



COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA PUBLIC UTILITY COMMISSION

COMMONWEALTH KEYSTONE BUILDING

Office of Administrative Law Judge

400 NORTH STREET

HARRISBURG, PENNSYLVANIA 17120

November 5, 2024

In Re: C-2024-3050823

(SEE ATTACHED LIST)

Bureau Of Investigation and Enforcement v. Buffalo and Pittsburgh Railroad Inc

Fixed Utility Complaints

INITIAL CALL-IN TELEPHONE HEARING NOTICE

This is to inform you that a hearing on the above-captioned case will be held as follows:

Type: Initial Call-In Telephonic

Date: Wednesday, January 15, 2025.

Time: 10:00 A.M.

Presiding: Administrative Law Judge John M. Coogan
Phone: 717.787.1399 Fax: 717.213.6812

To participate in the hearing,

- You must dial the toll-free Conference number below
- You must enter the PIN number below when instructed
- You must speak your name when prompted, and press #
- Then, the telephone system will connect you to the hearing

Toll-free Bridge Number: 888.459.7411

PIN Number: 95632432

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 Conference 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 jcoogan@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: http://www.puc.pa.gov/Documentation/eFiling_Subscriptions.pdf.

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.

cc: ALJ Coogan
Sumathi
Calendar File

C-2024-3050823 - BUREAU OF INVESTIGATION AND ENFORCEMENT v. BUFFALO AND PITTSBURGH RAILROAD INC

MICHAEL L SWINDLER ESQUIRE
BUREAU OF INVESTIGATION AND ENFORCEMENT
400 NORTH STREET
PO BOX 3265
HARRISBURG PA 17105-3265
717.783.6369
mwindler@pa.gov
Accepts eService

GRANT ROSUL COUNSEL
BUREAU OF INVESTIGATION AND ENFORCEMENT
400 NORTH STREET 3RD FLOOR
HARRISBURG PA 17120
717.783.5243
grosul@pa.gov
Accepts eService

AARON M PONZO ESQUIRE
J LAWSON JOHNSTON ESQUIRE
SCOTT D CLEMENTS ESQUIRE
DICKIE MCCAMEY AND CHILCOTE PC
2 PPG PLACE SUITE 400
PITTSBURGH PA 15222
412.392.5506
412.335.0460
aponzo@dmclaw.com
ljohnston@dmclaw.com
sclements@dmclaw.com
Accepts eService
(Counsel for Buffalo and Pittsburgh Railroad Inc)

CATHERINE PUSHTAK
BUFFALO & PITTSBURGH RAILROAD INC
201 NORTH PENN STREET
PUNXSUTAWNEY PA 15767
Catherine.Pushchak@GWRR.com
Served via email