



COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL

May 11, 2012

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

RE: **Docket No. A-2010-2174106**

Dear Secretary Chiavetta:

Enclosed for filing please find the original and one (1) copy of the Petition to Modify Secretarial Letter of the Department of Transportation, in the above-captioned matter.

I hereby certify that a copy has been sent to all parties of record as indicated by the Certificate of Service.

Very Truly Yours,

A handwritten signature in blue ink that reads "Gina M. D'Alfonso".

Gina M. D'Alfonso  
Assistant Counsel in Charge

Enclosure  
2200/GMD:bjk

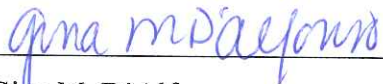
cc: parties of record  
Rodney Rehnert, Grade Crossing Engineer, District 5-0  
Greg Vaughn, Grade Crossing Administrator, Utilities & Right of Way Section

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation	:	A-2010-2174106
of the Commonwealth of Pennsylvania for the	:	Electronically Filed
approval to replace the existing overhead bridge	:	
where I-81 (southbound) crosses over the	:	
two tracks of Reading , Blue Mountain & Northern	:	
Railroad Company (DOT No. 361 461 E) in Delano	:	
two (2) tracks of Norfolk Southern Railway Company	:	
Township, Schuylkill County; and the allocation	:	
of costs incident thereto.	:	

**NOTICE TO PLEAD**

This pleading has been filed with the Secretary of the Public Utility Commission. Any responsive pleading this Petition must be filed within twenty (20) days of service of this Petition upon you. 52 Pa. Code § 5.103 (b) & (c).

  
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Gina M. D'Alfonso  
Assistant Counsel-in-Charge  
PennDOT - Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, PA 17105-8212  
Telephone No. (717) 787-3128

Date: May 11, 2012

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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two (2) tracks of Norfolk Southern Railway Company	:	
Township, Schuylkill County; and the allocation	:	
of costs incident thereto.	:	

**PETITION TO MODIFY SECRETARIAL LETTER DATED JULY 22, 2010**

AND NOW, comes the Commonwealth of Pennsylvania, Department of Transportation, (“Department”), by and through its counsel, Gina M. D’Alfonso, Assistant Counsel in Charge and offers the following in support of its Petition to Modify Secretarial Letter dated July 22, 2010, in the above referenced matter:

1. The name and address of the moving party is:

Commonwealth of Pennsylvania  
Department of Transportation  
Bureau of Project Delivery  
P.O. Box 3362  
Harrisburg, Pennsylvania 17105-3362

2. The name and address of Counsel for the moving party is:

Gina M. D’Alfonso  
Assistant Counsel in Charge  
Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, Pennsylvania 17105-8212

3. On or about May 4, 2010, the Department filed an application seeking approval to replace the existing bridge carrying I-81 over Reading Blue Mountain & Northern Railroad. By Secretarial Letter dated July 22, 2010, the Pennsylvania Public Utility Commission (“PUC”) approved the application and directed that the project be completed on or before April 11, 2012.

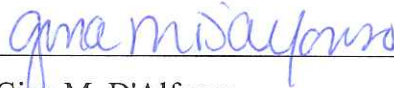
4. The Department has been unable to meet this schedule. When the application was filed the Department had planned to construct the project “design-build”. The Federal Highway Administration has directed the Department to construct this project design-bid-build consistent with the remainder of the I-81 corridor bridge rehabilitation project.

5. The Department respectfully requests that the Secretarial Letter dated July 22, 2010, be modified as follows (modifications are underlined):

7. The crossing alteration project be completed on or before December 31, 2015, and that on or before said date, Pennsylvania Department of Transportation report the date of actual completion of the work and certify to this Commission that the work has been completed satisfactorily in accordance with the approved plans and this Secretarial Letter.

WHEREFORE, the Department of Transportation respectfully requests that the relief sought in this Petition be granted.

Respectfully submitted,



Gina M. D'Alfonso  
Assistant Counsel in Charge  
Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, PA 17105-8212  
Telephone No. (717) 787-3128

DATED: May 11, 2012

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of the Department of Transportation  
of the Commonwealth of Pennsylvania for the  
approval to replace the existing overhead bridge  
where I-81 (southbound) crosses over the  
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two (2) tracks of Norfolk Southern Railway Company  
Township, Schuylkill County; and the allocation  
of costs incident thereto.

: A-2010-2174106  
: Electronically Filed  
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**VERIFICATION**

I, Rodney Rehnert, Grade Crossing Administrator, for the Commonwealth of Pennsylvania, Department of Transportation, in this matter, hereby verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information and belief. I understand that this statement is made subject to penalties of 18 Pa. C.S. §4904, relating to the unsworn falsification to authorities.

DATED: 5/11/12

  
Rodney Rehnert  
Grade Crossing Administrator



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Township, Schuylkill County; and the allocation	:	
of costs incident thereto.	:	

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the *Petition to Modify Application* was served upon the parties listed below, in accordance with the requirements of §1.54, by first-class mail, postage prepaid this 11<sup>th</sup> day of May, 2012.

Wayne A. Michel, President  
Reading Blue Mountain & Northern Railroad  
One Railroad Boulevard  
Port Clinton, PA 19549

Schuylkill County Commissioners  
Schuylkill County Government Center  
401 North Second Street  
Pottsville, PA 17901

Paul P. Kuropatasky, Chairman  
Delano Township  
One Hazle Street  
P.O. Box 103  
Delano, PA 18220

Al Zuba  
Frontier Communication Solutions  
100 CTE Drive  
Dallas, PA 18612

Denise Boyle, Manager  
Sunoco Logistics  
525 Fritztown Road  
Sinking Spring, PA 19608

Bill Brayford  
Service Electric Broadband Cable  
201 West Centre Street  
Mahanoy City, PA 17948

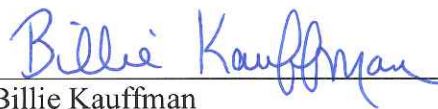
John Alessandrini, Engineer  
Verizon Business  
630 Clark Avenue  
King of Prussia, PA 19406

Randy Cahalan, Manager  
Hazelton City Authority Water Department  
400 East Arthur Gardener Parkway  
Hazelton, PA 18201

Kim Flowers  
PPL Electric Utilities Corp.  
2 North Ninth Street – GENN3  
Allentown, PA 18101-1179

Debbie Dalia  
Verizon Pennsylvania Inc.  
Right-of-Way Department  
201 Stanwix Street, 9<sup>th</sup> Floor  
Pittsburgh, PA 15222

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION



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Billie Kauffman  
Legal Assistant to Gina M. D'Alfonso  
Assistant Counsel in Charge  
Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, PA 17105-8212  
Telephone No. (717) 787-3128

DATED: May 11, 2012