

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	January 25, 1990	:	2. <u>BUREAU AGENDA NO.</u>
3. <u>BUREAU:</u>	Safety and Compliance	:	FEB-90-SC-RS-64*
4. <u>SECTION</u>	Rail Safety	:	5. <u>PUBLIC MEETING DATE:</u>
6. <u>APPROVED BY:</u>		:	February 22, 1990
Director:	Nicely 3-3846	:	
Supervisor:	Hart 7-9732	:	
7. <u>MONITOR:</u>		:	
8. <u>PERSON IN CHARGE:</u>	Fleisher 7-5936	:	
9. <u>DOCKET NO.:</u>	C-861119	:	

DOCKETED  
AUG 15 1990

10. (a) CAPTION (abbreviate if more than 4 lines)  
(b) Short summary of history & facts, documents & briefs  
(c) Recommendation

- (a) Moscow Borough Council

v.

City of Scranton, Lackawanna County  
and Pennsylvania Department of Transportation

(b) Complaint filed December 9, 1986. Initial hearing held May 14, 1987. Initial order adopted October 22, 1987. Further hearing held March 28, 1989. Order adopted November 9, 1989, directed City of Scranton to perform certain work. City of Scranton filed a petition on December 14, 1989, requesting an extension of time within which to perform the ordered work. City of Scranton reported January 22, 1990, that it has complied with the Commission's order.

(c) It is recommended that the Commission adopt an order which dismisses the petition as being moot.

11. MOTION BY:	Commissioner Chm. Shane	Commissioner Rhodes - Yes
		Commissioner Smith - Yes
SECONDED:	Commissioner Fischl	Commissioner Rolka - Yes

CONTENT OF MOTION: Staff recommendation adopted.

DOCUMENT  
FOLDER

February 26, 1990

C-861119

James J. Walker, Solicitor  
631-635 Connell Building  
Scranton, Pa. 18503

DOCKETED

MAY 1 - 1990

Moscow Borough Council  
v.  
City of Scranton, Lackawanna County and  
Pennsylvania Department of Transportation

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DOCUMENT  
FOLDER

To Whom It May Concern:

This is to advise you that an Order has been adopted by the Commission in Public Meeting on February 22, 1990 in the above entitled proceeding.

A copy of this Order has been enclosed for your records.

Very truly yours,

Jerry Rich, Secretary

smk  
Encls.  
Cert. Mail

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held February 22, 1990

Commissioners Present:

Bill Shane, Chairman  
William H. Smith, Vice-Chairman  
Joseph Rhodes, Jr.  
Frank Fischl  
David W. Rolka

Moscow Borough Council

C-861119

v.

City of Scranton, Lackawanna County and  
Pennsylvania Department of Transportation

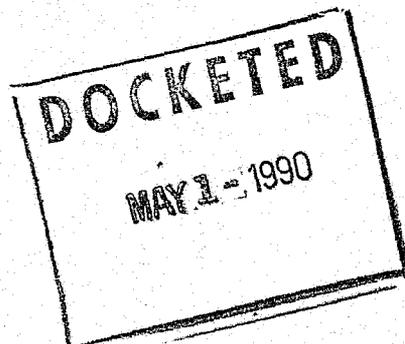
O R D E R

BY THE COMMISSION:

This matter is before us by reason of a petition filed December 14, 1989, by City of Scranton. The petitioner requests this Commission to grant an extension of thirty (30) days time within which to comply with ordering Paragraphs 2 and 3 of the Order adopted November 9, 1989.

In the petition it is averred that the City has attempted in good faith to comply with the requirements of the aforementioned ordering paragraphs but it cannot get a wooden shield over the walkway underneath the deck of the involved bridge constructed by December 15, 1989.

Proof of service of the petition on all parties in interest has been received. More than twenty (20) days have elapsed since the petition was filed. None of the parties has advised that it has any objection to granting of the petition as presented or expressed a desire to be heard in this matter.

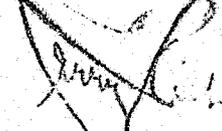


By letter received January 22, 1990, City of Scranton reported that it has complied with this Commission's order. As a result, the petition is moot and will be dismissed; THEREFORE,

IT IS ORDERED:

1. That the petition filed by City of Scranton on December 14, 1989, requesting an extension of time, be and is hereby dismissed as being moot.

BY THE COMMISSION,



Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: February 22, 1990

ORDER ENTERED: FEB 26 1990