

Honorable Judge Elizabeth Barnes
Commonwealth of Pennsylvania
Office of Administrative Law Judge
400 North Street
Harrisburg, PA 17120

September 15, 2021

Re: C-2021-3027093
Francene Tearpock-Martini v. UGI Utilities, Inc.
Miscellaneous/Other - dispute

Dear Judge Barnes:

As per your instructions, the following is a list of Exhibits being submitted within (5) business days following the Hearing before you on September 14, 2021. I trust that this information will be of further assistance to this case.

As I understand it, all my previous Exhibits were accepted into evidence so it will not be necessary for me to duplicate them here. I will provide a copy of this information to Attorney Larry R. Crayne for UGI as well.

I remain hopeful that UGI Utilities would seriously consider the three options that I have recommended since both of UGI options would still require them to trespass onto my property and I cannot allow that. There are liability and safety issues with trespass. Furthermore, it would be a significant hardship to Francene Tearpock-Martini for them to expect a ROW, UGI "Option 2" onto a segment of my property which I purchased, reverse subdivided into original property, tore down buildings, redeveloped, landscaped, put up fencing, removed concrete wall adding cut stone wall, plantings, and transformed into a beautiful Arboretum at costs exceeding \$100,000 not to mention personal time and energy. Mr. Grodzki in his testimony emphasized his "Option 1" would be more expensive. Nevertheless, UGI would still trespass on my property and would interfere with my responsibility of maintenance of public sidewalks through Borough Ordinance. My Chubb Insurance is still paying for the accident that occurred on public sidewalks and curbs which such accident was mentioned in UGI testimony during our hearing before Your Honor. I believe my three options are reasonable, cost effective and safe, and respectfully ask that they be considered.

EXHIBITS:

K. Photograph provided to Francene Tearpock-Martini from Sarah Jane Briggs in 1977 of Property at 56 South Main Street, Shickshinny PA. The photo was taken during the early 1920's during the Briggs Family ownership and depicts the South, East, as well as North sides of the property. Facing the Home to the right, Furnace Street North View, there is evidence of a Utility Pole on the 'north' side of Furnace Street along the curb. This Utility Pole carries a transformer at the top. The photo also depicts the dwelling that was built right up to the corner there of which is now the Lands of Francene Tearpock-Martini. There were no guy wires there at the location in dispute.

1. Photo Archive c. 1920.

This 1920 photo can also be matched to Complainant's Exhibit photo pdf. Exhibit G (a) (1) Home Property photos (II) Three sides, Butler, South Main, Furnace View, c. 1979, where a Utility pole is present to the 'north' side of Furnace Street. The c. 1979 photo depicts the utility pole with a bracket extension at top facing south. UGI location of the pole changed to the 'south' side of Furnace Street in 1997. I was witness to that. Subsequently it caused damage to my specimen tree and continuing expenses to me. Mr. Bokrosh brought this tree issue up to Complainant during his presentation of "Options" on August 17, 2021 relative to this case before Honorable Judge Barnes.

L. Concrete Stoop still present on Lands of Francene Tearpock-Martini - Discussed with George Bokrosh UGI, several occasions, per UGI "Options". There was a dwelling to the curb, no guy wires.

1. Photo 2772 - 09 11 21

M. Before and after photos of Furnace Street/South Main Street corner of Lands of Francene Tearpock-Martini where a "pin" was located by UGI i.e. phone call 09 10 21 from George Bokrosh, Sr. Engineer Tech, UGI to Francene Tearpock-Martini.

1. photo 2760 - 09 08 21 - no pin present
2. photo 2765 - 09 10 21 - pin present faded orange in color.
3. photo 2769 - 09 11 21 - pin present faded orange in color.

N. Transformation photos of "subdivision project" property purchased and redeveloped into Arboretum by Francene Tearpock-Martini - subject of suggested 'Option 2' by UGI Utilities request for ROW.

1. Doc. 2004 News Clip - Press Enterprise - 11 10 04
2. photo - 0762, 0772, 0778, 0785 - 2008 Arboretum work in progress
3. photo -0883, 0959, 1104, 1101 - 2008 - 2009 Arboretum

Thank you for allowing me an opportunity to provide both you and UGI Utilities with additional Exhibits following our telephonic Hearing of September 14, 2021. I would not be happy with either of UGI "options" as outlined. If any additional information is required, please do not hesitate to contact me.

Respectfully submitted,
Francene Tearpock-Martini

Cc: Attorney Larry R. Crayne for UGI Utilities, Inc.

NOTE: EXHIBITS WILL BE SENT VIA EMAIL IN BATCHES THAT COMPUTER CAN HANDLE. THANK YOU.



