
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

**READING, BLUE MOUNTAIN AND
NORTHERN RAILROAD COMPANY,**

Complainant/Respondent,

v.

PANTHER CREEK OPERATING, LLC,

Respondent/Petitioner.

Docket No. C-2024-3049857

JUDGE STEVEN K. HAAS

ORDER

And now this _____ day of July, 2024, upon consideration of the Joint Petition of the Parties For Leave to Withdraw, and Joint Stipulation of the Parties in support of same, a copy of which is attached hereto, it is hereby ORDERED and DECREED that the Joint Petition For Leave to Withdraw is GRANTED and the Stipulation is APPROVED and ADOPTED.

The Formal Complaint filed by RBMN on July 1, 2024 is withdrawn.

The Petition for Interim Emergency Order filed by PCPO on July 12, 2024 is withdrawn.

The In-Person Emergency Hearing scheduled for Monday, July 22, 2024 is canceled and this matter may be marked as closed with the parties each bearing their own costs and fees.

BY THE COURT:

STEVEN K. HAAS, J.
ADMINISTRATIVE LAW JUDGE
PENNSYLVANIA PUBLIC UTILITY
COMMISSION

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JOINT PETITION OF THE PARTIES FOR LEAVE TO WITHDRAW

Complainant/Respondent, Reading, Blue Mountain and Northern Railroad Company (“RBMN”), by and through its undersigned counsel, Lawrence J. Moran, Jr., Jennifer Menichini, Brendan N. Fitzgerald from the law firm of Joyce, Carmody & Moran, P.C. and Respondent/Petitioner, Panther Creek Power Operating LLC (“PCPO”), by and through its undersigned counsel, Seth A. Mendelsohn, Jason T. Confair and Stephen J. Matzura from the law firm of Saxton & Stump, LLC, hereby submit this petition for leave to withdraw, and in support thereof aver, as follows:

1. RBMN filed a formal complaint on July 1, 2024 with the Pennsylvania Public Utility Commission (“PUC”) in this matter.
2. PCPO filed a Petition for Interim Emergency Order Under 52 Pa. Code §3.6 on July 12, 2024.

3. An In-Person Emergency Hearing is currently scheduled for Monday, July 22, 2024 at 10:00 a.m.

4. The parties have entered into the attached stipulation agreeing to withdraw both pleadings and requesting that the hearing be canceled, and that this matter be administratively closed by the PUC. See Exhibit A, Stipulation of the Parties, a true and correct copy of which is attached hereto.

5. The parties have conferred and have mutually agreed to withdraw their filings in this matter and to have the matter administratively closed, if this Honorable Court deems appropriate.

6. Therefore, the parties respectfully request that an order be entered deeming the formal complaint and petition for interim emergency order withdrawn, canceling the In-Person Emergency Hearing scheduled for Monday, July 22, 2024 at 10:00 a.m., and administratively closing this matter.

Respectfully submitted:

/s/ Lawrence J. Moran, Jr.
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/s/ Seth A. Mendelsohn
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*Counsel for Respondent/Petitioner, Panther
Creek Power Operating, LLC*

Dated: July 18, 2024

EXHIBIT A

Lawrence J. Moran, Jr.
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Docket No. C-2024-3049857

JUDGE STEVEN K. HAAS

JOINT STIPULATION OF THE PARTIES

Complainant/Respondent Reading, Blue Mountain and Northern Railroad Company (“RBMN”), by and through its undersigned counsel, Lawrence J. Moran, Jr., Jennifer Menichini, Brendan N. Fitzgerald from the law firm of Joyce, Carmody & Moran, P.C. and Respondent/Petitioner, Panther Creek Power Operating LLC (“PCPO”), by and through its undersigned counsel, Seth A. Mendelsohn, Jason T. Confair and Stephen J. Matzura from the law firm of Saxton & Stump, LLC, hereby submit the following stipulation of the parties for this Honorable Court’s consideration and approval:

1. RBMN hereby withdraws its formal complaint filed on July 1, 2024 with the Pennsylvania Public Utility Commission (“PUC”) in this matter;
2. PCPO hereby withdraws its Petition for Interim Emergency Order Under 52 Pa. Code §3.6 filed in this matter;

3. The parties agree, with Judge Haas's approval, that given the parties' stipulation, the In-Person Emergency Hearing scheduled for Monday, July 22, 2024 at 10:00 a.m. may be canceled and this matter may be administratively closed.

Respectfully submitted:

/s/ Lawrence J. Moran, Jr.

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Dated: July 17, 2024

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Blue Mountain and Northern Railroad Company*

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

<p>READING, BLUE MOUNTAIN AND NORTHERN RAILROAD COMPANY,</p> <p>Complainant/Respondent,</p> <p>v.</p> <p>PANTHER CREEK OPERATING, LLC,</p> <p>Respondent/Petitioner.</p>	<p>Docket No. C-2024-3049857</p> <p>JUDGE STEVEN K. HAAS</p>
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CERTIFICATE OF SERVICE

I, Jennifer Menichini, hereby certify that on this date I caused a true and correct copy of the foregoing Joint Petition for Leave to Withdraw and Joint Stipulation of the Parties, which was filed by Counsel for Complainant/Petitioner, but jointly drafted and executed between the parties, to be served upon the following counsel and interested parties/entities of record:

The Honorable Steven K. Hass
Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
Office of Administrative Law Judge
400 North Street
Harrisburg, PA 17120
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Via Electronic Filing and Email

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The Honorable Charles E. Rainey, Jr., Chief Administrative Law
Judge
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Respectfully Submitted,

/s/ Jennifer Menichini
Jennifer Menichini

Dated: July 18, 2024