



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

January 29, 2013

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

RE: **Docket No. C-2012-2319319**

Dear Secretary Chiavetta:

Enclosed for filing please find one (1) copy of the Department's *Notice of Appearance*, in the above-captioned matter.

I hereby certify that a copy has been sent to all parties of record as indicated by the Certificate of Service.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Nick Mertens".

Nicholas D. Mertens
Assistant Counsel

Enclosure

220/NDM:aca

cc: Parties of Record
Mark J. Chappell, P.E., Chief, Utilities and Right-of-Way Section
Steve Betts, Grade Crossing Engineer, District 3-0

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Carl Lute

Complainant

v.

**Reading Blue Mountain &
Northern Railroad,
Comyngham Township,
Columbia County,
Commonwealth of Pennsylvania,
Department of Transportation**

Respondent

Complaint Docket

No: C-2012-2319319

Electronically Filed

NOTICE OF APPEARANCE

Please enter the appearance of Nicholas D. Mertens, Assistant Counsel, on behalf of the Commonwealth of Pennsylvania, Department of Transportation, in the above-referenced action. I am authorized to accept service on behalf of the Commonwealth of Pennsylvania, Department of Transportation in this matter.

Respectfully submitted,

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



Nicholas D. Mertens
Assistant Counsel
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
P.O. Box 8212
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Pennsylvania Attorney I.D. Number 313998
nimertens@state.pa.us

DATED: January 29, 2013

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Reading Blue Mountain &

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Comyngham Township,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the *Notice of Appearance* was served upon the parties below by first-class mail; postage prepaid this 29th day of January, 2013:

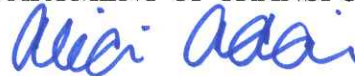
Carl Lute
143 Missouri Lane
Kulpmont, PA 17834

The Slusser Law Firm
Comyngham Township Solicitor
1620 North Church Street, Suite 1
Hazelton, PA 18202

Anthony McDonald, Esquire
Columbia County Solicitor's Office
West Main Street County Annex
11 West Main Street
Bloomsburg, PA 17815

Wayne Michel, President
Reading Blue Mountain & Northern Railroad
1 Railroad Blvd.
P.O. Box 218
Port Clinton, PA 19549

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



Alicia Adair
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Telephone No. (717) 787-3128

DATED: January 29, 2013