

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Emergency Application of the Department of Transportation of the Commonwealth of Pennsylvania and City of Pittsburgh for the	:	
Approval to Abolish the Public Above Grade Crossing and Remove the Bridge Carrying the Abandoned Cartway of Pittsburgh and West Virginia Railway Company	:	A-2024-3048837
	:	

**PREHEARING ORDER**

The Commission has scheduled an emergency hearing in these cases for Monday, June 3, 2024, beginning at 10:00 am in the 2<sup>nd</sup> floor hearing room, Piatt Place, Suite 220, 301 Fifth Avenue, Pittsburgh PA 15222.

THEREFORE,

IT IS ORDERED:

1. **That requests for a change of the scheduled hearing date will not be granted absent agreement of all parties and where good cause exists. 52 Pa. Code §1.15(b) Requests for a change of hearing dates must be submitted in writing and be e-mailed to me and all parties of record. My address is: [malong@pa.gov](mailto:malong@pa.gov)**

2. That the parties shall review the Commission's Rules of Administrative Practice and Procedure at 52 Pa. Code §§3-1-3.11 regarding emergency relief.

3. That the parties shall stipulate to any matters they reasonably can to expedite this proceeding, lessen the burden of time and expenses in litigation on all parties and conserve precious administrative hearing resources. 52 Pa. Code §§5.232 and 5.234

4. That if a party intends to present any documents or exhibits for my consideration, that party must bring sufficient copies to supply one copy to me, two to the court reporter and one for each party listed on the attached service list.

5. That the hearings in this matter constitute formal legal proceedings and I will conduct them in accordance with the Commission's Rules of Administrative Practice and Procedure, as well as the rules of evidence as applied to administrative hearings.

6. **That pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall enter their appearance in accordance with the provisions of 52 Pa. Code §1.24(b).**

7. That the parties shall conduct discovery pursuant to 52 Pa. Code §§5.321-5.373. I encourage the parties to cooperate and exchange information on an informal basis. I prefer that the parties cooperate rather than engage in numerous or protracted discovery disagreements that require my participation to resolve. All motions to compel shall contain a certification by counsel setting forth the informal discovery undertaken and their efforts to resolve their discovery disputes informally. If a motion to compel does not contain this certification, I shall contact the parties and direct them to pursue informal discovery. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§5.361, 5.371-5.372

8. **THAT IF A PARTY FAILS TO PARTICIPATE IN THE HEARING, THE HEARING WILL PROCEED WITHOUT THAT PARTY AND A DECISION MAY BE ENTERED AGAINST THAT PARTY.**

Date: May 23, 2024

\_\_\_\_\_/s/  
Mary D. Long  
Administrative Law Judge

**A-2024-3048837 - EMERGENCY APPLICATION OF THE DEPARTMENT OF TRANSPORTATION OF THE COMMONWEALTH OF PENNSYLVANIA AND THE CITY OF PITTSBURGH FOR APPROVAL TO ABOLISH THE PUBLIC ABOVE GRADE CROSSING AND REMOVE THE BRIDGE CARRYING THE ABANDONED CARTWAY OF PITTSBURGH & WEST VIRGINIA RAILWAY COMPANY**

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