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February 13, 2013

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

Re: Carl Lute v. Reading Blue Mountain and Northern
Railroad, Conyngham Township, Columbia County,
Commonwealth of Pennsylvania, Department of
Transportation
Docket No. C-2012-2319319

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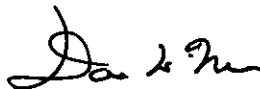
Dear Secretary Chiavetta:

In response to the Department's Motion for Interim Order Assigning Maintenance of the Crossing and Approaches, Conyngham Township files the enclosed Answer.

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

Very truly yours,

**WIEST, MUOLO, NOON, SWINEHART &
BATHGATE,**



David D. Noon

DDN/jdm
Enclosure
#17,809

cc: Ember S. Jandebaur, Administrative Law Judge

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carl Lute v. Reading Blue Mountain :
and Northern Railroad, Conyngham :
Township, Columbia County, : Docket No. C-2012-2319319
Commonwealth of Pennsylvania, :
Department of Transportation :

**ANSWER TO THE COMMONWEALTH OF PENNSYLVANIA'S,
DEPARTMENT OF TRANSPORTATION'S MOTION FOR INTERIM
ORDER ASSIGNING MAINTENANCE OF THE CROSSING AND APPROACHES**

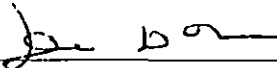
AND NOW, comes Conyngham Township, by and through its counsel, David D. Noon, Esquire in answer to the Motion For Interim Order Assigning Maintenance of the Crossing and Approaches, respectfully answered as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.
8. Admitted.

WHEREFORE, Conyngham Township joins in the requested relief by the Department of Transportation requesting that your Honor grant the Motion for Interim Order assigning

Maintenance of the Crossing and Approaches to the Department of Transportation and Reading
Blue Mountain and Northern Railroad.

Respectfully submitted,

BY:  _____

DAVID D. NOON, ESQUIRE
WIEST, MUOLO, NOON, SWINEHART
& BATHGATE
I.D. #: 44354
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(570) 286-7777
COUNSEL FOR CONYNGHAM TOWNSHIP

DATED: February 13, 2013

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CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing document upon the persons listed and in the manner indicated below:

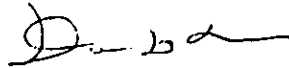
Notification by first class mail addressed as follows:

Carl Lute
143 Missouri Lane
Kulpmont, PA 17834

Paul R. Ober, Esquire
Paul Ober & Associates
234 North 6th Street
Reading, PA 19601

Adam D. Young, Esquire
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Anthony J. McDonald, Esquire
Bull Bull Knecht, LLP
106 Market Street
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David D. Noon, Esquire
Counsel for Conyngham Township
Attorney ID #44354

Dated: February 13, 2013

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Pennsylvania Public Utility Commission
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Harrisburg, PA 17105-3265

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