



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

March 13, 2019

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

RE: C-2018-3006389

Dear Secretary Chiavetta,

Enclosed for filing please find the Department's *Answer to Petition for Reconsideration* in the above-captioned matter. The undersigned certifies that this filing contains no averments or denials of facts subject to verification and penalties under 52 Pa. Code Section 1.36.

I hereby certify that a copy has been sent to all parties of record as indicated by the Certificate of Service.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jennifer Brown-Sweeney".

Jennifer Brown-Sweeney
Assistant Counsel

Cc: Parties of Record
Michelle Adolini Acting Highway Delivery Division Chief
Daniel Leonard, Grade Crossing Engineer, Central Office, KCB 7th Floor
Rick Cooper, District Grade Crossing Engineer, District 4-0

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Eric Yoder for Reading & Northern Railroad	:	
Complainant	:	Docket No.: C-2018-3006389
	:	
v.	:	
	:	
Pennsylvania Department of Transportation	:	Electronically Filed
	:	
Respondents	:	

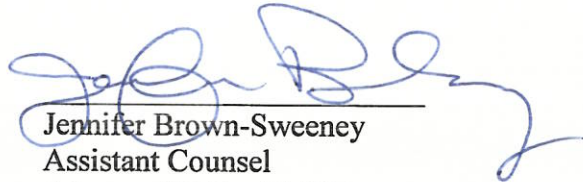
ANSWER TO PETITION FOR RECONSIDERATION

AND NOW, comes the Commonwealth of Pennsylvania, Department of Transportation (“Department”), by and through its counsel, Jennifer Brown-Sweeney, in its Answer to Petition for Reconsideration of the Secretarial Letter dated February 21, 2019, respectfully represents:

1. Upon full consideration of the matters involved, the Secretarial Letter entered February 21, 2019 reaffirmed the maintenance responsibilities as directed by the September 13, 2001 Secretarial Letter at Docket Number A-00117857.
2. The Department avers that it is improper for the Commission to modify an existing order due to unfounded accusations of another party.
3. The Department alleges that the proper place to address this issue is at a hearing.
4. Given that the matter was already referred to the Commission’s Office of Administrative Law Judge for hearing and a Prehearing Conference has been scheduled for March 26, 2019, the Department opposes the Petition for Reconsideration.

WHEREFORE, the Department of Transportation respectfully requests that Reading Blue Mountain and Northern Railroad's Petition for Reconsideration be denied.

Respectfully submitted,



Jennifer Brown-Sweeney
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DATED: March 13, 2019

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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	:	
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the **ANSWER TO PETITION** was served upon the parties below by first-class mail, postage prepaid this 13th day of March 2019:

Eric Yoder
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DATED: March 13, 2019