

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Robert Pawlukovics [sic],

Complaint Docket No. C-2012-2332909

Complainant,

v.

Canadian Pacific Railway

Respondent.

**RESPONDENT'S MOTION FOR EXTENSION
OF TIME TO ANSWER OR OTHERWISE
RESPOND TO COMPLAINT**

ELECTRONICALLY FILED

Pursuant to Section 1.15 of the Pennsylvania Public Utility Commission's ("PUC") Rules of Administration Practice and Procedure, Respondent Canadian Pacific Railway ("CP"), by and through its undersigned counsel, respectfully moves for an extension of time to answer or otherwise respond to the Complaint of Complainant Robert Pawlukovich. CP provides the following support for its motion.

1. On November 7, 2012, the Complaint was served by U.S. mail on CP. Pursuant to Section 5.61 of the PUC's Rules of Administration Practice and Procedure, CP must file a responsive pleading no later than November 27, 2012.

2. The Complaint provides only the Complainant's name, address and telephone number; Respondent's name, and the following information: "Rail Road Bridge on Reynolds RD Benton Twp TR 532 In Poor Repair." The relief the Complaint seeks is similarly vague: "Removal of Replacement or Repair of Bridge" and "Inspection Report stating the condition of the Bridge if it is safe for Travel of school buses, log truck."

3. A field investigation was conducted on November 8, 2012. Due to holiday and vacation schedules, CP has been unable to adequately investigate the unspecific allegations in the Complaint or to incorporate the information obtained during the field investigation.

4. CP requests a thirty (30) day extension of time to respond to the Complaint to allow CP the opportunity to investigate the Complainant's allegations, incorporate the results of the field meeting, and submit an appropriate response.

WHEREFORE, CP respectfully requests that a thirty (30) day extension of time be granted to answer or otherwise respond to the Complaint.

Dated: November 26, 2012

/s/ Erin A. Brennan
Erin A. Brennan, Esq.
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P.O. Box 240
Clarks Summit, PA 18411
Telephone: (570) 585-1200
Attorneys for Canadian Pacific Railway

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of § 1.54 relating to service by a party.

Robert Pawlukovich
Reynolds Road RR2
Box 2560
Factoryville, PA 18419

Gina M. D'Alfonso, Assistant Counsel In Charge
Commonwealth of Pennsylvania
Office of Chief Counsel
Real Property Division
P.O. Box 8212
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Donald Frederickson
County Solicitor
200 Adams Avenue 6th Floor
Scranton, PA 18503

Benton Township Solicitor
RD 1 Box 95
Dalton, PA 18414

Dated this 26th day of November, 2012

/s/ Erin A. Brennan
(Signature)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Robert Pawlukovics [sic],

Complaint Docket No. C-2012-2332909

Complainant,

ORDER

v.

Canadian Pacific Railway

Respondent.

This matter is before the undersigned on the motion of Respondent Canadian Pacific Railway for an extension of time to answer or otherwise respond to the Complaint.

Respondent's motion is GRANTED.

Delaware and Hudson Railway Company, Inc. is directed to file an answer or otherwise respond to the Complaint no later than December 27, 2012.

Dated: _____
