

*** THIS TRANSCRIPT CONTAINS PROPRIETARY INFORMATION ***

COMMONWEALTH OF PENNSYLVANIA

PUBLIC UTILITY COMMISSION

-----x
 :
A. Edward Schwartz v. Canadian Pacific :
Railroad and Pennsylvania Department :
of Transportation. Safety dispute. :
 :
 Further Telephonic Prehearing :
 Conference. :
 :
 -----x

Docket Nos.
 P-2011-2241780
 C-2011-2237486

Pages 117 through 194

Hearing Room 4, Plaza Level
 Commonwealth Keystone Building
 Harrisburg, Pennsylvania

Wednesday, March 21, 2012

Met, pursuant to adjournment, at 10:10 a.m.

BEFORE:

DAVID A. SALAPA, Administrative Law Judge

APPEARANCES:

JILL SPOTT, Esquire
 108 North Abington Road
 Clarks Summit, Pennsylvania 18411
 (For A. Edward Schwartz)

GINA M. D'ALFONSO, Esquire
 P.O. Box 8212
 Harrisburg, Pennsylvania 17105-8212
 (For Pennsylvania Department of
 Transportation)

RECEIVED
[Signature]
 2012 APR 18 AM 11:59
 PA PUC
 SECRETARY'S BUREAU

Commonwealth Reporting Company, Inc.
 700 Lisburn Road
 Camp Hill, Pennsylvania 17011

APPEARANCES, (Continued):

ADAM D. YOUNG, Esquire
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, Pennsylvania 17105-3265
(For the Bureau of Investigation &
Enforcement)

RAYMOND C. RINALDI, II, Esquire
Rinaldi & Poveromo, PC
520 Spruce Street
P.O. Box 826
Scranton, Pennsylvania 18501
(For LaPlume Township)

CHRISTINA COURY, Esquire
Lenahan & Dempsey
Suite 400
116 Washington Avenue
Scranton, Pennsylvania 18503
(For Lackawanna County)

ERIN BRENNAN, Esquire
P.O. BOX 240
1212 South Abington Road
Clarks Summit, Pennsylvania 18411
(For D&H Railroad)

Commonwealth Reporting Company, Inc.

700 Lisburn Road
Camp Hill, Pennsylvania 17011

WITNESS INDEX

<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
1				
2				
3	Lawrence Joseph Egan			
4	By Ms. D'Alfonso	133	--	--
5	By Mr. Young	--	138	--
6	By Ms. Spott	--	139	--
7	David K. Elmer			
8	By Ms. D'Alfonso	168	--	--
9	By Mr. Young	--	173	--
10	By Ms. Spott	--	175	--
11	Ronald J. Hull			
12	By Mr. Young	179	--	--
13	By Ms. Spott	--	181	--
14	A. Edward Schwartz			
15	By Ms. Spott	188	--	--
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				

EXHIBIT INDEX

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
---------------	---------------------------	--------------------

Department of Transportation Statements

No. 1 (Direct Testimony of L.J. Egan)	133	137
PROPRIETARY		
No. 2 (Direct Testimony of D.K. Elmer)	168	178
No. 4 (Rebuttal Testimony of L.J. Egan)	133	137

Department of Transportation Exhibits

No. 1 (professional resume of L.J. Egan)	133	137
No. 2 (inspection report)	133	137
HIGHLY CONFIDENTIAL		
No. 3 (initial load rating report)	133	137
HIGHLY CONFIDENTIAL		
No. 4 (supplemental load rating report)	133	137
HIGHLY CONFIDENTIAL		
No. 5 (representation of projected bridge repair)	168	178

Bureau of Investigation & Enforcement Statements

No. 1 (Direct Testimony of R.J. Hull)	179	187
---------------------------------------	-----	-----

A. Edward Schwartz Statements

No. 1 (Direct Testimony of A. Edward Schwartz)	189	191
--	-----	-----

A. Edward Schwartz Exhibits

No. 1 (CD of photographs)	190	191
No. 2 (drawing of bridge)	190	191
HIGHLY CONFIDENTIAL		

Any reproduction of this transcript
is prohibited without authorization
by the certifying reporter.

**NO SCANNED IMAGES ARE
AVAILABLE**

**COMPLETE TRANSCRIPT
AND/OR EXHIBIT(S)
MAY BE VIEWED IN THE
COMMISSION'S
FILE ROOM**