

CLARK HILL | THORP REED

Eric M. Hocky
T 215.640.8523
F 215.640.8501
Email: ehocky@clarkhill.com

Clark Hill Thorp Reed
One Commerce Square
2005 Market Street
Suite 1000
Philadelphia, PA 19103
T 215.640.8500
F 215.640.8501

clarkhillthorpreed.com

September 27, 2013

VIA FIRST CLASS MAIL

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Alex McClinchie v. Buffalo & Pittsburgh Railroad, Inc., Butler County,
Borough of Valencia and Pennsylvania Department of Transportation
Complaint Docket No. C-2013-2380662**

Dear Secretary Chiavetta:

Buffalo & Pittsburgh Railroad, Inc. ("BPRR") hereby files this letter in support of the Answer filed by the Pennsylvania Department of Transportation ("PennDOT") in response to the letter/motion filed by Butler County. For the reasons set forth in PennDOT's answer, BPRR agrees that Butler County should be required to participate in this proceeding as a concerned party. *See also*, paragraph 7 of the Answer to Complaint filed by BPRR in this proceeding.

Enclosed are the original and three copies of this letter so that it can be filed of record in this proceeding.

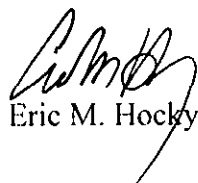
RECEIVED
2013 SEP 30 AM 11:16
PA.P.U.C.
SECRETARY'S BUREAU

Rosemary Chiavetta, Secretary
September 27, 2013
Page 2

Kindly time-stamp the extra copy of this letter, also enclosed, to indicate receipt, and return it to me in the stamped, self-addressed envelope provided for your convenience.

Very truly yours,

CLARK HILL THORP REED



Eric M. Hocky

EMH/dml
Encls.

cc: All parties listed on the attached Certificate of Service

Rosemary Chiavetta, Secretary
September 27, 2013
Page 3

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document by U.S. first class mail, postage prepaid, upon the participants listed below, in accordance with the requirements of Section 1.54 (relating to service by a participant):


Alex McClinchie
1776 Freedom Way
Valencia, PA 16059

Butler County
Attn: Michael English
PO Box 1208
Butler, PA 16003-1208

Borough of Valencia
61 Almira Street
Valencia, PA 16059

Nicholas D. Mertens
Assistant Counsel
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
PO Box 8212
Harrisburg, PA 17105-8212

RECEIVED
2013 SEP 30 AM 11:16
PA.P.U.C.
SECRETARY'S BUREAU


Eric M. Hocky

Dated: September 27, 2013



045J83212376

10SC

\$1.50



STAGE

CLARK HILL | THORP REED

Clark Hill Thorp Reed
One Commerce Square
2005 Market Street, Suite 1000
Philadelphia, PA 19103

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, P.O. Box 3265
Harrisburg, PA 17105-3265