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VIA EMAIL
October 22, 2010

Fred A. Reddig
Executive Director
Department of Community & Economic Development
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225

Re: City of Harrisburg Request for Determination of Distress Under Act 47

Dear Mr. Reddig:

Thank for the documents you forwarded from the record. I will be review these promptly.

I note that our organization and this sole practitioner's office were provided ½ business day to draft and file written motions reiterating the oral motions made on the record Wednesday. These were drafted, filed and served to the best of my ability in the truncated time frame. The City – who objected to the demands of their own taxpayers and citizens for a more complete and legally compliant hearing record – was provided 1½ business days to respond.

As of 4:00 p.m., I have received a written opposition to one (1) motion and a second two-page fax consisting of a cover sheet and one proposed Order. With all due respect, the rushing of this process does not serve the citizens of this City or this Commonwealth.

We wish the opportunity to review and reply, if necessary to the City's filings and should be afforded, in fairness, at least 11/2 business days to do so. Significantly, DCED cannot provide a pledge of the full faith and credit of the Commonwealth on municipal

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commercial loans or lawfully grant anywhere near the funding required to meet the City's current cash-flow needs. Thus, a rush to grant or deny the Act 47 application makes no legal sense, as it will not aid the Applicant with their immediate issues.

I will note that from our view, there have already been numerous procedural due processes failing in the course of Notification and Administrative Hearing and there should be a conference to review these defects to determine, what of any of these matters, would be correctable before the close of the record. I reiterate that Act 47, in accordance with the well-developed principals of Pennsylvania and federal law, cannot be read or administered in a manner that defeats due process requirements.

Thank you for your attention and consideration.

Sincerely,

LAW OFFICE OF NEIL A. GROVER

Neil A. Grover

NAG/

Encs.

cc: Steven Fishman, Esquire, Chief Counsel, DCED
Charles Rees Brown, Esquire
Philip Harper, Esquire, City Solicitor (via facsimile)