



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

October 17, 2023

Via Electronic Filing

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

Re: Knox Township v.
Buffalo & Pittsburgh Railroad Inc.
Docket No. C-2019-3009358
I&E Letter – Response to BPRR Supplement to Motion for Stay

Dear Secretary Chiavetta:

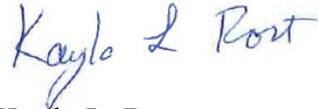
The Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”) submits this Letter in Response to Buffalo & Pittsburgh Railroad, Inc.’s (“BPRR”) Supplement to Motion for Stay of Commission Order Dated April 20, 2023 (hereinafter “Supplement”) filed on October 13, 2023. BPRR’s Supplement adds nothing of significance to its Motion for Stay filed on July 11, 2023, and, as such, I&E restates its position as set forth in I&E’s Answer filed on July 31, 2023 that BPRR’s Motion for Stay be denied.

I&E submits that the brief procedural history provided in Paragraphs 1-3 of BPRR’s Supplement are accurate, but provides no position on the averments relating to BPRR’s Petition for Review of the Commission’s April 20, 2023 Order and corresponding proceeding with the Pennsylvania Commonwealth Court as I&E has no involvement in the appellate proceeding.¹ I&E also takes no position on BPRR’s purported intentions for filing the Supplement. To the extent that a response is required, the averments in Paragraphs 4-7 are denied. Accordingly, I&E respectfully requests that the Commission deny BPRR’s Motion for Stay of Commission Order Dated April 20, 2023, notwithstanding its Supplement.

¹ I&E is not the bureau that represents the Commission in appellate matters as BPRR erroneously states in its Supplement, Paragraph 5.

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.

Sincerely,

A handwritten signature in blue ink that reads "Kayla L. Rost". The signature is written in a cursive style.

Kayla L. Rost
Prosecutor
Bureau of Investigation and Enforcement
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karost@pa.gov

KLR/ac
Enclosure

cc: As per Certificate of Service
William Sinick, P.E., C.B.S.I. (via email - wilsinick@pa.gov)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Knox Township,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2019-3009358
	:	
Buffalo & Pittsburgh Railroad, Inc.,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **I&E Letter - Response to BPRR Supplement to Motion for Stay** dated October 17, 2023, upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by Electronic Mail Only

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