

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Whitehall Township	:	Docket No. C-20054822
	:	
v.	:	
	:	Electronically Filed
R.J. Corman Railroad Company	:	

STATEMENT IN SUPPORT OF SETTLEMENT

The Township of Whitehall (“Township”) concurs with the other parties that the Joint Stipulation of Settlement (“Settlement”) is in the public interest. The Settlement addresses all the issues involved in the litigation, *i.e.*, the allocation of costs attributed to the repairs and rehabilitation of the South Lehigh Avenue Retaining Wall, including repairs to the South Lehigh Avenue drainage system, and the assignment of future maintenance responsibilities for the Retaining Wall. All repairs were performed by the Department pursuant to the Pennsylvania Public Utility Commission’s (“Commission”) July 26, 2007 Order and, as such, all safety issues involving the Retaining Wall have been resolved. The settlement will serve to protect the public safety.

Additionally, the settlement will save the parties and the Commission the time and expense they would otherwise incur in further litigating this matter. Since all the interested parties agree to the terms of the settlement, adopting it will eliminate the possibility of any appeal from a Commission Order, thus saving the parties the additional time and expense they might incur in such an appeal.

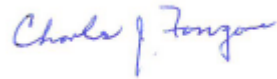
The Commission will serve the public interest by adopting and granting the parties’ Stipulation of Settlement in this matter. The Commission encourages the settlement of contested

proceedings. 52 Pa. Code § 5.231(a). The settlement is an efficient use of the resources of the Commission and the parties hereto.

For all of the above reasons, the Department supports the Settlement in the above captioned matter.

Respectfully Submitted,

TOWNSHIP OF WHITEHALL



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