



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

IN REPLY PLEASE  
REFER TO OUR FILE

June 4, 2026

A-2023-3044236

**TO ALL PARTIES OF RECORD**

Application of West Penn Power Company for approval to alter the public crossing (DOT 831 920 W) by the installation of an aerial electric wireline facility where T-529 (Salem Road) crosses, at grade, two (2) tracks of Pennsylvania & Southern Railway, LLC, also operated thereon by CSX Transportation, Inc. located in Greene Township, Franklin County.

To Whom It May Concern:

By Secretarial Letter dated December 12, 2023, the Commission approved the subject application, allocation of costs and assignment of the future maintenance responsibilities to alter the public crossing (DOT 831 920 W) by the installation of an aerial electric wireline facility. All work was to be completed by December 31, 2024.

By electronic mail dated July 1, 2025, West Penn Power Company (West Penn) notified a Commission staff engineer that the project was delayed due to additional permitting requirements it had not yet obtained from the Federal Aviation Administration (FAA). By electronic mail dated January 30, 2026, West Penn notified a Commission staff engineer that the FAA rejected their plan due to a proposed pole that was inside of their jurisdiction. West Penn is currently investigating the possibility of boring under the railroad tracks to install its facility.

By electronic mail dated February 2, 2026, a Commission staff engineer advised West Penn to file a petition to withdraw its current application and file a new application with the Commission when a new plan is developed. By electronic mail dated March 5, 2026, a Commission staff engineer notified West Penn that the Commission will rescind its Secretarial Letter approving its application and close the docket due to lack of prosecution. West Penn has not filed any additional documents nor has responded to Commission staff of its desire to hold this docket open.

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

1. The Secretarial Letter dated December 12, 2023, be rescinded.
2. The application filed on November 16, 2023, be dismissed for lack of prosecution.

3. Any interested party or entity seeking to alter the public crossing shall make formal application to this Commission for approval prior to any alteration. Alterations include, but are not limited to, any installation, removal or modification of any fixed utility facilities at the subject crossing.

4. 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.

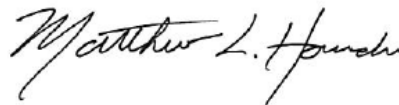
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax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



Matthew L. Homsher  
Secretary