

THOMAS J. PELLISH
ATTORNEY AT LAW

306 MAHANTONGO STREET
2nd Floor
POTTSVILLE, PA 17901

PHONE: (570) 628-3325
FAX: (570) 628-3329

October 22, 2014

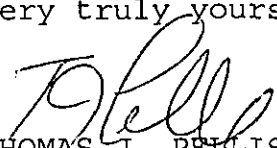
Pennsylvania PUC
P.O. Box 3265
400 North St.
Harrisburg, PA 17105-3265

RE: City of Pottsville Vs. Reading
Blue Mountain & Northern Railroad
NO. C-2012-2330567

Gentlemen:

Please accept the enclosed Petition for Withdrawal of
Complaint by the City of Pottsville.

Very truly yours,


THOMAS J. PELLISH,
Solicitor, City of Pottsville

TJP:ram
Enclosure

cc: Ember S. Jandebaur, Adm. Law Judge, w/enc (via Fax)
Adam D. Young, Esquire for PA PUC, w/enc.
Wayne Michel, Representative of Reading Blue
Mountain & Northern Railroad, w/enc.
City of Pottsville, Attn: Thomas A. Palamar, City Adm., w/enc.

RECEIVED
2014 OCT 24 AM 11:04
PA PUC
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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SECRETARY'S BUREAU

CITY OF POTTSVILLE, :
 :
 Vs. : C-2012-2330567
 :
 READING BLUE MOUNTAIN :
 & NORTHERN RAILROAD :

PETITION FOR WITHDRAWAL OF COMPLAINT
BY THE CITY OF POTTSVILLE

The CITY OF POTTSVILLE, by and through its Solicitor, THOMAS J. PELLISH, Esquire, hereby Petitions the Public Utility Commission to Withdraw the Complaint filed by the City of Pottsville:

1. The City of Pottsville initiated this action by way of Complaint against the Reading Blue Mountain & Northern Railroad.

2. The City of Pottsville in its complaint, alleged that the Railroad failed to replace and/or repair pedestrian guide rails along their property, on South Centre Street in the City of Pottsville, Schuylkill County, Pennsylvania.

3. The City further alleged that the conditions threatened the safety and welfare of pedestrians.

4. Since the filing, the Reading Blue Mountain and Northern Railroad have repaired and replaced the pedestrian guide rails to the satisfaction of the City.

5. The pedestrian guide rails no longer threaten the safety and welfare of pedestrians using the sidewalk along their property.

6. All work has been done and completed to the full satisfaction of the City.

WHEREFORE, the City of Pottsville respectfully requests the Public Utility Commission to allow the Complaint filed by the City of Pottsville against the Reading Blue Mountain and Northern Railroad, be withdrawn and/or dismissed.

RESPECTFULLY SUBMITTED:

BY: 

THOMAS J. PELLISH, ESQUIRE
Solicitor for City of Pottsville
306 Mahantongo St., 2nd Fl.
Pottsville, PA 17901
Telephone (570) 628-3325
I.D. No. 38496

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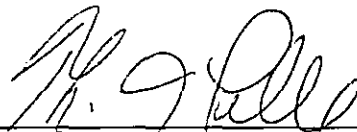
CERTIFICATE OF SERVICE

I hereby certify that on October 22, 2014, I have served a true and correct copy of the forgoing Petition for Withdrawal of Complaint by the City of Pottsville, upon the parties, listed below, in accordance with the requirements of §1.54 (relating to service by a party).

Ember S. Jandebaur, Adm. Law Judge
Pennsylvania PUC
State Office Building
100 Lackawanna Ave., Suite 320
Scranton, PA 18503

Adam D. Young, Esquire
PA Public Utility Commission
Law Bureau
PO Box 3265
Harrisburg, PA 17105-3265

Wayne Michel, Representative of
Reading Blue Mountain & Northern Railroad
1 Railroad Boulevard
PO Box 218
Port Clinton, PA 19549

BY: 
THOMAS J. PELLISH, ESQ.
Solicitor for the City of Pottsville
306 Mahantongo St., 2nd Fl.
Pottsville, PA 17901
Telephone: (570) 628-3325
I.D. No. 38496

THOMAS J. PELLISH
ATTORNEY AT LAW

306 Mahantongo Street - 2nd Floor
Pottsville, Pennsylvania 17901

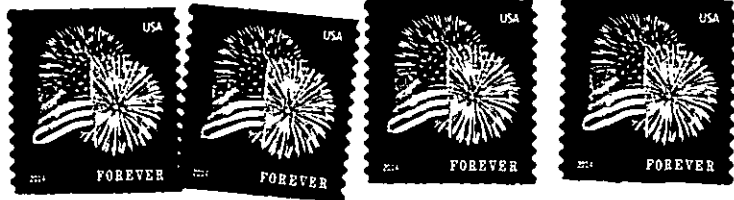
I DO HEREBY CERTIFY THAT THE WITHIN IS A
TRUE AND CORRECT COPY OF THE ORIGINAL
FILED IN THIS ACTION.

BY

ATTORNEY

THOMAS J. PELLISH
ATTORNEY AT LAW

306 Mahantongo Street - 2nd Floor
Pottsville, Pennsylvania 17901



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400 North St.
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