



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

May 11, 2012

Rosemary Chiavetta
Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

PA PUC
SECRETARY'S BUREAU

IN REPLY PLEASE
REFER TO OUR FILE
2012 MAY 11 PM 2:00
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RE: Application of Consolidated Rail Corporation for the abolition of thirty-one crossings of the Enola Branch, LC201323, MP 3.5 to MP 27.0, Sub No. 1095, Harrisburg Division, Lancaster County; Docket No. A-00111016

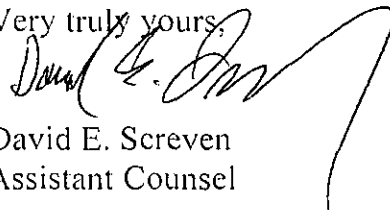
Board of Supervisors of Bart Township v. Consolidated Rail Corporation, Pennsylvania Department of Transportation and Lancaster County, et al.; Docket No. C-00913256

Dear Secretary Chiavetta:

On April 17, 2012, Eden Township (Township) filed a Petition to Modify Portions of the Commission's October 9, 1997 Opinion and Order in the above-captioned matter. In its petition, the Township asserts that its Engineer has confirmed the structural soundness of the stone bridge; nevertheless, the Township has not offered any evidence to substantiate this statement. Additionally, the Township has not submitted any traffic study to overcome the rebuttable presumption regarding the existing safety concerns involving the curvature of the Pumping Station Road at the subject crossing that are set forth in the October 9, 1997 Order. Accordingly, by this letter-filing, Prosecutory Staff states that it requests an evidentiary hearing on the Township's Petition or, in the alternative, a denial of the petition for failure to satisfy the burden of proof.

The original copy of this filing will be provided to the Commission as required by the regulations. In addition, copies have been served on the parties as stated on the Certificate of Service attached.

Very truly yours,



David E. Screven
Assistant Counsel

Enclosures

cc: Per Certificate of Service

David Oliver, Engineer, Rail Safety Division

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document, Response to Petition to Modify Portions of the October 9, 1997 Opinion and Order entered by the Pennsylvania Public Utility Commission, upon the participants listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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Dated: May 11, 2012