

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

Public Meeting held June 18, 2026

Commissioners Present:

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

Application of Pennsylvania Department of Transportation for approval to alter two (2) public crossings by the rehabilitation of the existing bridge where State Route 0018 (Seventh Avenue) crosses, above grade, one (1) track of Norfolk Southern Railway Company (DOT 503 768 L) located in New Brighton Borough and two (2) tracks of CSX Transportation, Inc. (DOT 584 878 T) located in the City of Beaver Falls, all in Beaver County, and the allocation of costs incident thereto.

Docket No.
A-2024-3045709

ORDER

BY THE COMMISSION:

On January 22, 2024, the Commonwealth of Pennsylvania Department of Transportation (Department) filed an application with the Commission for approval to alter two (2) public crossings by the rehabilitation of the existing bridge where State Route 0018 (Seventh Avenue) crosses, above grade, one (1) track of Norfolk Southern Railway Company (DOT 503 768 L) located in New Brighton Borough and two (2) tracks of CSX Transportation, Inc. (DOT 584 878 T) located in the City of Beaver Falls, all in Beaver County. On April 2, 2024, a field investigation and conference was held. At the field conference, the Department averred it may be necessary for the Commission to appropriate certain portions of railroad property to accommodate the proposed project.

By Secretarial Letter dated May 28, 2024, the Commission directed the rehabilitation of the existing bridge, allocation of costs and assignment of future maintenance responsibilities. Paragraph Number 4 of the Commission's Secretarial Letter directed the Department to submit for approval the right-of-way plans for the highway-railroad crossing alteration project involved in this proceeding.

The final right-of-way plans were received April 29, 2026, and consist of a total of thirteen (13) 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 two (2) tracts of property from Norfolk Southern Railway Company and of one (1) tract of property from CSX Transportation, Inc.

The Department avers that each party to the proceeding was served a copy of the plans for review. None of the parties have advised this 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 April 29, 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 April 29, 2026, and consist of a total of thirteen (13) 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 0018 SECTION B62 R/W IN BEAVER COUNTY,” are hereby approved and made part hereof.

2. That in accordance with the provisions of Section 2702 of the Public Utility Code, 66 Pa. C.S. §2702, the following described property be and is hereby taken and appropriated for the purpose of the improvement 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 in the Recorder of Deeds of Beaver County, and shall be indexed under the name or names of the record owners of said property, grantor(s), and the Commonwealth of Pennsylvania Department of Transportation, grantee, at the sole cost and expense of the Commonwealth of Pennsylvania Department of Transportation, applicant herein:

NORFOLK SOUTHERN RAILWAY COMPANY
THREE COMMERCIAL PLACE
NORFOLK, VIRGINIA 23510-9207

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

Tract No. 1
(Required Aerial Easement)

BEGINNING at an Iron Pin at the southwest corner of land now or formerly of Thomas E. & Diane L. Cole (Brighton Glass) and the intersection of the property on the easterly legal right-of-way of Norfolk Southern Railway Company (grantor) and the easterly legal right-of-way line of State Route 0018 also known as 5th Avenue, Pennsylvania Department of Transportation (grantee);

Thence through lands of the grantor and along easterly legal right-of way of State Route 0018, N 52°39'44" W a distance of 144.79 feet to a point, said point being on the westerly legal right-of-way line of said Norfolk Southern Railway Company;

Thence along the same, N 37°30'00" E a distance of 8.00 feet to a point;

Thence through lands of grantor, S 52°39'44" E a distance of 145.26 feet to a point, said point being on the easterly legal right-of-way line of Norfolk Southern Railway Company and land of Thomas E. & Diane Cole (Brighton Glass);

Thence along the same, S 40°47'48" W a distance of 8.01 feet to an Iron Pin, the point of beginning.

Containing 0.0266 Acres (1160.20 Square Feet)

Tract No. 2
(Required Aerial Easement)

BEGINNING at a point at the Northern corner of land now or formerly of Eric & Korena Boron and the intersection of the property on the easterly legal right-of-way of Norfolk Southern Railway Company (grantor) and the westerly legal right-of-way line of State Route 0018 also known as 5th Avenue, Pennsylvania Department of Transportation (grantee);

Thence through lands of grantor, S 52°59'37" W a distance of 10.50 feet to a point;

Thence through lands of grantor, by a curve to the left with a radius of 402.87 feet an arc length of 110.08 feet, said curve having a chord bearing, N 44°50'03" W a distance of 109.74 feet to a point;

Thence by same, N 52°39'44" W a distance of 21.75 feet to a point, said point being on the westerly legal right-of-way line of said Norfolk Southern Railway Company;

Thence along the same, N 33°55'00" E a distance of 10.52 feet to a point, said point being on the westerly legal right-of-way of State Route 0018;

Thence along said right-of-way and through lands of Norfolk Southern Railway Company, S 52°39'44" E a distance of 22.38 feet to a point;

Thence by same, by a curve to the right with a radius of 413.37 feet an arc length of 112.95 feet, said curve having a chord bearing, S 44°50'03" E a distance of 112.60 feet to a point, the point of beginning.

Containing 0.0322 Acres (1402.63 Square Feet)

The above two (2) tracts of land is shown on the Commonwealth of Pennsylvania Department of Transportation Drawings Authorizing Acquisition of Right of Way for State Route 0018 Section B62 R/W in Beaver County, as required aerial easement and designated and delineated on Sheets 5 and 6 of 11 of said drawings, being portions of real estate now owned by Norfolk Southern Railway Company, successor through merger with Pennsylvania Lines, LLC dated August 27, 2004, being a portion of land conveyed by Consolidated Rail Corporation by Instrument No. 3056583 dated June 1, 1999 and recorded February 24, 2000 in the Recorder of Deeds Office of and for Beaver County and being further shown and illustrated on the Right of Way & Track Map for Pittsburgh, Youngstown & Ashtabula Railway Valuation Map (V.3 Penna/1.1) formerly (V3d Penna/4) Station 135+25 to Station 188+04 dated June 30, 1918.

3. That in accordance with the provision of Section 2702 of the Public Utility Code, 66 Pa. C.S. §2702, the following described property 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. 3 of this Order shall be recorded by the Recorder of Deeds of Beaver 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:

CSX TRANSPORTATION, INC.
500 WATER STREET
JACKSONVILLE, FLORIDA 32202

ALL THOSE CERTAIN TRACTS of land located in the City of Beaver Falls, Beaver County, Commonwealth of Pennsylvania, being bound and described as follows, to wit:

Tract No. 3

(Temporary Construction Easement)

BEGINNING at a point on the eastern legal right-of-way line of CSX Transportation, Inc. (grantor), said point having a Pennsylvania State Plane Coordinate System NAD 83 (3702 PA South) coordinate of North: 524,416.05 feet, East: 1,257,014.96 feet, at the CSX Transportation Inc, Station 1665+82, 12.9 feet right as shown on Valuation Map Entitled: Pittsburgh & Lake Erie Railroad Co. Railroad Valuation Section Map (V-1/33) Station 1652+00 to Station 1700+00 Revision 1, Plotted 01-23-04, said point being located on the southern corner of the herein described easement;

Thence along legal right-of-way line of grantor, N 02°32'45.8" E a distance of 42.3 feet to a point;

Thence through lands of grantor S 42°38'45.5" E a distance of 25.4 feet to a point;

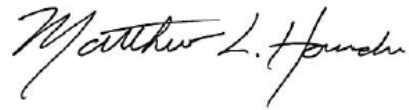
Thence along legal right-of-way line of grantor, S 38°56'57.8" W a distance of 30.3 feet to a point, the point of BEGINNING;

Containing 42.3 Square Yards (380.7 Square Feet)

The above one (1) tract of land shown on the Department's Drawings Authorizing Acquisition of Right of Way for State Route 0018, Section B62 R/W in Beaver County, as temporary construction easement and designated and delineated on Sheet 10 of 11 of said drawings, being portions of real estate now owned by CSX Transportation, Inc., successor through merger with New York Lines, LLC, being a portion of land conveyed by Pittsburgh and Lake Erie Railroad by deed dated July 18, 1991 and recorded July 18, 1991 in Deed Book No 1448, Page No 339 in the Recorder of Deeds Office of and for Beaver County and being further shown and illustrated on the Pittsburgh & Lake Erie Railroad Co. Railroad Valuation Section Map (V-1/33) Station 1652+00 to Station 1700+00.

4. That in all respects not inconsistent herewith, our Secretarial Letter dated May 28, 2024, shall remain in full force and effect.

BY THE COMMISSION,

A handwritten signature in cursive script that reads "Matthew L. Homsher".

Matthew L. Homsher

Secretary

(SEAL)

ORDER ADOPTED: June 18, 2026

ORDER ENTERED: June 18, 2026