

TRI-COUNTY RURAL ELECTRIC COOPERATIVE, INC.

VS.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Daniel L. Sullivan, Esquire

Docket No. 794

CLOSED

XXXXXXXXXXXXXXXXXXXXX Michael D. Reed, Esquire

WESTERN DISTRICT OF PENNSYLVANIA
COURT CLERK

February 24, 1982 Complaint and filing fee filed. Amount of Claim: \$71,670.75+.

March 4, 1982 Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

April 2, 1982 Answer filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney by defendant.

June 4, 1982 Notice of Taking Deposition of Robert L. Butts filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

June 11, 1982 Notices of Taking Depositions of J. P. Sekinsky and Robert D. Brouse filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

October 19, 1982 Interrogatories (1st Set) filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

December 17, 1982 Plaintiff's Answers to Defendant's Interrogatories (1st Set) filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

March 11, 1983 Hearing scheduled for April 13, 14, 15, 20, 21 and if necessary April 23, 1983, before Western District, to be held in Room 1603 on April 13 and 14, Room 1604 on April 15, Room 1601 on April 20, Room 1603 on April 21 and Room 1504 on April 22, in Pittsburgh State Office Building, Pittsburgh, Pennsylvania, commencing at 10 a.m.

January 21, 1983 Defendant's Answers to Plaintiff's First Set of Interrogatories to Defendant filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

April 13, 1983 Hearing held in Pittsburgh State Office Building, Pittsburgh, Pennsylvania, Room 1603, Western District, commencing at 10 a.m.

April 14, 1983 Hearing scheduled for this date cancelled due to unavailability of Defendant's witness.

April 15, 1983 Hearing held in Pittsburgh State Office Building, Pittsburgh, Pennsylvania, Room 1604, Western District, commencing at 9:30 a.m. Case completed.

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May 9, 1983 Testimony of hearing held April 15, 1983 filed.

May 10, 1983 Copy of testimony of hearing held April 15, 1983 forwarded to attorney for defendant.

May 13, 1983 Testimony of hearing held April 13, 1983 filed. Copies forwarded to attorney for defendant.

June 13, 1983 Proposed Findings of Fact, Conclusions of Law and Brief filed by attorney for plaintiff.
Copy forwarded to attorney for defendant by attorney for plaintiff.

July 8, 1983 Proposed Findings of Fact, Conclusions of Law and Brief filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

November 7, 1983 Report of Hearing Panel filed.

April 30, 1984 The Board rendered an Opinion and made the following Order: "AND NOW, this 30th day of April, 1984, we find in favor of the Plaintiff, Tri-County Rural Electric Cooperative, Inc. and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation in the following amounts: A. Preliminary engineering on power lines \$1,700.00, B. Preliminary engineering on substation \$650.00, C. Acquisition of new rights-of-way \$3,953.50, D. Purchase of new equipment \$21,905.51. We further find in favor of the Plaintiff, Tri-County Rural Electric Cooperative, Inc. and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation at the legal rate of six (6%) percent per annum beginning from November 1, 1978. Each party to bear its own costs.

May 4, 1984 The Board made the following Corrected Order: "The Order, issued heretofore under date of April 30, 1984, wherein the words, together with interest, were inadvertently omitted, is hereby corrected and said Order shall read as follows: AND NOW, this 30th day of April, 1984, we find in favor of the Plaintiff, Tri-County Rural Electric Cooperative, Inc. and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation in the following amounts: A. Preliminary engineering on power lines \$1,200.00, B. Preliminary engineering on substation \$650.00, C. Acquisition of new rights-of-way \$3,953.50, D. Purchase of new equipment \$21,905.51. We further find in favor of the Plaintiff, Tri-County Rural Electric Cooperative, Inc. and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, together with interest at the legal rate of six (6%) percent per annum beginning from November 1, 1978. Each party to bear its own costs.

Dated: May 4, 1984"

over

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May 8, 1984

Copies of Opinion and Order dated April 30, 1984 and copies of Corrected Order dated May 4, 1984 forwarded to attorney for plaintiff and attorney for defendant.

October 4, 1984

Præcipe filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

October 5, 1984

The Board made the following Order: "AND NOW, this 5th day of October, 1984, pursuant to Præcipe received from Daniel L. Sullivan, Esquire, attorney for Plaintiff, docketed with this Board on October 4, 1984, advising that the above captioned matter has been settled by agreement of the parties and directing that the Board mark the record closed and satisfied. It is ORDERED and DIRECTED that the case be marked "settled, discontinued and ended with prejudice." Copies forwarded to attorney for plaintiff and attorney for defendant.