

# Nauman Smith

Attorneys At Law

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Harrisburg, PA 17108-0840

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September 14, 2009

**Via Electronic Mail  
Confirmed Via Hand Delivery**

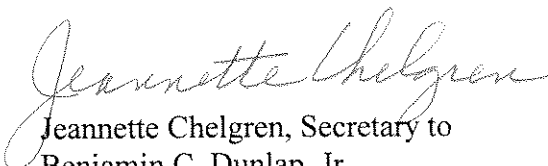
James McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

**In Re: Gerald Hagen, Complainant v. Norfolk Southern Railway Company; Cambria  
County Solicitor, Gallitzin Borough Solicitor; and Commonwealth of  
Pennsylvania Department of Transportation (PennDOT)  
Docket Number: C-2009-2127999**

Dear Secretary McNulty:

I enclose the original Notice of Appearance on behalf of Norfolk Southern Railway Company for filing in the above-referenced matter. As evidenced by the attached Certificate of Service, copies of the Notice of Appearance have been served on all parties of record. A hard copy of the Notice of Appearance will be delivered to your office as required. If you have any questions, please do not hesitate to contact our office.

Sincerely yours,

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

Enclosure

cc: All Parties of Record (w/enc.)  
Randal S. Noe, Esquire (w/enc.)  
Thomas Bracey (w/enc.)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**GERALD HAGEN, Complainant**

vs.

**NORFOLK SOUTHERN RAILWAY CO.;  
CAMBRIA COUNTY SOLICITOR;  
GALLITZIN BOROUGH SOLICITOR; AND  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
(PennDOT)**

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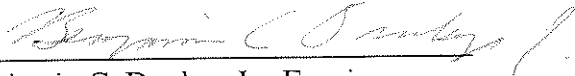
**Docket Number: C-2009-2127999**

**Filed Electronically**

**NOTICE OF APPEARANCE**

Please enter the appearance of the undersigned as counsel for Norfolk Southern Railway Company in regard to the above-captioned proceeding.

NAUMAN, SMITH, SHISSLER & HALL, LLP

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

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

Date: September 14, 2009

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**GERALD HAGEN, Complainant**

**vs.**

**NORFOLK SOUTHERN RAILWAY CO.;  
CAMBRIA COUNTY SOLICITOR;  
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**Docket Number: C-2009-2127999**

**Filed Electronically**

**CERTIFICATE OF SERVICE**


I hereby certify that I served a copy of the foregoing Entry of Appearance 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:

Gerald E. Hagen, Chief of Police  
411 Covent Street  
Gallitzin, PA 16641

David B. Consiglio, Esquire  
Campbell, Miller, Williams, Benson,  
Etter & Consiglio, Inc.  
720 South Atherton Street  
State College, PA 16801-4669

Robert Shahade, Esquire  
Cambria County Solicitor  
200 South Center Street  
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Andrew Gordon, Esquire  
Gina M. D'Alfonso, Esquire  
Office of Chief Counsel  
PennDOT  
P. O. Box 8212  
Harrisburg, PA 17105-8212

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

Date: September 14, 2009