



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

March 11, 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 of Transportation's Written Testimony comprising of Department Statement Number 1 and Department Exhibits 1-12*, 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 "Nicholas D. Mertens".

Nicholas D. Mertens
Assistant Counsel

Enclosure

220/NDM:aca

cc: Ember S. Jandebour, Administrative Law Judge
Parties of Record
Mark J. Chappell, P.E., Chief, Utilities and Right-of-Way Section
Steven T. Betts, Grade Crossing Engineer, District 3-0

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Carl Lute	:	
	:	
v.	:	C-2012-2319319
	:	
Reading Blue Mountain & Northern	:	
Railroad, Conyngham Township,	:	Electronically Filed
Columbia County, Commonwealth of	:	
Pennsylvania Department of Transportation :	:	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of *Department Statement Number 1 and Exhibits 1-12* was served upon the parties below by first-class mail postage prepaid this 11th day of March, 2013:


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

David D. Noon, Esquire
Wiest, Muolo, Noon, Swinehart & Bathgate
240-246 Market Street
P.O. Box 791
Sunbury, PA 17801

Anthony J. McDonald, Esquire
Bull Bull Knecht, LLP
106 Market Street
Berwick, PA 18603



Alicia Adair
Legal Assistant to Nicholas D. Mertens
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