

ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

WIND

Representative Daniel L. Anderson :  
 :  
 v. :  
 :  
 Bessemer & Lake Erie Railroad Company :

No. C-913419

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SECRETARY'S OFFICE  
Public Utility Commission

INTERIM ORDER

On January 30, 1992, the above-captioned railroad-highway crossing case proceeded to a hearing before the undersigned Administrative Law Judge. Subsequent to the hearing, the parties entered into a "Stipulation or Submission of Additional Exhibits", which was received by the presiding ALJ on March 20, 1992. These exhibits consisted of certain photographs of the subject structure and an affidavit of the individual, who purportedly took the photographs. The stipulation, together with the exhibits, were prepared and sponsored by Indiana Township, a party to the proceeding. All parties to the proceeding consented to the submission of these late-filed exhibits into the record.

On March 3, 1992, the presiding ALJ wrote to all concerned parties indicating that, unless an objection were filed by a party to the admission of the affidavit and photographs on or before April 13, 1992, these items would be considered for admission into the record. As of the date of this Order, no objections have been received from any party of record.

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Upon review of the affidavit and the photographs, these materials appear to be relevant and material to the issues to be decided in this proceeding. THEREFORE,

IT IS ORDERED:

1. That the affidavit of Andrew J. Klebine shall be marked and identified as "Indiana Township Exhibit No. 1".
2. That the accompanying photographs shall be collectively marked as "Indiana Township Exhibit No. 2".
3. That the materials identified as Indiana Township Exhibit Nos. 1 and 2 are hereby admitted into the record in this proceeding.

Date: July 1, 1992

  
JOHN H. CORBETT, JR.  
Administrative Law Judge