



U.S. Department
of Transportation

Federal Highway
Administration

Office of the Deputy Administrator

1200 New Jersey Avenue, SE.
Washington, DC 20590

February 1, 2008

In Reply Refer To: HCC-30

The Honorable Elisabeth J. Baker
Pennsylvania Senate
Main Capitol Building
Harrisburg, PA 17120

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Amal JW

Dear Ms. Baker:

Thank you for your letter of December 4, 2007, cosigned by your colleagues, concerning the potential tolling of I-80 in Pennsylvania.

On October 15, 2007, the Pennsylvania Department of Transportation (PennDOT) and Pennsylvania Turnpike Commission (PTC) submitted a joint application to the Federal Highway Administration (FHWA) to toll I-80. Specifically, PennDOT and PTC applied to toll I-80 under the Interstate System Reconstruction and Rehabilitation Pilot Program (ISRRPP) at section 1216(b) of the Transportation Equity Act for the 21st Century (TEA-21).

Section 1216(b) of TEA-21 has several specific eligibility and selection requirements that must be satisfied in order for the FHWA to approve PennDOT and PTC's application. In reviewing the application, we will conduct a thorough analysis of the application's merits based on the statutory criteria and determine if the selection of I-80 in Pennsylvania for one of three nationwide tolling pilot authorities is appropriate. As part of this review process, the FHWA, on December 14, 2007, submitted a list of questions to PennDOT and PTC concerning the information contained in their application. The FHWA will consider PennDOT's and PTC's response to these questions as part of the agency's official review of their application.

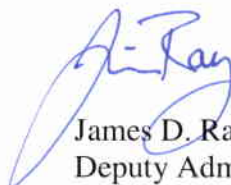
The approval of any application under this program is a discretionary decision. We will take into account a variety of factors including, but not limited to, actual or expected competition from other Interstate facilities. Moreover, in September 2006 the U.S. Department of Transportation (Department) issued a solicitation for interstate "Corridors of the Future" that promised priority among the Department's various tolling pilot programs to selected projects. Pennsylvania did not submit an application for I-80 under this solicitation. In September 2007, the Department finalized the Corridors of the Future selection process and conditionally selected six different Interstate facilities for national prioritization. We are proceeding to negotiate terms for a comprehensive development agreement with State and local officials responsible for these facilities. It is not clear at this time what, if any, tolling authorities will be requested in connection with these projects or other major Interstate projects in coming months. While we cannot commit to any specific timeline for a final decision at this time, I can assure you we will work diligently in assessing these issues.

**MOVING THE
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An identical letter has been sent to each cosigner of your letter. We appreciate your views in this matter. For more information on the ISRRPP and other toll programs, please visit the following Web address: http://ops.fhwa.dot.gov/tolling_pricing/programs.htm.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Ray", is written over the typed name.

James D. Ray
Deputy Administrator