**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 : I-2016-2527248

Road (DOT 535 148 L) crosses, at grade, :

one track of Norfolk Southern Railway :

Company in Guilford Township, :

Franklin County :

**ORDER REFERRING PROCEEDING**

**TO MEDIATION UNIT**

By Order entered February 25, 2016, the Pennsylvania Public Utility Commission (Commission) initiated, upon its own motion, an investigation for the purpose of determining all matters relating to the safety of the crossing where Lighthouse Road (T 425) crosses, at grade, one track of Norfolk Southern Railroad Company in Guilford Township, Franklin County, as well as the future disposition of the crossing, what work will be performed at the crossing, and allocation of the costs of any work ordered. A field conference was held on March 15, 2016, for the purpose of determining whether an amicable resolution of the various matters involved in this proceeding could be reached. The parties were unable to arrive at a mutually-acceptable resolution of the issues in this matter during this meeting. As a result, the Commission referred the proceeding to the Commission’s Office of Administrative Law Judge (OALJ) for the scheduling of an evidentiary hearing.

A Prehearing Conference was held in this proceeding on Wednesday, May 18, 2016, at 10:00 a.m., in hearing room 2 of the Commonwealth Keystone Building, Harrisburg, PA. The following counsel were present at this conference: Benjamin C. Dunlap on behalf of Norfolk Southern Railway Company; Nicholas D. Mertens on behalf of the Pennsylvania Department of Transportation; Scott T. Wyland on behalf of Guilford Township; and Adam Young on behalf of the Commission’s Bureau of Investigation and Enforcement.

At the start of the conference, Mr. Wyland indicated that the parties to this proceeding had begun settlement discussions and were hopeful that a settlement would ultimately be reached. As a result, My Wyland made a joint request on behalf of all parties that further litigation in the proceeding be held in abeyance and the case be referred to the Commission’s Mediation Unit to provide the parties additional time to attempt, with the assistance of the Commission’s Mediation Unit personnel, to reach a settlement. As noted, all parties were in agreement with this request. As it is the Commission’s policy to encourage settlements in contested proceedings, I will grant the joint request and refer this proceeding to the Mediation Unit for further review.

ORDER

THEREFORE,

IT IS ORDERED:

1. That this proceeding be referred to the Commission’s Mediation Unit for further review.

Date: June 8, 2016

Steven K. Haas

Administrative Law Judge

**INVESTIGATION UPON THE COMMISSION’S MOTION INTO MATTERS PERTAINING TO THE PROPER SAFETY OF THE TRAVELING PUBLIC TRAVERSING THE CROSSING WHERE LIGHTHOUSE ROAD (DOT 535148L) CROSSES, AT GRADE, ONE TRACK OF NORFOLK SOUTHERN RAILWAY COMPANY IN GUILFORD TOWNSHIP, FRANKLIN COUNTY**

***Revised 5/17/16***

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