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DOCKET# 45045
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DOCKET NO. 45045

IN RE: **Sanderson Railroad Company's Petition For Approval to Acquire Real Estate By Condemnation**

ORDER ASSIGNING HEARING OFFICER

In Accordance with Commission Rules:

Rule 515-16-16-.01 Purpose of Rail Condemnation Proceedings

O.C.G.A. §§ 46-8-120 through 46-8-124 requires Commission approval before any railroad company can file any action in the Superior Court to condemn real property for rail right-of-way or for erection of rail facilities.

and

Rule 515-16-16-.02 Procedure for Rail Condemnation Petitions

Upon receipt of a petition filed by a railroad company with the Commission seeking approval of proposed condemnation, (with proof of service of the same upon the property owner whose property is being condemned and upon the Consumer's Utilities Counsel of the Governor's Office of Consumer Affairs), the Commission will assign such petition to a hearing officer for hearing pursuant to O.C.G.A. § 46-2-58. If the hearing officer cannot assist the parties in mediating a purchase agreement for such property proposed for condemnation within forty-five (45) days after the filing of such petition, then the hearing officer will set the matter down for hearing to determine if there is a legitimate public purpose for the proposed condemnation. Within thirty (30) days after the close of the record in such hearing, the hearing officer will render a recommended decision or initial decision, from which any party can seek reconsideration before the full Commission.

The Commission agrees with Staff's recommendation and finds and concludes that this matter shall be assigned to a designated Hearing Officer. The Hearing Officer assigned to preside over this matter is:

Nancy Gibson
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334
Telephone: (404) 463-0882
Facsimile: (770) 342-3054
E-mail: ngibson@psc.ga.gov

* * * * *

WHEREFORE IT IS ORDERED, that the Commission hereby assigns this case to the above-named Hearing Officer.

ORDERED FURTHER, that a motion for reconsideration, rehearing or oral argument or any other motion shall not stay the effective date of this Order, unless otherwise ordered by the Commission.

ORDERED FURTHER, that jurisdiction over these matters is expressly retained for the purpose of entering such further Order or Orders as this Commission may deem just and proper.

The above by action of the Commission in Administrative Session on the 21st day of March, 2023.

Sallie Tanner
Executive Secretary

3-24-23
Date

Tricia Pridemore
Chairman

3-24-23
Date