**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 : I-2016-2527248

Lighthouse Road (DPT 535 148L) Crosses, at Grade, :

One Track of Norfolk Southern Railway Company :

in Guilford Township, Franklin County :

**ORDER SUSPENDING LITIGATION SCHEDULE**

A prehearing conference was held in this matter on March 9, 2016. Present during the prehearing conference were Benjamin C. Dunlap, Jr., on behalf of Norfolk Southern Railway Company, Gina M. D’Alfonso, on behalf of the Pennsylvania Department of Transportation, Bradley R. Gorter, on behalf of the Commission’s Bureau of Investigation and Enforcement, and Scott T. Wyland, on behalf of Guilford Township. The following litigation schedule was agreed upon by the parties:

End of discovery April 30, 2018

Written direct testimony May 31, 2018

Written rebuttal testimony June 15, 2018

Evidentiary hearing June 27, 2018 (beginning at 9:00 a.m.)

On May 29, 2018, I received a call from Scott Wyland. Mr. Wyland informed me that the parties to this proceeding had been discussing potential settlement terms and that they were confident that a full settlement of all issues was attainable. Mr. Wyland requested, in light of the ongoing settlement negotiations, that the litigation schedule be suspended for a period of sixty (60) days to give the parties additional time to attempt to finalize a settlement. He indicated that the other parties were agreeable to suspending the litigation schedule. Given the Commission’s policy that encourages settlements, I will grant Mr. Wyland’s request to suspend the current litigation schedule.

THEREFORE,

IT IS ORDERED:

1. That the litigation schedule set forth in my previous Scheduling Order dated March 12, 2018, is suspended:
2. That the evidentiary hearing currently scheduled for June 27, 2018, is canceled.

3. That the parties will provide an update on settlement efforts to me on or before Friday, July 27, 2018.

Dated: May 29, 2018 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**

GINA M D'ALFONSO ESQUIRE

PENNSYLVANIA DEPT OF TRANSPORTATION

OFFICE OF CHIEF COUNSEL PO BOX 8212

HARRISBURG PA 17105-8212

SCOTT T WYLAND ESQUIRE

SALZMANN HUGHES P C

112 MARKET STREET 8TH FLOOR

HARRISBURG PA 17101

BRADLEY R GORTER ESQUIRE

PA PUC BUREAU OF INVESTIGATION & ENFORCMENT

400 NORTH STREET

HARRISBURG PA 17105

BENJAMIN DUNLAP ESQUIRE

NAUMAN SMITH SHISSLER & HALL LLP

200 NORTH 3RD STREET

PO BOX 840

HARRISBURG PA 17108

MARY BETH SHANK ESQUIRE

FRANKLIN COUNTY SOLICITOR

COMMISSIONERS COMPLEX

14 NORTH MAIN STREET

CHAMBERSBURG PA 17201-1824