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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** |

May 26, 2015

A-2015-2468693

TO ALL PARTIES

Joint Application of Norfolk Southern Railway Company and the City of Lebanon for approval of the abolition, *Nunc Pro Tunc*, of the public rail-highway crossing (DOT 592 345 D) where Partridge Street crosses at-grade the former tracks of Norfolk Southern Railway Company located in the City of Lebanon, Lebanon County.

To Whom It May Concern:

At a location in the City of Lebanon, Lebanon County, Partridge Street crosses, at grade, the tracks of Norfolk Southern Railway Company’s Harrisburg Line.

By application filed with the Commission on February 23, 2015, Norfolk Southern Railway Company (NS) and the City of Lebanon requests Commission approval to abolish the subject crossing. The applicants aver that the crossing was closed over a year ago as part of the City of Lebanon’s project to construct above grade crossings at 9th Street and 10th Street in the City of Lebanon at Application Docket.

A field investigation and conference was arranged by a Commission staff engineer and held on the south side of the former crossing on April 9, 2015. All parties of record were notified of the conference and representatives of the following entities were in attendance:

Norfolk Southern Railway Company

City of Lebanon

Although notified by letter dated March 18, 2015, no representatives of Pennsylvania Department of Transportation, Lebanon County, Century Link, First Energy Corporation, Windstream, Lebanon City Authority, Comcast or UGI attended the field conference.

At the field conference it was noted that the crossing surface, traffic control devices and approach roadways have already been removed at the former crossing. No party stated an additional work was necessary to abolish the crossing

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 joint application of Norfolk Southern Railway Company and the City of Lebanon is approved as herein directed:

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

1. The former crossing where Partridge Street crosses, at grade, tracks of Norfolk Southern Railway Company in the City of Lebanon, Lebanon County be and is hereby abolished.
2. Norfolk Southern Railway Company bear the costs of material and work performed to remove the crossing surface and traffic control system at the former crossing.
3. City of Lebanon bear the costs of material and work performed to remove the approach roadways and grade crossing advance warning signs to the former crossing.
4. Any non-carrier utility bear the costs incurred to relocate, change or remove any adjacent structures, equipment or any other facilities, located within the limits of the highway to facilitate the abolition of the former crossing.
5. This proceeding shall be marked and hereby 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.

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