

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JULY 12 1988

IN RE: :  
APPLICATION OF THE COUNTY :  
OF LEBANON TRANSIT AUTHORITY :  
FOR APPROVAL OF THE :  
SUSPENSION OF A SERIES OF :  
CROSSINGS INVOLVING THE :  
CORNWALL INDUSTRIAL TRACK :  
OF CONSOLIDATED RAIL :  
CORPORATION LOCATED IN THE :  
CITY OF LEBANON, LEBANON :  
COUNTY :

Docket No. A-00113589

ORIGINAL

CITY OF LEBANON :  
Complainant :  
v. :  
CONSOLIDATED RAIL :  
CORPORATION, et al, :  
Respondent :

Docket No. C-00970107

DOCUMENT  
FOLDER

COMMONWEALTH OF :  
PENNSYLVANIA DEPARTMENT OF :  
TRANSPORTATION, :  
Complainant :  
v. :  
CONSOLIDATED RAIL :  
CORPORATION, :  
Respondent :

Docket No. C-00970126

DOCKETED  
NOV 17 1998

THE TOWNSHIP, :  
BOARD OF SUPERVISORS :  
Complainant :  
v. :  
CONSOLIDATED RAIL :  
CORPORATION, et al., :  
Respondent :

Docket No. C-00970106

APPLICATION OF SOUTH LEBANON :  
TOWNSHIP FOR THE APPROVAL OF :  
THE ALTERATION OF THE CROSSING :  
(AAR 591 537 S). WHERE TOWN- :  
SHIP ROAD 705 (WILHELM- :  
AVENUE). CROSSES BELOW GRADE :  
OF THE TRACKS OF THE :  
CONSOLIDATED RAIL CORPORATION :  
IN SOUTH LEBANON TOWNSHIP, :  
LEBANON COUNTY :

Docket No. A-00109901

RECEIVED  
SECRETARY'S BUREAU  
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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE:

Docket No. A-00109901

APPLICATION OF THE SOUTH  
OF LEBANON TOWNSHIP FOR  
APPROVAL OF THE ALTERATION OF  
THE CROSSING (AAR591 537S)  
OR TOWNSHIP ROAD 705(WILHELM  
AVENUE)

ORIGINAL

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SECRETARY'S BUREAU

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**REQUEST BY R.J. CORMAN RAILROAD  
COMPANY/ALLENTOWN LINES, INC. FOR  
LEAVE OF COURT FOR EXTENSION OF TIME TO  
FILE EXCEPTIONS**

R.J. Corman Railroad Company/Allentown Lines, Inc. ("R.J.Corman") by and through its counsel, Grenen & Birsic, P.C., files this Request and in support thereof states the following:

1. On November 12, 1998, Counsel for R.J. Corman received by way of First Class U.S. Mail a copy of the Recommended Decision of Administrative Law Judge Herbert S. Cohen in the instant case.

2. Included with the Recommended Decision was a Notice To File Exceptions Letter with an issuance date of October 23, 1998 ("Notice").

3. The Notice states that "[i]f you do not agree with any part of this decision, you may send ...(... Exceptions) to the Commission. ... signed exceptions MUST BE FILED WITH THE SECRETARY OF THE COMMISSION, within twenty (20) days of the issuance date of this letter."

4. Because Counsel for R.J. Corman did not receive the Notice and Recommended Decision until November 12, 1998, said counsel received the Notice and Recommended Decision on the twentieth (20<sup>th</sup>) day after the issuance date on the Notice. This effectively eliminated any reasonable period of time for R.J. Corman to review the Recommended Decision with counsel and to make a

determination as to whether R.J. Corman will be filing any Exceptions.

5. Counsel for R.J. Corman contacted PUC Commission Secretary James J. McNulty to inquire when the Notice and Recommended Decision were sent to the mail room service on November 5, 1998.

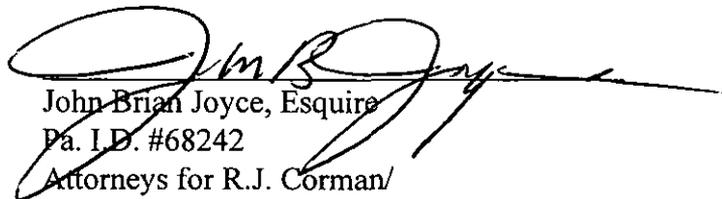
6. Apparently, the mailroom service did not mail the Notice and Decision out until November 9, 1998 as the postage date stamp on the envelope evidences. A true and correct copy of the envelope and the Notice are attached hereto as Exhibit "A" and incorporated herein.

7. Because of the significant delay in mailing the Notice and Decision, R.J. Corman is prejudiced by not having sufficient time to review the Decision and to file Exceptions, if it so chooses.

WHEREFORE, R.J. Corman requests that the Court enter an Order granting it 20 days from entry of the Order to file any Exceptions.

Respectfully submitted

GRENN & BIRSIC, P.C.

BY:   
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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

IN RE: : Docket No. A-00109901  
: :  
APPLICATION OF THE SOUTH :  
OF LEBANON TOWNSHIP FOR :  
APPROVAL OF THE ALTERATION OF :  
THE CROSSING (AAR591 537S) :  
OR TOWNSHIP ROAD 705(WILHELM :  
AVENUE) :

ORDER

And now this \_\_\_\_ Day of \_\_\_\_\_, 1998, after consideration of the Request by R.J. Coerman Railroad's Request for an Extension of Time to File Exceptions to the Recommended Decision it is HEREBY ORDERED that the R.J. Coerman is granted twenty days from entry of this Order to file any Exceptions to the Recommended Decision.

BY THE COURT:

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