



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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: October 29, 2024

C-2024-3051856

Via EService
TODD CLAY
137 SOUTH NEWBERRY STREEET
YORK PA 17401

Via E-mail: bflower@yorkcity.org
BRETT C FLOWER, ESQUIRE
CITY OF YORK SOLICITOR
101 SOUTH GEORGE STREET
YORK PA 17401

Via E-mail: robert.garland@gwrr.com
& Robert.Sherry@gwrr.com
ROBERT GARLAND
ROBERT SHERRY
YORK RAILWAY COMPANY
2790 WEST MARKET STREET
YORK, PA 17404

Via EService
KAREN CUMMINGS
PENNDOT
PO BOX 8212
HARRISBURG, PA 17105

Dear Sir/Madam:

A formal complaint has been filed against G & W Railroad by Todd Clay and is before the Pennsylvania Public Utility Commission. You have been identified as parties respondent to this filing. Within twenty (20) days of the date of this letter, you must either: (1) respond by filing with the Commission, in writing, an Answer in accordance with 52 Pa. Code Section 5.61, either personally or through your attorney; or (2) satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission.

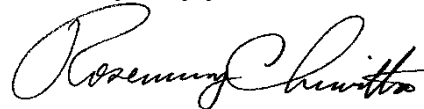
IF YOU FAIL TO ANSWER THE COMPLAINT WITHIN TWENTY (20) DAYS OF THE ABOVE DATE SERVED, THE CLAIMS AGAINST YOU MAY BE DEEMED ADMITTED, THE CASE MAY GO FORWARD, AND A PENALTY MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

COMPANY/UTILITY

The Commission may impose a fine or other penalty or remedy authorized by the Public Utility Code. You may lose money, property or other important rights.

Detailed instructions on how to proceed are contained in the attached pages. Unless you are a corporation or other organization, you may proceed without a lawyer.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Rosemary Chiavetta".

Rosemary Chiavetta
Secretary

RC:ydd

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: October 29, 2024

TODD CLAY

Complainant

v.

G & W RAILROAD

Respondent

Complaint Docket

No: C-2024-3051856

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: G & W RAILROAD

TAKE NOTICE:

1. You have twenty (20) days from the above date served to either: (a) satisfy this complaint or (b) file an Answer with the **Secretary of the Pennsylvania Public Utility Commission** - one original written answer, under oath, as required by 52 Pa. Code Section 5.61, which either admits or specifically denies the allegations in the complaint. You must also serve one copy of the answer upon the complainant. In accordance with 52 Pa. Code Section 1.56(a), **the date served is the date appearing at the top of this Notice.**

2. In accordance with 52 Pa. Code Section 5.61, if you fail to either satisfy or settle this complaint, or to file an answer or other responsive pleading within twenty (20) days of the above date served, you will be deemed to have admitted all the allegations in this complaint. In that event, the Commission may, without hearing, enter an order which either imposes a fine or other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy or settle this complaint, you must file with the Commission, within twenty (20) days from the above date served, a certified statement of satisfaction as required by 52 Pa. Code Section 5.24. Such certified statement must describe the basis on which this complaint was satisfied and any settlement agreement between the parties must be made in writing and attached to the certified statement. Such certified statement must be filed with the Secretary of the Commission at the address set forth in paragraph 1 above.

Upon the Commission's receipt of a certified statement of satisfaction from all complainants, this complaint may be dismissed in accordance with 66 Pa. C.S. Section 703(a) (unless the Commission determines that a dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint).

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either imposes a fine or other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq. The Commission is not limited to the relief sought by the complainant.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and a decision. If, after hearing on the issues, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either imposes a fine or other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq. When imposing a penalty, the Administrative Law Judge is not bound by the relief sought by the complainant.



Rosemary Chiavetta
Secretary

(SEAL)