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172ND LEGISLATIVE DISTRICT

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

APPROPRIATIONS
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HEALTH
LIQUOR CONTROL
URBAN AFFAIRS

PHILADELPHIA DELEGATION
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January 24, 2019

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

RE: C-2018-3002326

Dear Secretary Chaivetta,

Enclosed for filing please find my *Prehearing Conference Memorandum* in the above captioned matter.

I hereby certify that a copy has been made available to all parties via electronic service through the Public Utility Commission's website, or via mail as indicated by the Certificate of Service.

Sincerely,

A handwritten signature in blue ink that reads "Andrew Broden".

Andrew Broden

Office of State Rep. Kevin Boyle
7420 Frankford Ave., Phila PA 19136
215-3312600

DATED: January 24, 2019

BEFORE THE PUBLIC UTILITY COMMISSION

C-2018-3002326

Electronically Filed

PREHEARING CONFERENCE MEMORANDUM – COMPLAINANT

In accordance with the January 24th, 2019 Prehearing Conference Order issued by Administrative Law Judge Eranda Vero, in the above referenced matter, the complainant offers the following in response to the specific request contained therein:

1. This issue was brought to the attention of the Office of State Rep. Kevin Boyle by residents and the nearby civic association, Greater Bustleton Civic League. The damaged guiderail presents a lack of safety that must be addressed as soon as possible. Sole entry on the service list shall be as follows:

Andrew Broden
Legislative Assistant
Office of State Rep. Kevin Boyle
7420 Frankford Avenue
Philadelphia, PA 19136
abroden@pahouse.net

2. The replacement of currently damaged safety features and/or implementation of additional safety features as required by law is the requested relief.
3. Pictures of the damaged guiderail are included. A single witness will be called:

Jack O'hara
President of the Greater Bustleton Civic League
9823 Verree Rd
Philadelphia, PA 19115
215-673-9519

4. Due to the addition of concrete supports for the rail bridge's columns that were added without permits, direction from the City, or action

DATED: January 24, 2019

from the PUC, and that cross into the City of Philadelphia's right of way, CSX should be responsible for the maintenance of the existing safety features and implementation of any additional safety features as required.

Respectfully,



Andrew Broden

Legislative Assistant

Office of State Rep. Kevin Boyle

7420 Frankford Avenue

Philadelphia, PA 19136

abroden@pahouse.net

DATED: January 24, 2019



Discovery: Photo 1

BEFORE THE PUBLIC UTILITY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of my *Prehearing Conference Memorandum* was served upon the parties listed below, in accordance with the requirements of §1.54, by First-Class mail, postage prepaid, and electronically as indicated, this 24th day of January 2019.

Derek Mihaly, Project Manager
CSX Transportation, Inc.
4 Neshaminy Interplex, Suite 205
Trevose, PA 19053

Benjamin C. Dunlap, Jr., Esquire
Nauman Smith Shissler & Hall
200 North Street, 18th Floor
P.O. Box 840
Harrisburg, PA 17108
bdunlapjr@nssh.com

Marcel Pratt
One Parkway Building, 17th Floor
1515 Arch St
Philadelphia, PA 19102-1595

James Kellett, Esquire
City of Philadelphia Law Department
1515 Arch St., 16th Floor
Philadelphia, PA 19102
James.Kellett@phila.gov

Bradley R. Gorter, Esquire
PA PUC Bureau of Investigation and Enforcement
400 North Street
P.O. Box 3265
Harrisburg, 17105-3265
bgorter@pa.gov

Michael Swindler, Esquire
PA PUC Bureau of Investigation and Enforcement
400 North Street
P.O. Box 3265
Harrisburg, 17105

Respectfully,



Andrew Broden
Legislative Assistant
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Philadelphia, PA 19136
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