

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**NATIONAL RAILROAD PASSENGER
CORPORATION**

v.

**4.0446 ACRES MORE OR LESS OF
LAND AND FIXTURES and
PPL ELECTRIC UTILITIES CORP.**

: **CIVIL ACTION**
:
: **NO. 17-1752**
:
:
:
:
:

ORDER

AND NOW, this 6th day of March, 2019, it is hereby **ORDERED** that:

1. The motion for Leave to File an Amicus Curiae Brief [Doc. 55] is **GRANTED**.
2. The motion for summary judgment filed by defendant PPL Electric Utilities Corp. [Doc. 45] is **DENIED**.
3. The motion for partial summary judgment filed by National Railroad Passenger Corporation [Doc. 44] is **GRANTED**.
4. Judgment is **ENTERED** in favor of Plaintiff and against Defendants on the issue of the National Railroad Passenger Corporation's Authority to condemn the Conestoga Substation.
5. Plaintiff's Renewed Motion for Immediate Possession [Doc. 58] is **GRANTED**. Defendant is **DIRECTED** to deliver possession of the real property and fixtures that are the subject of this litigation to Plaintiff within 20 days of the date of this Order

BY THE COURT:

**s/s Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.**