**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Knox Township :

:

v. : C-2019-3009358

:

Buffalo & Pittsburgh Railroad Inc. :

**INTERIM ORDER ON**

**CONTENTS AND CLOSING OF THE RECORD**

An evidentiary hearing was conducted in the above-captioned matter on Wednesday, January 25, 2022. Counsel for Knox Township, Buffalo and Pittsburgh Railroad (BPRR), the Bureau of Investigation and Enforcement, and Pennsylvania Department of Transportation (PennDOT) appeared and participated. Counsel for Jefferson County appeared and monitored the proceeding. At the conclusion of the hearing the parties agreed to a briefing scheduled contingent upon the filing date of the hearing transcript. Following the receipt of the transcript, I issued a briefing order which required main briefs to be filed on or before March 31, 2022 and reply briefs to be filed on or before April 20, 2022. BPRR, I&E, and Knox Township each filed a main brief. PennDOT notified me by letter that it would not be filing a brief in this matter. Only BPRR filed a reply brief.

On September 10, 2019, the Commission issued a Secretarial Letter in this proceeding which described the crossings at issue and directed certain work to be completed. Several witnesses testified regarding this letter and exhibits were admitted into the record which referred to the September 10, 2019 Secretarial Letter. To the extent the September 10, 2019 Secretarial Letter is not already part of the record for the decision in this matter, and in an abundance of caution, the parties are hereby notified that the September 10, 2019 Secretarial Letter, including the factual statements made in that letter, will be considered as record evidence in this proceeding. If any party objects, they must do so promptly as set forth in the ordering paragraphs below.

THEREFORE,

IT IS ORDERED:

1. That any objections to the inclusion of the September 10, 2019, Secretarial Letter in the evidentiary record of the above proceedings shall be filed in writing on or before **April 28, 2022.**

2. That if no objections or other comment is received by April 28, 2022, the record for Docket C-2019-3009358 will close on April 29, 2022, without further order.

3. That a Recommended Decision shall be prepared and issued.

Date: April 26, 2022 \_\_\_\_\_\_\_\_\_\_\_\_\_/s/\_\_\_\_\_\_\_\_\_\_

Mary D. Long

Administrative Law Judge

**C-2019-3009358 - KNOX TOWNSHIP V. BUFFALO & PITTSBURGH RAILROAD INC.**

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