



COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL

February 23, 2017

David A. Salapa  
Administrative Law Judge  
PA PUC  
PO Box 3265  
Harrisburg, PA 17105-3265

Re: **M-2013-2364201**  
**I-2015-2472242**

Dear Judge Salapa:

Counsel for Norfolk Southern Railway Company, Benjamin C. Dunlap, Jr. and I are respectfully requesting that the above referenced matters be referred to mediation and that the litigation schedules be stayed pending the outcome of the mediation.

Norfolk Southern and the Department of Transportation are the primary litigants in these matters. I have not contacted the other parties for their, but they are copied with this request.

Your attention to this request is appreciated.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Gina M. D'Alfonso".

Gina M. D'Alfonso  
Senior Counsel in Charge

cc: Parties of Record  
Susan E. Hazelton, P.E., ADE-Design, District 4  
Gerard Babinski, P.E., Bridge Engineer, District 4  
Sarah Fenton, Grade Crossing Administrator, District 4  
Daniel D. Leonard, P.E., Grade Crossing Engineer, 7<sup>th</sup> Floor, Keystone Building

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation upon the Commission's own	:	
Motion to determine the condition and	:	
Disposition of six (6) existing structures	:	<b>Docket No. I-2015-2472242</b>
Carrying various highways above the grade	:	
Of the Canadian Pacific Railroad in Great	:	<b>Electronically Filed</b>
Bend Township, New Milford Township	:	
Brooklyn Township, Hop Bottom Borough	:	
Lathrop Township, Susquehanna County	:	
and Benton Township, Lackawanna County	:	
(264 293 K) in Nicholson Borough,	:	
Wyoming County	:	
Bridge Structure where State Route 1025,	:	<b>Docket No. M-2013-2364201</b>
crosses over a single track of Delaware and	:	
Hudson Railway Company, Inc. (264 293 K)	:	
in Nicholson Borough, Wyoming County.	:	

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Department's *Letter Requesting Mediation* was served upon the parties listed below, in accordance with the requirements of §1.54, by First-Class mail, postage prepaid, this 23<sup>rd</sup> day of February, 2017.

Larry Seamour, Chairman  
Benton Township  
P.O. Box 29  
Fleetville, PA 18420

Paul J. Himka, Supervisor  
Lathrop Township  
2479 State Route 2096  
Hop Bottom, PA 18824

Patrick O'Malley, Commissioner  
Lackawanna County  
Administration Building  
200 Adams Ave., 6<sup>th</sup> Floor  
Scranton, PA 18503

Graham A. Anthony, Jr., Supervisor  
Township of Brooklyn  
P.O. Box 24  
Brooklyn, PA 18813

Brian O'Conner, Supervisor  
Great Bend Township  
P.O. Box 781  
Great Bend, PA 18821

Alan Hall, Chairman  
Susquehanna County  
105 Maple Street  
Montrose, PA 18801

Donald J. Frederickson, Jr., Esq.  
Lackawanna County Commissioners Office  
200 Adams Avenue – 6<sup>th</sup> Floor  
Scranton, PA 18503

John Koshinski, Councilman  
Borough of Hop Bottom  
P.O. Box 175  
Hop Bottom, PA 18824

Don Shibley, Supervisor  
New Milford Township  
19730 State Route 11  
New Milford, PA 18834

Benjamin C. Dunlap, Jr., Esq.  
Nauman Smith Shissler & Hall  
200 North Third Street, 18<sup>th</sup> Floor  
P.O. Box 840  
Harrisburg, PA 17108

Adam D. Young, Esq.  
PA PUC Bureau of Investigation &  
Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Wesley Carpenter  
Sprint Communications Company, LP  
Box 113  
484 Williamsport Pike  
Marlesburg, WV 25404

Joe Stec  
Frontier Communications Solutions  
100 CTE Drive  
Dallas, PA 18612

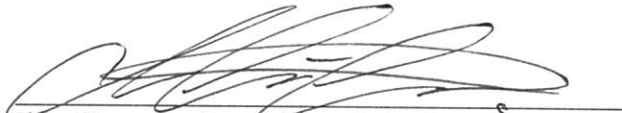
Anthony P. Litwin, Esq.  
Nicholson Borough  
24 East Tioga Street  
Tunkhannock, PA 18657

Tori L. Giesler, Esq.  
PENELEC  
2800 Pottsville Pike  
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Reading, PA 19612-6001

Elmer Day  
Comcast Cable Communications  
One Comcast Way  
Duryea, PA 18642

Respectfully submitted,

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION



Iber Guerrero-Lopez, Legal Assistant to  
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Senior Counsel in Charge  
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DATED: February 23, 2017