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ATTORNEYS AT LAW SINCE 1895

VIA FEDEX

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, P.O. Box 3265
Harrisburg, PA 17105-3265

July 27, 2012

Re: City of Bradford v Buffalo & Pittsburgh Railroad, Inc.
No. C-2012-2287334

Dear Secretary Chiavetta:

This letter is being submitted in response to the Secretarial letter dated July 9, 2012.

Buffalo & Pittsburgh Railroad, Inc. (BPRR) does not object to the to work that has been ordered, or to the allocation of the costs of and responsibility for such work. However, BPRR wishes to note for it did not agree in the field conference, nor does it agree now, that remedial action is required at the crossing. BPRR believes that the crossing does not constitute an immediate danger to the safety of the travelling public and does not currently require any repairs.

In accordance with the requirements of 52 Pa. Code §1.11(a)(2), attached to this letter is an overnight express delivery receipt. Kindly time stamp the extra copy of this letter also enclosed to indicate receipt, and return it to me in the stamped, self-addressed envelope provided for your convenience.

Respectfully,

Eric M. Hocky

EMH/e

cc: All parties shown on the attached service list

Pittsburgh

Philadelphia

Wheeling

Wilmington

Princeton

Thorpe Reed & Armstrong, LLP
One Commerce Square
2005 Market Street
Suite 1000
Philadelphia, PA 19103-7041
215 640 8500
215 640 8501 Fax

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JUL 27 2012

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



Rosemary Chiavetta, Secretary
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Service List
PUC Docket No. C-2012-2287334

Mark Hollenbeck
City Solicitor, City of Bradford
23 Kennedy Street
Bradford, PA 16701

Pennsylvania Department of Transportation
Office of Chief Counsel
Gina D'Alfonso, Esq.
PO Box 8212
Harrisburg, PA 17105-8212

Dan Hartle
County Solicitor, McKean County
78 Main Street, #3
Bradford, PA 16701-2026

RECEIVED
JUL 27 2012
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

FedEx *NEW Package*
Express *US Airbill*

FedEx
Tracking
Number

8989 2693 8986

Form
ID No. 0215

Sender's Copy

1 From Please print and press hard.

Sender's FedEx
Account Number

SENDER'S FEDEX ACCOUNT NUMBER ONLY
3888-0350-9

Date 7/27/12

Sender's Name Eric Hocky

Phone ()

Company THORP REED - ARMSTRONG

Address 2005 MARKET ST STE 1000

Dept./Floor/Suite/Room

City PHILADELPHIA State PA ZIP 19103-7042

2 Your Internal Billing Reference

019508.10687 NO.

First 24 characters will appear on invoice

3 To

Recipient's Name ROSEMARY CHIAVETTA Phone (717) 772-7777

Company PA Public Utility Commission

Address 400 North St.

We cannot deliver to P.O. boxes or P.O. ZIP codes.

Dept./Floor/Suite/Room

Address Harrisburg State PA ZIP 17105

Use this line for the HOLD location address or for continuation of your shipping address.

HOLD Weekday
FedEx location address
REQUIRED. NOT available for
FedEx First Overnight.

HOLD Saturday
FedEx location address
REQUIRED. Available ONLY for
FedEx Priority Overnight and
FedEx 2Day to select locations.

4 Express Package Service

* To most locations.

NOTE: Service order has changed. Please select carefully.

Packages up to 150 lbs.

For packages over 150 lbs., use the new
FedEx Express Freight US Airbill.

Next Business Day

FedEx First Overnight
Earliest next business morning delivery to select
locations. Friday shipments will be delivered on
Monday unless SATURDAY Delivery is selected.

FedEx Priority Overnight
Next business morning.* Friday shipments will be
delivered on Monday unless SATURDAY Delivery
is selected.

FedEx Standard Overnight
Next business afternoon.*
Saturday Delivery NOT available.

2nd Business Days

NEW FedEx 2Day A.M.
Second business morning.*
Saturday Delivery NOT available.

FedEx 2Day
Second business afternoon.* Thursday shipments
will be delivered on Monday unless SATURDAY
Delivery is selected.

FedEx Express Saver
Third business day.*
Saturday Delivery NOT available.

5 Packaging

* Declared value limit \$500.

FedEx Envelope* **FedEx Pak*** **FedEx Box** **FedEx Tube** **Other**

6 Special Handling and Delivery Signature Options

SATURDAY Delivery
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

No Signature Required
Package may be left without
costing a signature for delivery.

Direct Signature
Someone at recipient's address
may sign for delivery. Fee applies.

Indirect Signature.
If no one is available at recipient's
address, someone at a neighboring
address may sign for delivery. For
residential deliveries only. Fee applies.

Does this shipment contain dangerous goods?

One box must be checked.

No **Yes** **Yes**
for per attached Shipper's Declaration. **Dry Ice**
not required. Dry Ice, 3 UN 1845 _____ x _____ kg

Dangerous goods (including dry ice) cannot be shipped in FedEx packaging
or placed in a FedEx Express Drop Box.

Cargo Aircraft Only

7 Payment Bill to:

Enter FedEx Acct. No. or Credit Card No. below.

Sender Acct. No. in Section 1 will be billed. **Recipient** **Third Party** **Credit Card** **Cash/Check**

FedEx Acct. No. Credit Card No. Exp. Date

Total Packages Total Weight Total Declared Value*

_____ lbs. \$ _____ 00

*Our liability is limited to \$100 unless you declare a higher value. See back for details. By using this Airbill you agree to the service conditions on the back of this Airbill and in the current FedEx Service Guide, including terms that limit our liability.

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The FedEx US Airbill has changed. See Section 4.
For shipments over 150 lbs., order the new FedEx Express Freight US Airbill.

PULL AND STAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE. NO POUCH NEEDED.