



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

February 05, 2013

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

RE: C-20054822

Dear Secretary Chiavetta:

Enclosed please find the Department's *Praecipe to Withdraw Petition of Pennsylvania Department of Transportation to Transfer Jurisdiction to Court of Common Pleas of Lehigh County*, in the above-captioned matter

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

Very truly yours,

Sean M. Concannon
Assistant Counsel

Enclosures

220/SMC/aca

cc: Parties of Record
Mark Chappell, P.E., Chief, Utilities and Right-of-Way Division, 7th Floor
Rodney Rehnert, Grade Crossing Engineer, District 5-0

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Whitehall Township	:	Docket No. C-20054822
	:	
v.	:	
	:	Electronically Filed
R.J Corman Railroad Company	:	

**PRAECIPE TO WITHDRAW THE PETITION OF PENNSYLVANIA DEPARTMENT
OF TRANSPORTATION TO TRANSFER JURISDICTION TO COURT OF COMMON
PLEAS OF LEHIGH COUNTY**

AND NOW, comes the Commonwealth of Pennsylvania, Department of Transportation, (“Department”), by and through its counsel, Sean M. Concannon, Assistant Counsel, respectfully represents:

1. The name and address of your petitioner is:

Commonwealth of Pennsylvania
Department of Transportation
P.O. Box 8212
Harrisburg, Pennsylvania 17105-8212

2. The name and address of Counsel for the petitioner is:

Sean M. Concannon
Assistant Counsel
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
P.O. Box 8212
Harrisburg, Pennsylvania 17105-8212

3. On or about January 8, 2013 the Department filed a Petition to Transfer Jurisdiction to Court of Common Pleas of Lehigh County.

4. The Department and R.J. Corman are currently working toward an amicable resolution in this matter.

WHEREFORE, the Department of Transportation respectfully requests that the Petition to Transfer Jurisdiction to Court of Common Pleas of Lehigh County be withdrawn.

Respectfully submitted,



Sean M. Concannon
Assistant Counsel
Pennsylvania Attorney I.D. Number 205998
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
P.O. Box 8212
Harrisburg, PA 17105-8212
Telephone No.: (717) 787-3128
Fax Number (717) 772-2741
sconcannon@pa.gov

DATED: February 5, 2013

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Whitehall Township	:	Docket No. C-20054822
	:	
v.	:	
	:	Electronically Filed
R.J Corman Railroad Company	:	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Department's *Praecepte to Withdraw Petition of Pennsylvania Department of Transportation to Transfer Jurisdiction to Court of Common Pleas of Lehigh County* was served upon the parties below by first-class mail; postage prepaid this 5th day of February, 2013:

Frank Procyk, Esquire
Charles Falzone, Esquire
33 South 7th Street
Allentown, PA 18105

Thomas M. Caffrey, Esquire
535 High Street
P.O. Box 792
Pottstown, PA 19464

Janet L. Miller, Esquire
Hawke, McKeon, & Sniscak, LLC
100 North 10th Street
Harrisburg, PA 17101

Rhonda Daviston, Esquire
PUC Law Bureau
P.O. Box 3265
Harrisburg, PA 17105-3265

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



Alicia Adair, Legal Assistant to
Sean M. Concannon, Assistant Counsel
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
P.O. Box 8212
Harrisburg, PA 17105-8212
Telephone No.: (717) 787-3128

DATED: February 5, 2013