



In the Matter of:

ANTHONY SANTIAGO,

ARB CASE NO. 10-146

COMPLAINANT,

ALJ CASE NO. 2009-FRS-011

v.

DATE: November 16, 2010

**METRO-NORTH COMMUTER
RAILROAD CO., INC.,**

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

FINAL ORDER OF CASE CLOSING

On September 14, 2010, a United States Department of Labor Administrative Law Judge issued a Decision and Order Dismissing Complaint in this case arising under the Federal Rail Safety Act (FRSA).¹ The Secretary of Labor has delegated her authority to issue final decisions for the Department of Labor under the FRSA to the Administrative Review Board.²

On September 24, 2010, the Assistant Secretary for Occupational Safety and Health filed a Motion to Extend Time to File Petition for Review of Administrative Law Judge's Decision and Order Dismissing Complaint. The Board issued an Order Granting

¹ 49 U.S.C.A. § 20109 (West Supp. 2010), as amended by Section 1521 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (9/11 Act), Pub. L. No. 110-53.

² See Secretary's Order No. 1-2010 (Delegation of Authority and Assignment of Responsibility to the Administrative Review Board), 75 Fed. Reg. 3924, § 5(c)(15) (Jan. 15, 2010).

Extension of Time on October 5, 2010. On November 5, 2010, the Assistant Secretary notified the Board that he did not intend to file a petition for review. Accordingly, we **CLOSE** this case, ARB No. 10-146.

FOR THE ADMINISTRATIVE REVIEW BOARD:

Janet R. Dunlop
General Counsel