

BEFORE


THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of Indiana )  
& Ohio Railway Company and CSX )  
Transportation to Install Active Grade ) Case No. 06-1310-RR-FED  
Crossing Warning Devices in Auglaize and )  
Shelby Counties. )

ENTRY

The Commission finds:

- (1) On October 31, 2006, the Commission's railroad staff filed a memorandum stating that The Ohio Rail Development Commission (ORDC) had authorized Indiana & Ohio Railway Company (IORY) to install active grade crossing warning devices at the Ohio Street/State Route 67 grade crossing (258-630K) located in the village of Uniopolis, Auglaize County, and CSX Transportation (CSX) to install active grade crossing warning devices at the Amsterdam Road/Township Road 52 grade crossing (155-252F) located in Dinsmore Township, Shelby County.
- (2) Staff recommended authorization for preliminary engineering within 90 days and a construction deadline of one year for the projects.
- (3) IORY and CSX should submit to the Commission and ORDC by February 21, 2007, site plans and cost estimates for the project. Within seven days thereafter, IORY and CSX should each file a letter in this docket advising that the site plans and costs estimates have been submitted to the Commission and ORDC. Following submission and approval of the site plans and cost estimates by ORDC, and, unless otherwise directed, IORY and CSX are hereby authorized to acquire project materials and to commence construction as detailed in the letter of construction authorization. The Commission will issue no further construction authorization. Further, the construction of the active warning device at the grade crossings should be completed by November 21, 2007.
- (4) In order to expedite the activation of the warning device, the Commission no longer requires railroad companies to delay

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such activation pending final inspection by staff. However, the railroads should notify staff and ORDC 30 days before the projected date of completion. At the time the Commission or ORDC staff makes its final inspection of the devices and if it finds that the identified installations are completed and have been put in service, staff should file a memorandum in this docket directing the docketing division to close this case of record.

- (5) With the intention of promoting increased public safety during the pendency of the project, the Commission urges the appropriate local government agencies to make an immediate assessment of interim physical improvements, which would enhance driver awareness at the crossings. The Commission may provide assistance in funding improvements such as rumble strips, illumination, signs, or other safety enhancements at the project locations. Applications for such funding should be made to the Commission's Transportation Department, Rail Division, which shall review all proposals. In the event the department finds the improvements appropriate, the department director is hereby authorized to execute a contract with the local government agency, and obligate up to \$5,000 from the State Grade Crossing Safety Fund for such improvements. However, the local government agency should not initiate any improvements until a contract has been executed.

It is, therefore,

ORDERED, That IORY and CSX submit to the Commission and ORDC site plans and cost estimates for the projects by February 21, 2007. It is, further,

ORDERED, That, by February 28, 2007, IORY and CSX each file a letter in this docket advising that it has submitted site plans and cost estimates to the Commission and ORDC. It is, further,

ORDERED, That, following approval of site plans and cost estimates by ORDC, IORY and CSX proceed with construction of the projects, with construction to be completed by November 21, 2007. It is, further,


ORDERED, That IORY and CSX follow the detailed instructions as outlined in the ORDC letter of construction authorization. It is, further,

ORDERED, That IORY and CSX notify the Commission and ORDC 30 days before the projected date of completion. It is, further,

ORDERED, That, at the time staff or ORDC makes its final inspection and if it finds that the installations at the grade crossings are completed and have been put in service, staff will file a memorandum in this case directing the docketing division to close this case of record. It is, further,

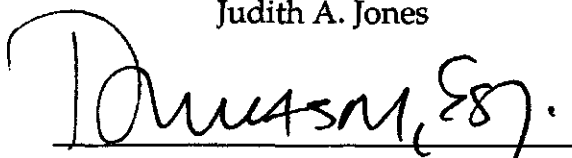
ORDERED, That copies of this entry be served upon the IORY and CSX and their counsel, Mayor of the village of Uniopolis, Dinsmore Township Trustees, Auglaize and Shelby County Commissions, ORDC, and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
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Alan R. Schriber, Chairman

  
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Ronda Hartman Fergus

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Judith A. Jones

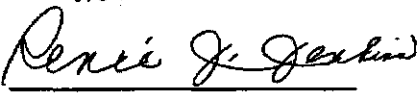
  
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Donald L. Mason

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Valerie A. Lemmie

SEF:ct

Entered in the Journal

NOV 21 2006

  
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Renee J. Jenkins  
Secretary