

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

MUNICIPALITY OF PENN HILLS C/O)	
SCOTT ADREJCHAK)	No. C-2019-3013809
)	
Complainant)	Electronically filed
)	
v.)	
)	
UNION RAILROAD COMPANY, CITY OF)	
PITTSBURGH, BOROUGH OF VERONA,)	
COUNTY OF ALLEGHENY, PENNDOT)	
)	
Respondent)	

MOTION TO WITHDRAW COMPLAINT

AND NOW COMES COMPLAINANT, Municipality of Penn Hills c/o Scott Andrejchak and hereby Moves the Commission to withdraw its complaint and in support thereof avers as follows:

1. Complainant has filed a complaint alleging that the Union Railroad Company is responsible
2. Union Railroad has denied any ownership interest or responsibility in the line.
3. Union Railroad has issued various discovery requests requesting that Complainant produce documentary evidence of its ownership of the storm sewer.
4. Union Railroad has also filed a motion for judgment on the pleadings.
5. In light of the COVID-19 pandemic it has been impossible to do the deed research that is necessary to comply with the discovery requests.
6. Union Railroad has been very generous and professional in granting extensions of time to comply with deadlines and Mr. Reynolds, on behalf of Union Railroad has indicated a willingness to extend out the deadlines again.
7. Notwithstanding, Complainant has concluded that it is simply better at this time to withdrawal the case until such time as Complainant has actual evidence of ownership of the sewer line in question.
8. Complainant is not requesting to be permitted to withdraw the complaint only to refile at a later date with no additional documentation.
9. Rather, Complainant will only refile if it has obtained documentation it reasonably believes establishes Union Railroad as the owner and responsible party of the storm sewer.

Wherefore, Complainant requests to withdraw its complaint without prejudice.

Respectfully submitted,



Craig H. Alexander, Esquire
Attorney for Plaintiff

Bruce E. Dice & Associates, P.C.
787 Pine Valley Drive, Ste E
Pittsburgh, PA 15239
Tel. No. (724) 733-3080
calexander@dicelaw.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

MUNICIPALITY OF PENN HILLS C/O)	
SCOTT ADREJCHAK)	No. C-2019-3013809
)	
Complainant)	Electronically filed
)	
v.)	
)	
UNION RAILROAD COMPANY, CITY OF)	
PITTSBURGH, BOROUGH OF VERONA,)	
COUNTY OF ALLEGHENY, PENNDOT)	
)	
Respondent)	

ORDER OF COURT

AND NOW, to wit, this ____ day of June, 2020, upon consideration of the foregoing petition to withdraw complaint, it is hereby ORDERED that the petition is granted and the Complaint is withdrawn without prejudice.

BY THE COURT:

_____J.

CERTIFICATE OF SERVICE

I, Craig H. Alexander, Esquire, do hereby certify that, a true and correct copy of the foregoing Petition to withdraw was sent via email to the below named individuals:

Hon. Katrina L. Dunderdale
Pennsylvania Public Utility Commission
Piatt Building, Ste 220
301 Fifth Avenue
Pittsburgh, PA 15222
kdunderdal@pa.gov

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

Kayla Rost, Esquire PUC
400 North Street
Harrisburg, PA 17120
karost@pa.gov



Craig H. Alexander, Esquire

Bruce E. Dice & Associates, P.C.
787 Pine Valley Drive, Ste E
Pittsburgh, PA 15239
Tel. No. (724) 733-3080
calexander@dicelaw.com