

RAIL  
ORIGINAL

SEP 15 2 11 PM '80

RECEIVED  
SECRETARY'S OFFICE  
PUBLIC UTILITY  
COMMISSION

September 15, 1980

William P. Thierfelder, Esq.  
Secretary  
Penna. Public Utility Commission  
Box 3265  
Harrisburg, Pa. 17120

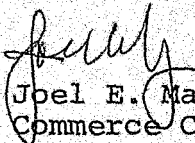
Re: Complaint Dkt. 79081404 (MPCB 78)

Dear Sir:

I enclose for filing the original and two copies of a  
Petition of Consolidated Rail Corporation for  
Modification of the Commission's Order entered August 14, 1980.

I hereby certify I have served copies upon the Administrative  
Law Judge and all parties of record.

Very truly yours,

  
Joel E. Mazor  
Commerce Counsel

JEM:CV  
Encl.

DOCUMENT  
FOLDER

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SEP 15 3 11 AM '80  
SECRETARY'S OFFICE  
PUBLIC UTILITY  
COMMISSION

Great Bend Township :  
v. :  
Consolidated Rail Corpora- : Complaint Docket  
tion, Pennsylvania Depart- :  
ment of Transportation, : No. 79081404  
County of Susquehanna, :  
Pennsylvania Electric Com- :  
pany and Commonwealth :  
Telephone Company :

Petition of  
Consolidated Rail Corporation  
for Modification of the  
Commission's Order of August 14, 1980

DOCKETED  
SEP 16 1980  
DOCUMENT  
FOLDER

COMES NOW, Consolidated Rail Corporation by its attorney  
Joel E. Mazor and petitions your honorable Commission for modifi-  
cation of the order entered August 14, 1980 in the captioned  
matter, as follows:

1. By order adopted March 28, 1980 and entered August 14,  
1980, the Exceptions of the Commission Trial Staff to the  
Initial Decision of the Administrative Law Judge issued February 14,  
1980 were granted, and Consolidated Rail Corporation was ordered,  
at its initial cost and expense, within three months of the date  
of service of this order to prepare and submit to all parties of  
record and to this Commission for review and approval detailed  
plans for the reconstruction of the southwest wing wall so as to  
eliminate the horizontal crack and the spalling condition of the  
concrete in the wing wall of the bridge carrying Township Route

821 above the grade of the tracks of Consolidated Rail Corporation in the Township of Great Bend, Susquehanna County.

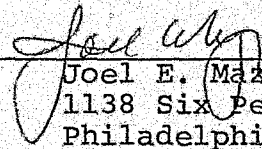
2. On September 8, 1980, the line of railroad underneath the structure which was the subject matter of the captioned complaint was sold and transferred to Delaware & Hudson Railway Company. All obligations for maintenance which had previously belonged to Consolidated Rail Corporation were also transferred to that company.

3. In view of this transfer, it is felt that Consolidated Rail Corporation should no longer have any obligation with respect to the bridge which is the subject matter of this complaint, although it desires to be retained as a party to the proceeding in connection with any costs it might have incurred to this point which might be allocable by the Commission at a later date.

WHEREFORE, petitioner respectfully requests your honorable Commission to amend its order entered August 14, 1980 in the captioned matter by substituting either another party to this proceeding or the Delaware & Hudson Railway Company for Consolidated Rail Corporation with respect to the obligation imposed by Paragraph 2 of that order, as above recited.

CONSOLIDATED RAIL CORPORATION

By

  
Joel E. Mazor  
1138 Six Penn Center  
Philadelphia, Pa. 19104



**ORIGINAL**

FRANCIS X. O'CONNOR  
ATTORNEY AND COUNSELLOR AT LAW

P.O. BOX 591  
MAIN STREET  
GREAT BEND, PA 18821  
PHONE 717-879-2534

SEP 29 2 13 PM '80  
SUITE 1107  
PRESS BUILDING  
BINGHAMTON, N.Y. 13901  
PHONE 607-722-7214  
SECRETARY'S OFFICE  
PUBLIC UTILITY  
COMMISSION

September 25, 1980

Mr. John Wilson, Esquire  
Commonwealth of Pennsylvania  
Public Utility Commission  
State Office Building  
Harrisburg, PA 17120

Re: P.U.C. File C-79-081404

Dear John:

In my review of the decision from Judge Jones, regarding the railroad crossing on Old Route 11, Great Bend Township, I note that at one time there was a request filed to move up the time of completion date, which Conrail was required to comply with to repair this wall.

My file does not indicate a copy of a new Order ever having been received by this office. Would you kindly inform me whether your files show whether this completion date was changed and to when it was changed.

Your prompt attention to this is requested inasmuch as the Township has instructed me to proceed with a Motion to change the method of complying with the Order, if it is shown that Conrail has passed their time to comply.

Thanking you for your anticipated assistance in this matter, I remain

Very truly yours,

Francis X. O'Connor, Esq.

FXOC/bst

**DOCUMENT  
FOLDER**

**DOCKETED**  
SEP 30 1980  
w