



COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL

October 24, 2016

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**RE: C-20078010 and A-2008-2016324**

Dear Secretary Chiavetta:

Enclosed for filing please find the Department's *Prehearing Conference Memorandum*, 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 that reads "Gina M. D'Alfonso".

Gina M. D'Alfonso  
Senior Counsel in Charge

Enclosure

220/GMD:igl

cc: David A. Salapa, Administrative Law Judge  
Parties of Record  
Rodney Rehnert, Grade Crossing Administrator, District 5  
Gregory J. Vaughn, Grade Crossing Administrator, 7<sup>th</sup> Floor, CKB

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Blackwood, Inc.	:	
	:	C-20078010
v.	:	
	:	
Reading, Blue Mountain and Northern Railroad Company	:	
	:	
	:	
Application of Reading, Blue Mountain and Northern Railroad Company for approval of the abolition of the crossing ( AAR 592 007 F) where Township Road 567 crosses at grade the tracks of Reading, Blue Mountain and Northern Railroad Company, located in Reilly Township, Schuylkill County	:	A-2008-2016324
	:	<b>Electronically Filed</b>
	:	
	:	

**COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF  
TRANSPORTATION'S PREHEARING CONFERENCE MEMORANDUM**

In accordance with the September 15, 2016 Prehearing Conference Order of Administrative Law Judge David A. Salapa, in the above referenced matter, the Department of Transportation ("Department") offers the following in response to the specific requests contained therein:

- a) It is requested that the Department's sole entry on the service list is the undersigned.
- b) The Department has not been apprised of the status of discussions, if any, between the other parties in an attempt to settle this matter.
- c) At this time, the Department does not anticipate the need for discovery. In the event that the Department or any other party desires to engage in discovery, the Department proposes that all discovery is completed, including discovery requests and any responses thereto, no

later than two (2) weeks prior to the date for the submission of pre-served written direct testimony.

- d) Please see response to c.
- e) The Department defers to the other parties to propose a hearing schedule. The Department requests that written direct testimony be required and submitted three (3) weeks prior to the hearing; written rebuttal testimony to be submitted ten (10) days prior to the hearing. At this time, the Department does not know if one day for a hearing is sufficient even if the parties are directed to pre-file written testimony.
- f) Until the remaining issue(s) are identified, the undersigned cannot determine what witness(es) would be necessary and what their testimony would be.
- g) See response to f.
- h) See response to f.

Respectfully Submitted,

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION



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Gina M. D'Alfonso  
Assistant Counsel in Charge  
Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
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Harrisburg, PA 17105-8212  
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Fax Number (717) 772-2741  
Pennsylvania Attorney I.D. Number 46767  
gdalfonso@pa.gov

DATED: October 21, 2016

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Blackwood, Inc.	:	
	:	
v.	:	C-20078010
	:	
Reading, Blue Mountain and Northern Railroad Company	:	
	:	
Application of Reading, Blue Mountain and Northern Railroad Company for approval of the abolition of the crossing (AAR 592 007 F) where Township Road 567 crosses at grade the tracks of Reading, Blue Mountain and Northern Railroad Company, located in Reilly Township, Schuylkill County	:	A-2008-2016324
	:	<b>Electronically Filed</b>
	:	
	:	

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Department's *Prehearing Conference Memorandum* was served upon the parties listed below, in accordance with the requirements of 52 Pa. Code §§ 1.54 and 5.342(e), by First-Class mail, postage prepaid, this 24<sup>th</sup> day of October, 2016:

Frederick J. Fanelli, Esq.  
Fanelli, Evans & Patel, P.C.  
The Necho Ellen  
No. 1 Mahantongo Street  
Pottsville, PA 17901

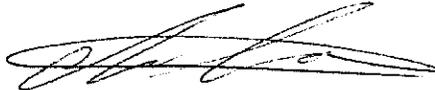
Richard Wilson, Esq.  
518 N. Center Street, Ste. 1  
Ebensburg, PA 15931

William C. Reiley, Esq.  
Reilly Township Solicitor  
Garfield Square  
510 West Market Street  
Pottsville, PA 17901-2809

Heidi Hushinske, Esq  
PA Public Utility Commission  
Law Bureau  
P.O. Box 3265  
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Glenn T. Roth Jr., Esq.  
Schuylkill County Assistant Solicitor  
401 North Second Street  
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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION



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Iber Guerrero-Lopez, Legal Assistant to  
Gina M. D'Alfonso  
Senior Counsel in Charge  
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Department of Transportation  
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DATED: October 24, 2016