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| PUC logo | COMMONWEALTH OF PENNSYLVANIA  PENNSYLVANIA PUBLIC UTILITY COMMISSION  P.O. BOX 3265, HARRISBURG, PA 17105-3265 | **IN REPLY PLEASE REFER TO OUR FILE** |

August 13, 2013

A-2013-2369700

TO ALL PARTIES

Application of Verizon Pennsylvania, LLC for approval of the alteration of the crossing by reason of the installation of a new aerial communication line where Butler Street crosses, at grade, (DOT No. 510 879 V) two (2) tracks of Norfolk Southern Railway Company in Springdale Borough, Allegheny County.

To Whom It May Concern:

By application filed with the Commission on June 20, 2013, Verizon Pennsylvania, LLC seeks Commission approval to alter the crossing by the installation of a new aerial communication line where Butler Street crosses, at grade, (DOT No. 510 879 V) two (2) tracks of Norfolk Southern Railway Company in Springdale Borough, Allegheny County.

The new aerial communication line will attach to the existing utility poles owned by Verizon Pennsylvania, LLC. A minimum vertical clearance of twenty nine (29) feet will be provided.

The Commission hereby establishes its jurisdictional limits at the subject crossing as the area within the confines of the railroad right-of-way and the highway right-of-way.

In its application, Verizon Pennsylvania, LLC states that the proposed installation is necessary to improve service to the public. Verizon Pennsylvania, LLC agrees to perform the necessary installation, provide for maintenance and protection of highway and pedestrian traffic during installation and accept future maintenance responsibility for the new communication line, at its sole cost and expense. The estimated cost of this project is $15,000.00.

All work is to be performed in accordance with plan entitled: “EXHIBIT A,” consisting of a single (1) sheets and attached to the subject application.

Verizon Pennsylvania, LLC has served a copy of the application and installation plan on Springdale Borough; Allegheny County; Norfolk Southern Railway Company; AECOM; West Penn Power and Pennsylvania Department of Transportation. All parties in interest were queried by letter dated July 25, 2013 as to any objection to the subject application. None of the parties have responded with any objection to the subject application.

Upon full consideration of the matters involved, we find that a hearing is not necessary and that a Secretarial Letter may be issued approving the application.

The Commission issues this Secretarial Letter in accordance with Section 2702 of the Public Utility Code and finds that the alteration of the crossing is necessary and proper for the service, accommodation, convenience or safety of the public.

The application of Verizon Pennsylvania, LLC is approved as herein directed:

1. The caption of the subject proceeding is hereby revised as shown herein.

2. The crossing where Butler Street crosses, at grade, (DOT No. 510 879 V) two (2) tracks of Norfolk Southern Railway Company in Springdale Borough, Allegheny County be altered generally in accordance with the installation plan entitled: “EXHIBIT A,” consisting of a single (1) sheet filed with the Commission on June 20, 2013; which plan is made part hereof and is hereby approved except insofar as they may relate to the division of work, deletion of work, or the allocation of costs and expenses incident to the installation of the project.

3. Verizon Pennsylvania, LLC, at its sole cost and expense, furnish all material and perform all work necessary to alter the crossing by the installation of a new aerial communication line within the right-of-way of the highway where Butler Street crosses, at grade, (DOT No. 510 879 V) two (2) tracks of Norfolk Southern Railway Company in Springdale Borough, Allegheny County, all in accordance with the approved plan and this Secretarial Letter.

4. Verizon Pennsylvania, LLC, at its sole cost and expense, furnish all material and perform all work necessary to establish and maintain any detours or traffic controls that may be required to properly and safely accommodate highway and pedestrian traffic during the time the crossing is being altered.

5. Any relocation of, changes in and/or removal of any adjacent structures, equipment or other facilities of any non-carrier public utility, other than Verizon Pennsylvania, LLC, which may be required as incidental to the alteration of the crossing, be made by said public utility at its initial cost, and in such a manner as will not interfere with the alteration of the crossing; and such relocated or altered facilities thereafter be maintained by said public utility, at its sole cost and expense.

6. Norfolk Southern Railway Company, at the sole cost and expense of Verizon Pennsylvania, LLC furnish all material and perform all work relating to its facilities which may be required as incidental to the performance of the proposed work and furnish any watchmen, flagmen, inspectors and/or engineering services that may be deemed necessary to protect the railroad’s operations or facilities during the time the facilities are being installed.

7. Verizon Pennsylvania, LLC, at its sole cost and expense, furnish all material and perform all work necessary to complete the remainder of the project, and any other ancillary features of the project, generally in accordance with the approved plan and this Secretarial Letter.

8. The alteration of the crossing be completed on or before December 31, 2013, and that on or before said date, Verizon Pennsylvania, LLC, report in writing the date of actual completion of the work to this Commission and all parties of interest.

9. Verizon Pennsylvania, LLC, at its sole cost and expense, pay all compensation for damages, if any, due to owners of property taken, injured or destroyed by reason of the alteration of the crossing in accordance with this Secretarial Letter.

10. All parties involved herein cooperate fully with each other so that during the time the work is being performed, vehicular, pedestrian and railroad traffic will not be endangered or unnecessarily inconvenienced, and so that the requirements of each of the parties will be provided for and accommodated insofar as possible.

11. Verizon Pennsylvania, LLC, at least seven (7) days prior to the start of work, notify all parties in interest of the actual date on which work will begin.

12. Upon completion of the alteration of the crossing, Verizon Pennsylvania, LLC, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain the new aerial communication line and any ancillary facilities installed in accordance with the approved plan and this Secretarial Letter.

13. Upon completion of the alteration of the subject crossing, Norfolk Southern Railway Company, at its sole cost and expense, furnish all material and perform all work necessary thereafter to maintain its railroad facilities at the crossings, including the automatically operated flashing-light railroad crossing warning signals with short arm gates and all appurtenant equipment, and to maintain at all times in a smooth and satisfactory condition the asphalt and rubber rail seal railroad crossing surfaces, as well as the area between the tracks, between the rails and for a distance of twenty-four (24) inches beyond each outside rail.

14. Upon completion of the alteration of the crossings, 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 crossing to points twenty-four (24) inches beyond each outside rail and, in addition, maintain the highway-rail grade crossing advance warning signs, pavement markings and stop lines on the highway approaches thereto, all in accordance with Part 8 of the Manual on Uniform Traffic Control Devices and this Secretarial Letter.

15. Upon completion of the work herein directed, and upon written request from any party of record, this proceeding be scheduled for a hearing at a time and place to be determined by the Commission, for the purpose of taking testimony upon the final allocation of any costs incurred by the non-carrier utility companies and other matters relevant to this proceeding.

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.

If you are dissatisfied with the resolution of this matter, you may, as set forth in 52 Pa. Code §5.44, file a petition with the Commission within twenty (20) days of the date of this letter.



Very truly yours,

Rosemary Chiavetta

Secretary