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May 3, 2011

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PA PUBLIC UTILITY COMMISSION

MAY 4 2011

BUREAU OF TRANSPORTATION & SAFETY
RAIL SAFETY DIVISION

David A. Oliver
Rail Safety Division
Bureau of Transportation and Safety
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Hagen, Complainant v. Norfolk Southern railway Company
Docket No. C-2009-2127999

Dear Mr. Oliver:

Despite his efforts, the Borough Engineer advises that Norfolk Southern's Engineer was unable to return his communications prior to the Borough's meeting. The Borough's purpose remains, at this point, to ensure that the Engineers agree on a proposed fix to the problem and then I would anticipate rather swift negotiations as to payment of same with counsel for the railroad which, if unsuccessful, will result in our request for a hearing and disposition of the current Complaint.

Respectfully submitted,

CAMPBELL, MILLER, WILLIAMS,
BENSON, ETTER & CONSIGLIO, INC.

By: 

David B. Consiglio, Esquire

DBC/acc

cc: Irene Szydal, Secretary (via email)

Benjamin Dunlap, Esquire

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SECRETARY'S BUREAU