



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

December 11, 2019

Katrina L. Dunderdale
Administrative Law Judge
Pennsylvania Public Utility Commission
Piatt Building, Suite 220
301 Fifth Avenue
Pittsburgh, PA 15222

RE: C-2019-3013809

Dear ALJ Dunderdale:

Enclosed for filing please find the Department's *Prehearing Conference Memorandum* in the above-captioned matter.

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 cursive script that reads "Gina M. D'Alfonso".

Gina M. D'Alfonso
Senior Counsel in Charge

Cc: Secretary Chiavetta
Parties of Record
Phillip Mutunga, P.E., District Grade Crossing Engineer, District 11-0
Gregory J. Vaughn, Grade Crossing Engineer, Central Office, KCB 7th Floor

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**MUNICIPALITY OF PENN HILLS C/O
SCOTT ADREJCHAK**

Complainant

vs.

C-2019-3013809

Electronically Filed

**UNION RAILROAD COMPANY, CITY
OF PITTSBURGH, BOROUGH OF
VERONA, COUNTY OF ALLEGHENY,
PENNDOT**

Respondent

**PREHEARING CONFERENCE MEMORANDUM OF THE PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

In accordance with the November 25, 2019 Prehearing Conference Order issued by Administrative Law Judge Katrina L. Dunderdale, in the above referenced matter, the Department of Transportation (“Department”) offers the following in response to the specific requests contained therein:

1. It is requested that the Department’s sole entry on the service list shall be as follows:

Gina M. D’Alfonso
Senior Counsel in Charge
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
P.O. Box 8212
Harrisburg, PA 17105-8212
Telephone No. (717) 787-3128
gdalfonso@pa.gov

2. The Department defers to the Complainant and the railroad regarding the possibility of settlement and to propose a discovery plan and a litigation schedule for consideration of other parties.
3. At this time, the Department does not intend to offer any witnesses. It appears that this complaint does not involve a railroad-highway crossing but rather a complaint about railroad facilities under 66 Pa.C.S. §1501. Depending upon the discussions at the Prehearing Conference, the Department may be filing a Motion to Dismiss as this Complaint relates to the Department.

Respectfully submitted,



Gina M. D'Alfonso
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DATED: December 11, 2019

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**MUNICIPALITY OF PENN HILLS C/O
SCOTT ADREJCHAK**

Complainant

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C-2019-3013809

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**UNION RAILROAD COMPANY, CITY
OF PITTSBURGH, BOROUGH OF
VERONA, COUNTY OF ALLEGHENY,
PENNDOT**

Respondent

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the **Prehearing Conference Memorandum**, was served upon the parties below by first-class mail, postage prepaid this 11th day of December 2019:

Union Railroad Company
1200 Penn Avenue, Suite 300
Pittsburgh, PA 15222-4219

Samuel F. Reynolds, Jr.
Unites States Steel Corp.
600 Grant Street,
Suite 1500
Pittsburgh, PA 15219

Borough of Verona
Bruce Dice, Solicitor
Bruce E. Dice & Associates, P.C.
787 Pine Valley Drive, Suite E
Pittsburgh, PA 15239

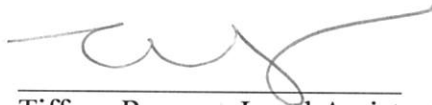
Anthony Bilan, Solicitor
City of Pittsburgh
313 City-County Building
414 Grant Street
Pittsburgh, PA 15219

Andrew Szefi, Solicitor
Allegheny County
Fort Pitt Commons
445 Fort Pitt Boulevard, Suite 300
Pittsburgh, PA 15219

Kayla Rost, Esquire
PUC
400 North Street
Harrisburg, PA 17120

Scott Andrejchak
Municipal Manager
Penn Hills
102 Duff Road
Pittsburgh, PA 15235

Respectfully Submitted,
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



Tiffany Ramsey, Legal Assistant for
Gina M. D'Alfonso
Senior Counsel in Charge
Office of Chief Counsel
P.O. Box 8212
Harrisburg, PA 17105-8212
Telephone No.: 717-787-3128

DATED: December 11, 2019