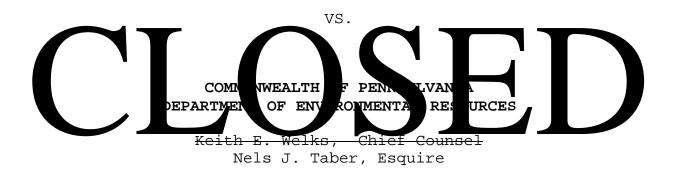
Docket Number: 1983

CHAIN DAM HYDROELECTRIC CORPORATION

Lorenzo W. Crowe, Jr., Esquire



June 12, 1995

By Order of the Commonwealth Court, case filed, Order as follows: "AND NOW, this 12th day of June, 1995, upon consideration of the above-captioned matter, it appearing that this Court does not have jurisdiction over Count II of Chain Dam Hydroelectric Corporation's (CDHC) counterclaim for the following reasons: 1. This Court's original jurisdiction in this matter was based on the Commonwealth of Pennsylvania, Department of Environmental Resources' (DER) complaint against multiple defendants including CDHC. 2. This Court's jurisdiction over CDHC's counterclaim was ancillary to DER's original suit. 3. By memorandum Opinion and Order filed April 27, 1989, this Court dismissed Count I of CDHC's counterclaim leaving OR DISPOSI of onla 4. D OII 101 rues i : gai st CDHC sult d the tt was dis ontinu ed Jun 5. 5. In ount II its co te aim, CD l seeks co bensat mages for lo ses suffe sult o ts re ianc of d ed as a r ntracti 6. ut of cor h а eements ma e with DE aims ar ing ract w usive Commopwea h are vit n the xc! luri diction o the F rd 20, 1937, Act of May of Claims. .L. 728, see, as amenaea, 72 P.S. §4651-4. See also, Ezy Parks, Inc. v. Larson, 64 Pa. Commonwealth Ct. 164, 439 A.2d 885 (1982). Therefore, this matter is hereby, sua sponte transferred to the Board of Claims pursuant to 42 Pa. C.S.A. §5103. The Chief Clerk shall certify a photocopy of the docket entries of the above-captioned matter and the record to the Board of Claims."

THE FOLLOWING FILED IN COMMONWEALTH COURT

May 13, 1988

Petition for Review/Notice of Appeal Filed.

May 19, 1988

Notices Exit

May 2, 1995

Motion for Continuance of hearing filed by Plaintiff. May 5, 1995

Order filed- Plaintiff's Motion for Continuance of hearing is Denied. McGinley, J.- Order exit May 8, 1995. June 7, 1995

Praecipe to Discontinue EVENT RESULT: Discontinued

June 12, 1995

Order filed -- The Counterclaim in this matter is transferred to the Board of Claims. McGinley, J. -- Order exit June 13, 1995. June 13, 1995

Order Filed -- Hearing previously scheduled for June 19, 1995 at 1:30 p.m. is canceled. PER <u>CURIAM</u>. Order Exit June 14, 1995.



June 12, 1995

Record transferred from Commonwealth Court. July 20, 1995

File received from Commonwealth Court. Amount of Claim: \$Unknown August 1, 1995

Letter forwarded to Plaintiff requesting additional copies of complaint and filing fee.

September 12, 1995

Additional copies of Complaint and filing fee filed by attorney for Plaintiff.

September 19, 1995

Copies of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

September 25, 1995

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy attorney General September 20, 1995.

October 18, 1995

Answer filed by attorney for Defendant.

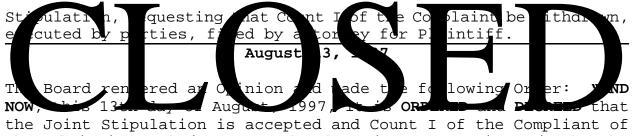
October 24, 1995

Copy of Answer forwarded to attorney for Plaintiff and Chief Deputy Attorney General.

November 1, 1995

Acceptance of Service of Answer received from attorney for Plaintiff. Receipt of same acknowledged by Plaintiff October 27, 1995.

July 17, 1997



the Plaintiff, Chain Dam Hydroelectric Corporation, is hereby WITHDRAWN." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

August 18, 1997

Acceptance of Service of Opinion and Order dated August 13, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 15, 1997.

October 3, 1997

Panel Hearing scheduled for January 20, 21 & 22, 1998 in Board's Courtroom No. 2, 6th Floor, Fulton Building, Harrisburg, PA commencing at 9:30 a.m.

November 6, 1997

Letter received from Defendant relative to a joint request for an extension of time for the parties to file their Pre-Trial Statements until November 20, 1997.

November 25, 1997

Letter received from Defendant relative to confirming a joint request for an extension of time for the parties to file their Pre-Trial Statements until December 5, 1997.

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December 5, 1997
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Letter received from Plaintiff relative to confirming a joint request for an extension of time, which was concurred to by Mr. McLaughlin, for the parties to file their Pre-Trial Statements until December 19, 1997.

December 19, 1997

Defendant's Pre-Trial Statement filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 19, 1997

Plaintiff's Pre-Trial Statement filed by attorney for Plaintiff. Copy <u>forwarded to attorney for</u> Defendant by attorney for Plaintiff.



Panel Hearing held this date in Board's Courtroom No. 2, Suite 600, Fulton Building, Harrisburg, Pennsylvania. Case Completed.

February 17, 1998

Testimony of Panel Hearing held January 20, 21 and 22, 1998 filed. February 20, 1998

Copy of testimony of Panel Hearing held January 20, 21 and 22, 1998 forwarded to attorney for Defendant. Plaintiff's Findings of Fact, Conclusions of Law and Brief due March 23, 1998. February 23, 1998

Letter filed by attorney for Plaintiff requesting an extension of time until April 15, 1998 in which to file Plaintiff's Findings of Fact, Conclusions of Law and Brief. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

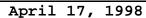
Docket No. 1983

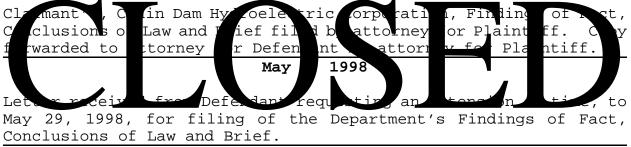
February 25, 1998

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting request for an extension of time to file its Findings of Fact, Conclusions of Law and Brief. **Plaintiff's Findings, etc. now due on or before April 15, 1998.**

March 2, 1998

Acceptance of Service of Testimony of hearing held January 20, 21 & 22, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 24, 1998.





May 6, 1998

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, grating Defendant until May 29, 1998 in which to file its Findings of Fact, Conclusions of Law and Brief.

May 27, 1998

Department of Environmental Protection's Post Hearing Brief filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 17, 1998

Panel Report (Giles & Kambic) filed.

October 21, 1998

The Board rendered a Final Opinion and made the following Order: "AND NOW, this 21st day of October, 1998, on the basis of the submissions of the parties, it is ORDERED and DECREED that judgment is entered in favor of Defendant, Commonwealth of Pennsylvania, Department of Environmental Protection, and against the Claimant, Chain Dam Hydroelectric Corporation on Claimant's Counterclaim for damages. Each party to bear its own costs and attorney's fees." Copy forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

Docket No. 1983

October 26, 1998

Acceptance of Service of Final Opinion and Order dated October 21, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 22, 1998.

October 26, 1998

Acceptance of Service of Final Opinion and Order dated October 21, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 23, 1998.

November 2, 1998

Acceptance of Service of Final Opinion and Order dated October 21,

