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Public Utilities
Commission of Ohio

PUCO

Memo

To: Docketing Division
From: George Martin, Grade Crossing Planner, Rail Division 
Re: PUCO Case No. 06-1326-RR-FED Request of Norfolk Southern Railway for an extension of time to complete a corridor project in the City of Springfield, Clark County
Date: June 9, 2008

By Entry of November 21, 2006, the Commission ordered Norfolk Southern Railway (NS) to complete a corridor project in the City of Springfield (City) by May 21, 2008. On May 9, 2008, NS filed a request for an extension of the completion deadline to November 21, 2008. On May 12, 2008, NS filed an amended request that the construction deadline be extended for 12 months to May 21, 2009. NS indicated that upon further consultation and due to the magnitude of this project and the need for additional engineering studies, additional time was needed.

Given the circumstances surrounding this request the Attorney Examiner granted a 30-day extension of the completion deadline for this project, until June 21, 2008. The Attorney Examiner also noted that in order for the Commission to have sufficient information to consider and decide the merits of NS's one year extension request, that NS file in the docket by May 30, 2008 supporting information regarding the 12 month request.

On May 30, 2008 NS filed the information requested by the Attorney Examiner in this docket. NS expanded upon its amended 12 month request by stating that the project involves complex design and engineering issues and scope changes which required re-design and re-engineering. The changes were required at the direction of the Ohio Rail Development Commission because of funding issues. NS stated that the final cutover for most of the projects must be accomplished in conjunction with all adjacent crossings.

Further, on May 20, 2008, the involved parties entered into an agreement whereby vehicle detection systems are to be installed at the four crossings receiving four-quadrant gates, and wayside horns at twelve of the crossings. This requires outside bidding and engineering, then extensive coordination with the City's contractors, once hired. NS once again requests a twelve-month extension of the completion deadline.

On May 30, 2008 the City filed comments in the docket stating that they were opposed to the twelve month extension, but giving no supporting reasons for opposition. On June 5, 2008 the City filed in the docket amended comments stating that based upon NS best faith efforts to place the crossings in service by March or April of 2009, they withdraw their opposition to extension.

Staff finds NS's reasons for the request well made and timely, and recommends that the request be granted.

C: Legal Department

Please serve the following parties of record

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