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Oct 20, 2023

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

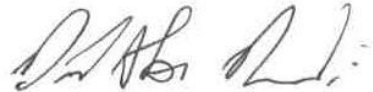
**Re: David A. Romanoski v. Commonwealth of Pennsylvania Department of
Transportation et. al.
Docket # T-2023-3040729**

Dear Secretary Chiavetta:

Enclosed please find Complainant's Answer to Norfolk Southern Railway Company's Preliminary Objections for filing in the above mentioned matter.

A copy has been served upon all parties of record.

Sincerely



David A. Romanoski

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Before The Pennsylvania Public Commission

DAVID A. ROMANOSKI,
Pro Se Complainant

T-2023-3040729

v.

COMMONWEALTH OF
PENNSYLVANIA DEPARTMENT
OF TRANSPORTATION, et. al.
Respondents

**COMPLAINANT’S ANSWER TO NORFOLK SOUTHERN RAILWAY
COMPANY’S PRELIMINARY’S OBEJECTIONS**

AND NOW comes the Complainant, David A. Romanoski, and files this Answer to Norfolk Southern Railway Company’s (hereinafter referred to as Norfolk) Preliminary Objections.

1. Agreed.
2. Paragraph is a conclusion of law to which no response is required.
3. Agreed.
4. Denied. The Retaining Wall was built to abolish the “at grade” crossing at Swatara Station and to construct a “subway” crossing. Any pleading stating the crossing is eliminated is scandalous as the crossing exists and is in constant use.

Complainant’s Formal Complaint Section 4 Lines #4 & #5 clearly define what a "crossing" and “railroad highway crossing” is. The Swatara Station Crossing is clearly a “Railroad Highway Crossing” and is governed by Pa PUC pursuant Complainant’s Formal Complaint Section 4 Lines #20 & #21.

5. Denied. In its May 20, 1920 order, The Public Service Commission ordered Norfolk's predecessor, Philadelphia and Reading Railroad Company, to construct The Retaining Wall. Norfolk's responsibility for maintaining The Wall is in the hands of This Honorable Court.

WHEREFORE, Complainant, David A. Romanoski, respectfully request that this honorable court dismiss Norfolk's Preliminary Objections, with prejudice.

Certificate of Service

And now, on the date stated below, I David A. Romanoski hereby certifies that I serve the foregoing documents by mailing such documents by U.S. First Class Mail addressed to the following people:

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David A. Romanoski

Dated 10/20/2023