

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of CSX)
Transportation to Construct Active Grade) Case No. 07-260-RR-FED
Crossing Warning Devices in Crawford,)
Franklin, Medina, and Union Counties.)

ENTRY

The Commission finds:

- (1) On March 8, 2007, the Commission's railroad staff filed a memorandum stating that The Ohio Rail Development Commission (ORDC) authorized the CSX Transportation (CSX) to install active warning devices at the Biddle Road/Township Road 44 grade crossing (262-041C) in Crawford County, the Huntley Road grade crossing (518-948D) and the Scioto Darby Road grade crossing (513-323N) in Franklin County, the Stone Road/Township Road 74 grade crossing (142-492A) in Medina County, and the Dogleg Road/Township Road 136 grade crossing (513-821X) in Union County.
- (2) Staff recommended authorization for preliminary engineering within 90 days and a construction deadline of one year for the projects.
- (3) CSX should submit to the Commission and ORDC by June 21, 2007, site plans and cost estimates for the projects. Within seven days thereafter, CSX should 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, CSX is 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 active warning devices at the grade crossings should be completed by March 21, 2008.
- (4) In order to expedite the activation of the warning devices, the Commission no longer requires railroad companies to

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delay such activation pending final inspection by staff. However, the railroad 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 projects, 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 CSX submit to the Commission and ORDC site plans and cost estimates for the projects by June 21, 2007. It is, further,

ORDERED, That, by June 28, 2007, CSX 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, CSX proceed with construction of the projects, with construction to be completed by March 21, 2008. It is, further,

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

ORDERED, That 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 crossing are completed and have been put in service, staff will file a memorandum in this docket directing the docketing division to close this case of record. It is, further,

ORDERED, That copies of this entry be served upon the CSX and its counsel, ORDC, Polk Township Trustees, Worthington Director of Public Safety, City of Columbus Public Service Department, York Township Trustees, Paris Township Trustees, and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman

Ronda Hartman Fergus


Judith A. Jones

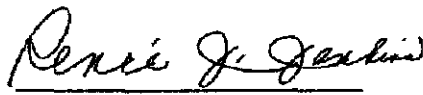

Valerie A. Lemmie

Donald L. Mason

SEF:ct

Entered in the Journal

MAR 21 2007


Renee J. Jenkins
Secretary