

October 28, 2008

Subject: PUCO Case No. 08-171-RR-FED
SR 29 - Railroad Crossing DOT# 258706N
Rosewood, (Champaign), OH

Ms. Susan Kirkland
Safety Manager
ORDC
Ohio Department of Transportation
50 West Broad Street, Suite 1510
Columbus, Ohio 43215

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PUCO

Dear Ms. Kirkland:

I am writing you concerning the Public Utilities Commission of Ohio, Case No. 08-171-RR-FED, and authorization of the Indiana & Ohio Railway to install an Active Grade Crossing Warning Device in Champaign County.

The PUCO order stated for the subject crossing to be installed by March 05, 2009. This date will no longer be feasible due to the following unforeseen delays:

- ORDC\PUCO disqualification of National Signal Corporation as a qualified Vendor.
- ORDC\PUCO Approval of SWE as Project Management Team Vendor (ORDC\PUCO approval granted 09/25/2008)
- ORDC\PUCO approval of existing RailAmerica Design/Build Contracts with GETS & Safetran Systems as qualified Vendors (ORDC\PUCO approval not yet granted).

Due to these delays the original specified PUCO Order date will no longer be feasible. We are providing this notification of delays for your records, and are further requesting the Vendor Approval of GETS & Safetran Systems for this and future project on IORY & all other RailAmerica Properties within the State of Ohio.

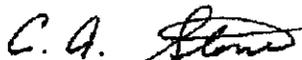
Please provide a formal Vendor approval and NTP for this project so that the IORY can proceed with this project, and grant our Design/Build Vendor with Notice to Proceed (NTP). The RailAmerica selected Vendor (GETS) for this project has assured expedited handling of this installation once the NTP has been granted.

It is estimated that the following timeline will be needed to complete this project after NTP has been granted from the ORDC\PUCO:

- 14 Days - From NTP to Design Plan completion.
 - 30 Days - From Design Plan Approval to Wiring Shop Material Packaging completion.
 - 30 Days - From Material Shipment to In-Service Commissioning.
 - 30 Days - From In-Service Commissioning to Final Plans and Financial statement submittal to ORDC\PUCO for approval.
- =====
- 104 Days - TOTAL (after ORDC\PUCO NTP has been granted)

Should you need to further discuss this matter or have any questions or comments, I can be reached at (904) 538-6057.

Sincerely,



Charles A. Stone
General Director Engineering

Cc: Mr. J.L. Schonder (RA)
Ms. C. Stout (ORDC)
Mr. T. Perkins (ORDC)
Mr. M. Travis (ORDC)
Mr. T. Frank (SWE)
File

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