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May 13, 2016

Via Electronic Mail

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

**RE: Investigation Upon the Commission's Motion Into Matters Pertaining to the Proper Safety of the Traveling Public Traversing the Crossing where Lighthouse Road (DOT 535 148 L), crosses, at grade, one track of Norfolk Southern Railway Company in Guilford Township, Franklin County.
Docket No. I-2016-2527248**

Dear Secretary Chiavetta:

I am enclosing herewith the Prehearing Conference Memorandum of Norfolk Southern Railway Company for filing in the above-referenced matter. As evidenced by the attached Certificate of Service, a copy of the Prehearing Conference Memorandum has been served on all interested parties.

Sincerely yours,


Jeannette Chelgren, Secretary to
Benjamin C. Dunlap, Jr.

Enclosure

cc: All Interested Parties of Record
The Honorable Stephen K. Haas, ALJ (via electronic mail)
Timothy J. Bentley, Esquire

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation upon the Commission’s motion	:	
into matters pertaining to the proper safety of	:	
the traveling public traversing the crossing where	:	
Lighthouse Road (DOT 535 148 L), crosses,	:	Docket No. I-2016-2527248
at grade, one track of Norfolk Southern Railway	:	
Company in Guilford Township, Franklin	:	Electronically Filed
County	:	

**PREHEARING CONFERENCE MEMORANDUM OF
NORFOLK SOUTHERN RAILWAY COMPANY**

Norfolk Southern Railway Company (“Norfolk Southern”) hereby provides the following in response to the Prehearing Conference Order dated April 21, 2016, in the above-referenced matter:

1. It is requested that Norfolk Southern sole entry on the service list be as follows:

Benjamin C. Dunlap, Jr., Esquire
Nauman, Smith, Shissler & Hall, LLP
200 N. Third Street, 18th Floor
P. O. Box 840
Harrisburg, PA 17108-0840
Telephone Number: 717-236-3010, ext. 21
Telefax Number: 717-234-1925
Email: bdunlapjr@nssh.com

2. Norfolk Southern concurs with the statements in the Prehearing Conference Memorandum of the Pennsylvania Department of Transportation (“PennDOT”) that it, Norfolk Southern, Guilford Township and the Commission’s Bureau of Investigation and Enforcement (“BI&E”) have engaged in discussions to settle the issues involved in this proceeding as well as the

Commission matter at the nearby South Third Street crossing, Commission Docket No. A-2015-2466693, also located in Guilford Township. The parties propose a 12-month period to allow the aforementioned parties to pursue the resolution discussed among them.

3. The parties are currently engaged in discovery, which they have agreed to complete for use of the information in the mediation process. In the event that a successful settlement of the issues is not reached within the required time frame, Norfolk Southern proposes that the parties then assess the need for any further discovery and that a mutually agreed-upon schedule be developed at that time.

4. In the event that a successful settlement of the issues is not reached within the allotted time frame, Norfolk Southern proposes that the parties be required to develop a mutually agreed-upon litigation schedule at that time.

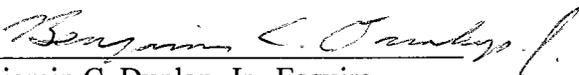
5. In the event that a successful settlement of the issues is not reached within the allotted time frame, Norfolk Southern proposes that the parties submit the names, titles, business addresses, and telephone numbers of the witnesses each party expects to call and a brief description of the subject matter of each witnesses' testimony at such time.

6. Norfolk Southern concurs with PennDOT in its statement of the current issues in the matter as follows:

Issue: Whether the present investigation should be referred to the Commission's Mediation Program for the Parties to reach a mutual agreement as to the disposition of the subject crossing and the adjacent South Third Street crossing.

Position: Norfolk Southern, in agreement with the remaining interested Parties, proposes to suspend the present litigation schedule in both this and the South Third Street matter, and to refer them to the Commission's Mediation Program.

Respectfully submitted,
NAUMAN, SMITH, SHISSLER & HALL, LLP

By 
Benjamin C. Dunlap, Jr., Esquire
Supreme Court I.D. #66283

200 North Third Street, 18th Floor
P. O. Box 840
Harrisburg, PA 17108-0840
717-236-3010
Attorney for Norfolk Southern Railway Company

Date: May 13, 2016

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation upon the Commission's motion :
into matters pertaining to the proper safety of :
the traveling public traversing the crossing where :
Lighthouse Road (DOT 535 148 L), crosses, : Docket No. I-2016-2527248
at grade, one track of Norfolk Southern Railway :
Company in Guilford Township, Franklin : Electronically Filed
County :

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing Prehearing Conference Memorandum on behalf of Norfolk Southern Railway Company, in the above action, this day by depositing the same in the United States mail, postage prepaid, in Harrisburg, Pennsylvania, addressed to:

Stephen K. Haas
Administrative Law Judge
PA Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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Harrisburg, PA 17105-8212

Mark Chappell PE Chief
PennDOT
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Harrisburg, PA 17105-3362

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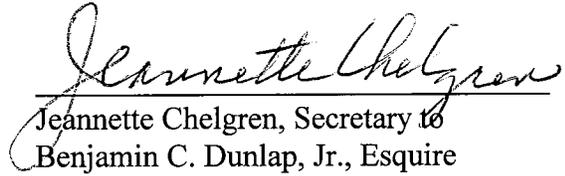
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Date: May 13, 2016


Jeannette Chelgren, Secretary to
Benjamin C. Dunlap, Jr., Esquire