

CLARK HILL

RECEIVED

2016 MAY 12 AM 10:22

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

PA P.U.C.
SECRETARY'S BUREAU

Clark Hill PLC
One Commerce Square
2005 Market Street
Suite 1000
Philadelphia, PA 19103
T 215.640.8500
F 215.640.8501
clarkhill.com

May 9, 2016

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

Re: Docket No. M-2015-2470485
Bridge Carrying North Loop Road (T-392) over and above the
Track of CSX Transportation Inc. (DOT 148 915 T), in West
Mahoning Township, Indiana County

Dear Secretary Chiavetta:

I am writing this letter on behalf of my client Buffalo & Pittsburgh Railroad Inc. ("BPRR") in response to the amended Secretarial Letter issued on February 4, 2016, in this proceeding. As previously noted, in accordance with the original Secretarial Letter dated October 14, 2015, BPRR has, at its sole cost and expense, barricaded North Loop Road on each side of the bridge, and installed proper signage. By this letter, BPRR requests that the time for removal of the bridge (currently set for June 30, 2016) be extended.

On November 24, 2015, BPRR filed with the Commission, an application for approval of the abolition of the crossing. The application has been docketed at A-2015-2154790. As noted in the application, delay in the removal of the bridge will allow the removal to be coordinated with the proposed abolition of the crossing.

On February 23, 2016, two individuals who live near the bridge filed a protest to the proposed abolition, seeking to have the bridge retained. Until the abolition application and protest are resolved, BPRR should not be required to remove the bridge. (If the bridge were retained, it would likely be repaired and not replaced.) Since BPRR is not aware of when the Commission will rule on the requested abolishment, BPRR requests a further extension of the

Rosemary Chiavetta, Secretary
May 9, 2016
Page 2

deadline for removal of the bridge. The delay would not endanger the travelling public as the road has been barricaded.

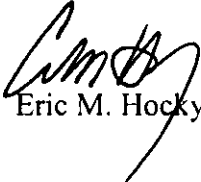
Accordingly, BPRR requests that the time for removal of the bridge be extended for a period of 120 days from the date that the Commission acts on the related application for abolishment.

BPRR is serving a copy of this letter on all persons that were served with a copy of the application for abolishment in Docket No. A-2015-2154790. Additionally, BPRR is serving a copy of this letter on the attorney for the protestors.

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

Please let me know if there are any questions regarding this filing. Thank you.

Respectfully,
CLARK HILL PLC



Eric M. Hocky

EMH/e

cc: All persons on application service list attached

West Mahoning Township
Attn: Edwin C. Clark, Jr., Solicitor
112 Chestnut Street
Smicksburg, PA 16256

Indiana County
Attn: County Solicitor
825 Philadelphia Street, 1st Floor
Indiana, PA 15701

Pennsylvania Department of Transportation
Office of Chief Counsel
Attn: William J. Cressler, Esq.
PO Box 8212
Harrisburg, PA 17105-8212

Pennsylvania Department of Transportation
ROW & Utility Division
Bureau of Design-Project Delivery
PO Box 3362
Harrisburg, PA 17105-3362

Pennsylvania Department of Transportation
District Office 10-0
Attn: Scott K. Snyder, PE – District Grade
Crossing Engineer
2550 Oakland Avenue
Indiana, PA 15701

Thomas Rivosecchi, Esq.
Simpson, Kablack & Rivosecchi, PC
834 Philadelphia, Street, Suite 200
Indiana, PA 15701

Rosetta Elkin Day
415 County Hwy 10A
Defuniak Springs, FL 32435

Sara L. Ladding
858 N. Loop Road
Dayton, PA 16222

Eric M. Hocky

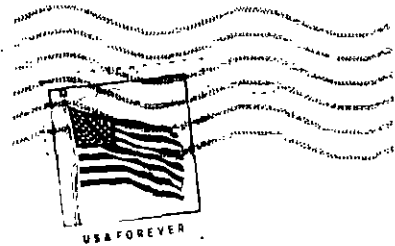
CLARK HILL

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

clarkhill.com

PHILADELPHIA PA 19103

12 MAY 2006 PM 5 L



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

17105326565

