66 Pa. C.S. §3301.

The record having been certified to this Commission, we issue this Order pursuant to Sections 335(a) and 2702 of the Public Utility Code, 66 Pa. C.S. §§ 335(a) and 2702, and find that the appropriation of railroad property is necessary and proper for the service, accommodation, convenience or safety of the public; **THEREFORE,**

IT IS ORDERED:

1. That the right-of-way plans submitted by the Commonwealth of Pennsylvania Department of Transportation on March 5, 2026, consisting of a total of twenty-three (23) sheets, including two (2) sheets of color-coded plans and identified as “COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION DRAWINGS AUTHORIZING ACQUISITION OF RIGHT-OF-WAY FOR STATE ROUTE 0322 SECTION 556 R/W IN JEFFERSON COUNTY,” are hereby approved and made part hereof.

2. That in accordance with the provision of Section 2702 of the Public Utility Code, 66 Pa. C.S. §2702, the following described properties be and are hereby taken and appropriated temporarily, for the use during the construction period only, in accordance with the right-of-way plans approved in Paragraph No. 1 of this Order, and that Paragraph No. 2 of this Order shall be recorded by the Recorder of Deeds of Jefferson County, and shall be indexed under the name or names of the record owners of said property, grantor(s), and to the Commonwealth of Pennsylvania Department of Transportation, grantee, at the sole cost and expense of the Commonwealth of Pennsylvania Department of Transportation, applicant herein; the above said plans having been recorded by Jefferson County on November 25, 2025 in book 2025, page 4057 to which recording reference is made in and of the description of those tracts of land more particularly described in detail below:

BUFFALO AND PITTSBURGH RAILROAD
C/O GENESEE & WYOMING RAILROAD
13901 SUTTON PARK DRIVE
SUITE 270
JACKSONVILLE, FLORIDA 32224

ALL THOSE CERTAIN TRACTS of land located in Reynoldsville Borough, Jefferson County, Commonwealth of Pennsylvania, being bound and described as follows, to wit:

Tract No. 1

(Temporary Construction Easement)

Beginning at a point, (Point of Beginning), at the intersection of the Temporary Construction Easement Line and the northerly legal right-of-way line of SR 0322 and being 30'± left of and opposite SR 0322 survey and right-of-way baseline station 400+80.00, (Coordinates Northing 342,200.6808, Easting 1,653,348.0063); thence along the Temporary Construction Easement Line;

North 24°38'02" East a distance of 4.99' to a point along the Temporary Construction Easement Line, said point being 35.00' left of and opposite SR 0322 survey and right-of-way baseline station 400+80.00; thence continuing along the Temporary Construction Easement;

South 65°22'32" East a distance of 35.00' to a point along the Temporary Construction Easement Line, said point being 35.00' left of and opposite SR 0322 survey and right-of-way baseline station 401+15.00; thence continuing along the Temporary Construction Easement;

South 24°38'02" West a distance of 4.99' to a point at the intersection of the Temporary Construction Easement Line and the northerly legal right-of-way line of SR 0322, said point being 30'± left of and opposite SR 0322 survey and right-of-way baseline station 401+15.00; thence continuing along the northerly legal right-of-way line of SR 0322;

North 65°21'58" West a distance of 35.00' to a point, the POINT OF BEGINNING.

Containing 0.004 Acre (175 Square Feet)

Tract No. 2

(Temporary Construction Easement)

Beginning at a point, (Point of Beginning), at the intersection of the Temporary Construction Easement Line and the northerly legal right-of-way line of SR 0322 and being 30'± left of and opposite SR 0322 survey and right-of-way baseline station 401+35.00, (Coordinates Northing 342,177.7558, Easting 1,653,398.0008); thence along the Temporary Construction Easement Line;

North 24°38'02" East a distance of 4.99' to a point along the Temporary Construction Easement Line, said point being 35.00' left of and opposite SR 0322 survey and right-of-way baseline station 401+35.00; thence continuing along the Temporary Construction Easement Line;

South 65°21'59" East a distance of 30.10' to a point along the Temporary Construction Easement Line, said point being 35.00' left of and opposite SR 0322 survey and right-of-way baseline station 401+65.00; thence continuing along the Temporary Construction Easement Line;

North 37°49'57" East a distance of 184.12' to a point along the Temporary Construction Easement Line, said point being 215.00' left of and opposite SR 0322 survey and right-of-way baseline station 402+00.00; thence continuing along the Temporary Construction Easement Line;

North 46°35'24" East a distance of 132.33' to a point along the Temporary Construction Easement Line, said point being 340.00' left of and opposite SR 0322 survey and right-of-way baseline station 402+35.00; thence continuing along the Temporary Construction Easement Line;

North 75°23'52" East a distance of 100.30' to a point at the intersection of the Temporary Construction Easement Line and the westerly legal right-of-way line of Baxter Street, said point being 410.00' left of and opposite SR 0322 survey and right-of-way baseline station 402+89±; thence continuing along the westerly legal right-of-way line of Baxter Street;

South 07°56'05" West a distance of 38.12' to a point at the intersection of the westerly legal right-of-way line of Baxter Street and the Temporary Construction Easement Line, said point being 375.00' left of and opposite SR 0322 survey and right-of-way baseline station 403+00±; thence continuing along the Temporary Construction Easement Line;

South 71°45'57" West a distance of 79.76' to a point along the Temporary Construction Easement Line, said point being 315.00' left of and opposite SR 0322 survey and right-of-way baseline station 402+60.00; thence continuing along the Temporary Construction Easement Line;

South 36°18'18" West a distance of 100.75' to a point along the Temporary Construction Easement Line, said point being 215.00' left of and opposite SR 0322 survey and right-of-way baseline station 402+50.00; thence continuing along the Temporary Construction Easement Line;

South 37°25'55" West a distance of 177.18' to a point along the Temporary Construction Easement Line, said point being 40.00' left of and opposite SR 0322 survey and right-of-way baseline station 402+25.00; thence continuing along the Temporary Construction Easement Line;

South 59°42'51" East a distance of 53.30' to a point at the intersection of the Temporary Construction Easement Line and the property line, said point being 39'± left of and opposite SR 0322 survey and right-of-way baseline station 402+77±; thence continuing along the property line;

South 24°38'02" West a distance of 5.87' to a point at the intersection of the property line and the northerly legal right-of-way line of SR 0322, said point being 30'± left of and opposite SR 0322 survey and right-of-way baseline station 402+77±; thence along the northerly legal right-of-way line of SR 0322;

North 63°48'50" West a distance of 104.90' to a point along the northerly legal right-of-way line of SR 0322, said point being 30'± left of and opposite SR 0322 survey and right-of-way baseline station 401+75±; thence continuing along the northerly legal right-of-way line of SR 0322;

By a curve to the left, having a radius of 1,176.75', an arc length of 13.42', and a chord bearing of North 65°02'22" West and a distance of 13.42' to a point along the northerly legal right-of-way line of SR 0322; thence continuing along the northerly legal right-of-way line of SR 0322;

North 65°21'58" West a distance of 26.93' to a point, the POINT OF BEGINNING.

Containing 0.472 Acre (20,565 Square Feet)

Tract No. 3

(Temporary Construction Easement)

Beginning at a point, (Point of Beginning), at the intersection of the Temporary Construction Easement Line and the southerly legal right-of-way line of SR 0322 and being 30'± right of and opposite SR 0322 survey and right-of-way baseline station 401+35.00, (Coordinates Northing 342,123.2078, Easting 1,653,372.9996); thence along the southerly legal right-of-way line of SR 0322;

South 65°21'58" East a distance of 26.92' to a point on of the southerly legal right-of-way line of SR 0322, said point being 30'± right of and opposite SR 0322 survey and right-of-way baseline station 401+62±; thence continuing along the southerly legal right-of-way line of SR 0322;

By a curve to the right, having a radius of 1,116.75', an arc length of 9.13', and a chord bearing of South 65°07'54" East and a distance of 9.13' to a point at the intersection of the southerly legal right-of-way line of SR 0322 and the property line, said point being 30'± right of and opposite SR 0322 survey and right-of-way baseline station 401+71±; thence along the property line;

By a curve to the left, having a radius of 1,239.26', an arc length of 10.50', and a chord bearing of South 24°19'01" West and a distance of 10.50' to a point at the intersection of the property line and the Temporary Construction Easement Line, said point being 41'± right of and opposite SR 0322 survey and right-of-way baseline station 401+71±; thence along the Temporary Construction Easement Line; North 62°35'21" West a distance of 11.12' to a point along the Temporary Construction Easement Line, said point being 40.00' right of and opposite SR 0322 survey and right-of-way baseline station 401+60.00; thence continuing along the Temporary Construction Easement;

South 21°59'24" West a distance of 100.11' to a point along the Temporary Construction Easement Line, said point being 140.00' right of and opposite SR 0322 survey and right-of-way baseline station 401+65.00; thence continuing along the Temporary Construction Easement;

South 01°19'26" West a distance of 38.29' to a point at the intersection of the Temporary Construction Easement Line and the property line, said point being 175'± right of and opposite SR 0322 survey and right-of-way baseline station 401+83±; thence along the property line;

By a curve to the left, having a radius of 1,239.26', an arc length of 16.70', and a chord bearing of South 17°26'52" West and a distance of 16.70' to a point at the intersection of the property line and the Temporary Construction Easement Line, said point being 192'± right of and opposite SR 0322 survey and right-of-way baseline station 401+86±; thence along the Temporary Construction Easement Line;

North 31°02'37" West a distance of 38.55' to a point along the Temporary Construction Easement Line, said point being 170.00' right of and opposite SR 0322 survey and right-of-way baseline station 401+50.00; thence continuing along the Temporary Construction Easement Line;

North 18°02'33" East a distance of 130.86' to a point along the Temporary Construction Easement Line, said point being 40.00' right of and opposite SR 0322 survey and right-of-way baseline station 401+35.00; thence continuing along the Temporary Construction Easement Line;

North 24°37'28" East a distance of 10.00' to a point, the POINT OF BEGINNING.

Containing 0.081 Acre (3,512 Square Feet)

The above three (3) tracts of land shown on the Commonwealth of Pennsylvania Department of Transportation's Drawings Authorizing Acquisition of Right-of-Way for State Route 0322 Section 556 R/W, as temporary construction easement, and designated and delineated as being a portion of the same property of Mountain Laurel Railroad Company as part of parcel No. 18 on sheets 7, 8, and 18 of said drawings, by deed dated April 26, 1996, and recorded on June 20 1996, in the Jefferson County Records's Office, in Jefferson County, by DBV 066 PG 556, granted and conveyed unto Pittsburgh and Shawmut Railroad, Inc.*, the grantor herein.

* Buffalo and Pittsburgh Railroad absorbed the Pittsburg & Shawmut Railroad on January 1, 2004.

3. That in all respects not inconsistent herewith, our Secretarial Letter dated January 27, 2026, shall remain in full force and effect.

BY THE COMMISSION,

A handwritten signature in black ink, reading "Matthew L. Homsher". The signature is written in a cursive style with a large initial "M".

Matthew L. Homsher

Secretary

(SEAL)

ORDER ADOPTED: May 21, 2026

ORDER ENTERED: May 21, 2026