



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

IN REPLY PLEASE
REFER TO OUR FILE

June 3, 2026

A-00123148
A-2016-2581908

TO ALL PARTIES OF RECORD

A-00123148 - Application of the York Railway Company - To Determine Fair and Reasonable Maintenance Responsibilities for the Warning Devices at the Broadway Street Crossings (DOT 540 847 W and DOT 832 109 N) Where York Railway Company and CSX Transportation Cross Said Roadway in the Borough of Hanover, York County.

A-2016-2581908 - Application of CSX Transportation Inc. - For approval to abolish the public crossing (DOT 540 847 W) where Broadway Street crosses, at grade, a single track of York Railway Company in the Borough of Hanover, York County.

To Whom It May Concern:

By Commission Order entered December 19, 2019, the Commission approved the subject application, and the allocation of costs and assignment of the future maintenance responsibilities.

A field meeting was held on September 15, 2021, to discuss safety concerns brought up by CSX Transportation Inc., (CSX) with the planned implementation of the project as per the Commission's Order entered December 19, 2019.

On October 13, 2021, a Secretarial Letter was issued addressing the safety concerns of the diagnostic team and CSX as a result of the September 15, 2021, meeting.

On October 27, 2022, Sherod E and Carol A Bechtel filed an objection to the Secretarial Letter issued October 13, 2021.

The parties attempted to resolve not only the issues that the Bechtel's raised but permitting concerns of the Pennsylvania Department of Transportation associated with the Bechtel's drive entrance to their property.

In an attempt to resolve all the concerns with the project, a field conference was conducted by a Commission staff engineer on April 1, 2026, that was attended by CSX, Pennsylvania Department of Transportation, York Railway Company, Hanover Borough and Sherod Bechtel. The diagnostic team discussed all the concerns of the parties, the Order entered December 19, 2019, the Secretarial Letter issued October 13, 2021, and the safety challenges and constructability of the proposed project and its configuration of the active warning lights and gates. The previously approved alteration of the subject crossings as directed in the Order and Secretarial Letter involved removing the track of York Railway Company (DOT 540 847 W) and relocating the warning lights. The Pennsylvania Department of Transportation stated that their funding source to cover the costs to alter the subject crossings has expired and the proposed placement of the active warning lights could not be resolved. CSX also stated that they do not have available resources to put toward any alterations of the subject crossings.

All the members of the diagnostic team agreed that the current configuration of active warning lights and gates is adequate for the subject crossings and should remain. The team agreed the track of York Railway remain in place so the existing configuration of the warning signals can remain. The parties agreed that the Secretarial Letter dated October 13, 2021, be rescinded and that the applications of CSX dated December 29, 2016, and of York Railway dated September 27, 2006, be dismissed

Following a careful review of Commission records, it has been determined that the maintenance at the subject crossings (DOT 540 847 W and DOT 832 109 N) appears to have not been memorialized by Secretarial Letter or Commission Order and/or was not located within the Commission's records. This Secretarial Letter will serve to formally memorialize the current maintenance responsibilities.

York Railway agreed to maintain the crossing surface of their respective track at the subject crossing (DOT 540 847 W).

CSX agreed to maintain the crossing surface of their respective track at the subject crossing (DOT 832 109 N), the flashing warning lights, gates and bell for both subject crossings (DOT 540 847 W and DOT 832 109 N).

Pennsylvania Department of Transportation agreed to maintain the approach roadways, the Grade Crossing Advance Warning (W10-1) signs, stop lines and pavement markings.

Hanover Borough agreed to maintain the approach sidewalks to the subject crossings and to remove the snow, ice and debris from the sidewalks.

The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that:

1. The application of York Railway dated September 27, 2006, be dismissed.
2. The application of CSX Transportation Inc., dated December 29, 2016, be dismissed.
3. The Commission's Secretarial Letter dated October 13, 2021, be rescinded.

4. York Railway Company, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its railroad facilities at the subject crossing (DOT 540 847 W), and to maintain at all times in a smooth and satisfactory condition the railroad crossing surface located between the rails and for a distance of twenty-four (24) inches beyond the rails; all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter, and provide Pennsylvania Department of Transportation and Hanover Borough at least ten (10) business days advance notice when performing any work that may affect their facilities, as directed by this paragraph.

5. CSX Transportation Inc., at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its railroad facilities at the subject crossing (DOT 832 109 N), including all automatically operated flashing-light warning signals, gates and bell, at the public crossings (DOT 832 109 N and DOT 540 847 W) and all appurtenant equipment, and to maintain at all times in a smooth and satisfactory condition the railroad crossing surface at (DOT 832 109 N) located between the rails and for a distance of twenty-four (24) inches beyond the rails; all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter, and provide Pennsylvania Department of Transportation and Hanover Borough at least ten (10) business days advance notice when performing any work that may affect their facilities, as directed by this paragraph.

6. Upon completion of construction of the project, Pennsylvania Department of Transportation, at its sole cost and expense, furnish all material and do all work necessary to maintain the highway approaches to the subject crossings (DOT 540 847 W and DOT 832 109 N) to points twenty-four (24) inches beyond each outside rail and, in addition, maintain the Grade Crossing Advance Warning (W10-1) signs, stop lines and pavement markings on the approaches thereto all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter, and provide York Railway Company, CSX Transportation Inc., and Hanover Borough at least ten (10) business days advance notice when performing any work that may affect their facilities, as directed by this paragraph.

7. Hanover Borough, at its sole cost and expense, furnish all material and do all work necessary thereafter to maintain the physical and surface condition of the sidewalks approaching the subject crossings (DOT 540 847 W and DOT 832 109 N) and perform year-round maintenance of the sidewalks by removing snow, ice, and debris, and applying anti-skid and de-icing material, all in accordance with the provisions of this Secretarial letter.

8. The dockets A-00123148, and A-2016-2581908, 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".

Matthew L. Homsher
Secretary