



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

March 31, 2022

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street 2nd FL
Harrisburg, PA 17120

Re: Complaint filed by Knox Township verses Buffalo & Pittsburgh Railroad Inc. involving roadway clearance issues and falling concrete from abandoned railroad overpasses at public crossings (DOT 863 298 X), (DOT 863 296 J) and (DOT 863 302 K) where T-841, T-420, and T-405 cross, below grade, the tracks/right of way of Buffalo & Pittsburgh Railroad Inc., located in Knox Township, Jefferson County.

Docket No. C-2019-3009358

PennDOT Letter – No Submission of Brief

Dear Secretary Chiavetta:

Please be advised that the Commonwealth of Pennsylvania, Department of Transportation (“PennDOT”) will not be filing a Brief in the above-referenced proceeding. PennDOT reserves the right to file a Reply Brief to respond to issues raised in other parties’ Briefs, if any.

Copies of this correspondence have been served on the parties of record in accordance with the Certificate of Service. If you have any questions, please contact the undersigned.

Very truly yours,

Jillian G. Fellows

Jillian G. Fellows
Assistant Counsel

cc: Hon. Mary D. Long OALJ-Pittsburgh (*via email – malong@pa.gov*)
Daniel D. Leonard, Grade Crossing Engineer, Central Office (*via email – danleonard@pa.gov*)
Charles Keilman IV, District Grade Crossing Engineer, District 10-0 (*via email – chakeilman@pa.gov*)
Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Knox Township,	:	Docket No. C-2019-3009358
Complainant	:	
v.	:	Electronically Filed
	:	
Buffalo & Pittsburgh Railroad, Inc.	:	
Brookville Borough,	:	
Jefferson County,	:	
Pennsylvania Department of Transportation	:	
Respondents	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **PennDOT Letter – No Submission of Reply Brief** dated March 31, 2022, upon the participants listed below by electronic mail pursuant to the Emergency Order at Docket Number M-2020-3019262:

Knox Township
7525 Knox Dale Rd
P.O Box 41 Knox
Dale, PA 15847
knoxtwp@windstream.net

Jeffrey M. Gordon Esq.
293 Main Street
Brookville, PA 15825
jgordon@293law.com

James Dennison, Borough Solicitor
Brookville Borough
18 Western Ave Suite A
Brookville, PA 15825
jdennison@windstream.net

Catherine Pushchak
Buffalo & Pittsburgh Railroad Inc
201 North Penn Street
Punxsutawney PA 15767
catherine.pushchak@gwrr.com

Aaron Ponzo, Esq.
J. Lawson Johnston, Esq.
Scott Clements, Esq.
Dickie, McCamey & Chilcote PC
Two PPG Place Ste 400
Pittsburgh, PA 15222
aponzo@dmclaw.com
ljohnston@dmclaw.com
sclements@dmclaw.com
CJ Zwick, Esq.
Law Office of CJ Zwick
171 Beaver Drive
Dubois PA 15801
cjz@zwick-law.com

Kayla L Rost, Esq.
Michael L. Swindler, Esq.
BI&E
400 North Street P.O. Box 3265
Harrisburg, PA 17105-3265
karost@pa.gov
mwindler@pa.gov

Jillian G. Fellows

Jillian G. Fellows

Assistant Counsel

Supreme Court I.D. No. 324156

Commonwealth of Pennsylvania

Department of Transportation

Office of Chief Counsel

P.O. Box 8212

Harrisburg, PA 17105-8212

Telephone No.: (717) 787-3128

jfellows@pa.gov