



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
OFFICE OF ADMINISTRATIVE LAW JUDGE
400 NORTH STREET
HARRISBURG, PENNSYLVANIA 17120
July 17, 2024

In Re: C-2024-3049857

(SEE ATTACHED LIST)

**Emergency Application of the Reading, Blue Mountain, and Northern Railroad v.
Panther Creek Power Operating LLC**

Rail Crossing

Emergency Initial Hearing Notice

This is to inform you that the notice issued on July 16, 2024, contained an error. This notice serves to correct that error. All changes will be double underlined. An initial in-person hearing on the above-captioned case will be held as follows:

Type: **In-Person Emergency Hearing**

Date: **Monday, July 22, 2024**

Time: **10:00 A.M.**

Location: **Hearing Room 5
Plaza Level
400 North Street
Harrisburg, PA, 17120**

Presiding: **Administrative Law Judge Steven K. Haas
Phone: 717.787.1399 Fax: 717.213.6812**

WITNESSES: If you have any witnesses you want to have present during the hearing who are participating from a separate phone, you must provide them with the Bridge and PIN numbers above.

FAILURE TO APPEAR: You may lose the case if you do not take part in this hearing and present evidence on the issue(s) raised. Your case may be dismissed “with prejudice” which means that you will be barred from filing another complaint raising the same claim(s) and issue(s) presented in the dismissed complaint.

CONTINUANCES. You may request a continuance of the hearing if you have a good reason. All continuances will be granted only for good cause. To request a continuance, you must submit a written request (a “motion”) at least five (5) days before the hearing. Your motion should include: 1) The case name, number, and hearing date; 2) The reason for the request; and 3) Whether the other party agrees (or if you do not know).

REPRESENTATION. If you are an individual, you may represent yourself or you may have an attorney represent you. All others, including a partnership, corporation, trust, association, or governmental agency or subdivision, must be represented by an attorney licensed to practice law in Pennsylvania, or admitted *pro hac vice*. Only an attorney may represent someone else.

PRESENTING EXHIBITS. If you intend to present any documents or exhibits at the hearing, you must email one (1) copy to the Presiding Officer at sthaas@pa.gov and one (1) copy each must be sent to every other party. All copies must be received at least five (5) business days before the hearing. Proposed exhibits should be properly pre-marked for identification purposes.

ACCOMMODATION. Any party who needs an accommodation for a disability in order to participate in this hearing process may request one. Please call the OALJ scheduling office at least five (5) business days prior to your hearing to submit your request.

If you require an interpreter to participate in the session, we will make every reasonable effort to have an interpreter present. Please call the scheduling office at the Public Utility Commission at least ten (10) business days prior to the hearing to submit your request.

- Scheduling Office: (717) 787-1399
- Persons who are deaf or hearing-impaired may call a relay operator at 711.

E-FILING. The PUC offers a free e-Filing Subscription Service. This service allows a user to file documents electronically and receive an automatic email notification whenever a document is added, removed, or changed on the PUC website in a specific case. For information and to subscribe to this service, visit the PUC’s website at: <https://www.puc.pa.gov/filing-resources/efiling/>

PAPER FILING. If you do not have the capability to open and use an e-Filing account, you may file paper documents with the Secretary of the Commission. Filing of paper documents must be sent by overnight delivery to:

Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

It is important that you retain the tracking information as proof of submission. Emailed or faxed submissions filings to the Commission are not acceptable.

CONFIDENTIAL MATERIAL. If a filing contains confidential or proprietary material, the filing should be submitted by overnight delivery to ensure arrival. Large filings containing confidential or proprietary material may also be submitted through the Commission's Share Point File system. These filings should be followed by a hard copy with a flash drive or CD for the Commission's file. Filers should contact the Secretary's Bureau in advance to set up a Share Point File before submitting the filing.

**C-2024-3049857 - READING & NORTHERN RAILROAD C/O JOLENE BUSHER v.
PANTHER CREEK POWER OPERATING LLC**

JOLENE BUSHER
READING BLUE MOUNTAIN &
NORTHERN RAILROAD
PO BOX 218
PORT CLINTON PA 19549
610.562.2100
jbusher@readingnorthern.com
Accepts eService

KAREN CUMMINGS
PENNDOT
PO Box 8212
HARRISBURG PA 17105-8212
717.787.3128
kcummings@pa.gov
Accepts eService

LAWRENCE MORAN ESQUIRE*
JENNIFER MENICHINI ESQUIRE
BRENDAN N FITZGERALD ESQUIRE
JOYCE CARMODY & MORAN PC
9 NORTH MAIN STREET SUITE 4
PITTSTON PA 18640
570.602.3560
570.602.3561
412.977.6034
jm@joycecarmony.com
ljm@joycecarmony.com
bnf@joycecarmony.com
Accepts eService
**Served via email*
(Counsel for RMBN)

DAVID HAWK
PANTHER CREEK POWER
OPERATING LLC
4 DENNISON ROAD
NESQUEHONING PA 18240-2242
dhawk@panthercreekenergy.com
Served via email

SETH A MENDELSON ESQUIRE
JASON CONFAIR ESQUIRE*
STEPHEN J MATZURA ESQUIRE
4250 CRUMS MILL ROAD SUITE 201
HARRISBURG PA 17112
717.941.1202
717.237.5276
smendelsohn@saxtonstump.com
jconfair@saxtonstump.com
smatzura@saxtonstump.com
Accepts eService
**Served via email*