

**BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

Bristol Borough
Complainant

Docket No. C-2017-2640241

v.

Filed Electronically

Consolidated Rail Corporation
Respondent

**COMPLAINANT, BRISTOL BOROUGH'S REPLY TO NEW MATTER
OF CONSOLIDATED RAIL CORPORATION**

No. 5. The averments in this paragraph do not require a response on behalf of the Complainant, the Borough of Bristol.

No. 6. Admitted. It is admitted only that a photograph is attached to the document attached to the Borough's Complaint. The Borough of Bristol specifically denies the interpretation of the photograph averred by the Respondent.

No. 7. Denied. It is specifically denied that Conrail has not operated on this track for several decades. On the contrary, it is alleged that Conrail has operated on this track within the last two years.

No. 8. Admitted. It is admitted only that Conrail's track does not cross Old Route 13 on the subject bridge.

No. 9. Denied. This averment is a conclusion of law and therefore deemed denied.

No. 10. Denied. This averment is a conclusion of law and therefore deemed denied.

No. 11. Denied. As set forth in the Borough's Complaint, it is specifically alleged that Conrail does own the subject Bridge.

No. 12. Admitted. It is admitted only that certain Exhibits were attached to the Borough's Complaint. The Respondent's conclusions drawn from those documents are specifically denied.

No. 13. Denied. This averment is a conclusion of law and therefore deemed denied.

No. 14. Denied. It is specifically denied that the documents provided by the Borough's Engineers conclude that the Township and the Borough are the owners of the subject bridge.

No. 15. Denied. Respondent's conclusions drawn from a 1915 Agreement are specifically denied. The Borough specifically avers that Conrail representatives have acknowledged ownership of the bridge within the last several years.

No. 16. Denied. This averment is a conclusion of law and therefore deemed denied.

Wherefore, Bristol Borough respectfully requests the Complaint be sustained.

Respectfully Submitted,



By: William J. Salerno, Esq.
Attorney ID No. 27883
220 Radcliffe St, Bristol, PA 19007
Solicitor for Borough of Bristol

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Date

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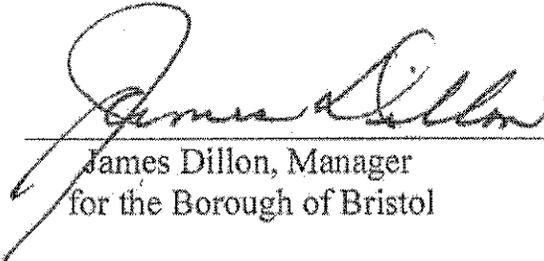
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VERIFICATION

I, James Dillon, Manager for the Borough of Bristol, verify that the statements made in the foregoing Complainant, Bristol Borough's Reply to New Matter of Consolidated Rail Corporation are true and correct to the best of my knowledge, information and belief. I further understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsifications to authorities.

February 7, 2018
Date



James Dillon, Manager
for the Borough of Bristol

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CERTIFICATE OF SERVICE

I, William J. Salerno, Esquire, Attorney for the Complainant, Bristol Borough, hereby certify that a true and correct copy of Complainant, Bristol Borough's Reply to New Matter of Consolidated Rail Corporation, was served upon the following by First Class Postage Prepaid Mail in Bristol, Pennsylvania on the date below:

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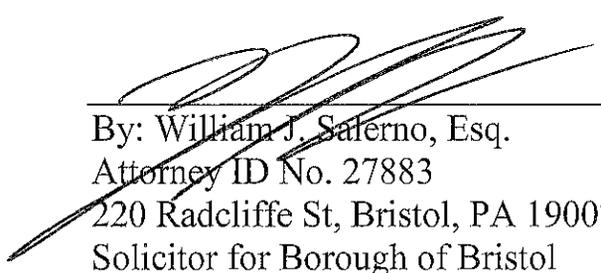
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Attorney ID No. 27883

220 Radcliffe St, Bristol, PA 19007

Solicitor for Borough of Bristol