

FILE

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2008 NOV -4 AM 10: 20

Public Utilities  
Commission of Ohio

PUCO

# Memo

**To:** Docketing Division

**From:** George Martin, Grade Crossing Planner, Rail Division

**Re:** PUCO Case No. 07-1154-RR-FED Request of the Indiana & Ohio Railway for an extension of time to complete the installation of an active grade crossing warning device in Pickaway County

**Date:** November 4, 2008

By its Entry dated November 20, 2007 in the above referenced case the Commission ordered the Indiana & Ohio Railway (IORY) to install an active grade crossing warning device at the following location by November 20, 2008:

Pickaway County, Darby Township, Ballah Rd, DOT# 151-878W

On November 3, 2008 IORY filed in this docket a request for an extension of time to complete this project. IORY states that they have had difficulty securing approval of a contractor and vendor and approval of plans and estimates from the Ohio Rail Development Commission (ORDC). IORY requests an extension of 104 days from the date that ORDC grants the design/build vendor with a Notice to Proceed. Staff has been aware of these problems since February of 2008. On October 27, 2008 ORDC approved the plan and estimate and gave IORY approval to proceed with construction. Staff finds the request timely and well made and recommends that the Commission approve this request.

C: Legal Department

Please serve the following parties of record

Ms Susan Kirkland

Ohio Rail Development Commission

50 W Broad St, 15<sup>th</sup> Floor

Columbus, Oh 43215

Mr Biff Konrad

Indiana & Ohio Railway

497 Circle Freeway Drive, Ste 230

Cincinnati, Oh 45246

Darby Township Trustees

PO Box 440

Derby, Oh 43117



## INDIANA & OHIO RAILROAD

497 Circle Freeway Drive, Suite 230  
Cincinnati, OH 45246

October 28, 2008

Subject: PUCO Case No. 07-1154-RR-FED  
Ballah Road - Railroad Crossing DOT# 151878W  
Derby, (Pickaway), OH

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

RECEIVED-BOOKERING DIV  
2008 NOV -3 PM 2:03  
PUCO

Dear Ms. Kirkland:

I am writing you concerning the Public Utilities Commission of Ohio, Case No. 07-1154-RR-FED, and authorization of the Indiana & Ohio Railway to install an Active Grade Crossing Warning Device in Pickaway County.

The PUCO order stated for the subject crossing to be installed by November 20, 2008. 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 projects 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)  
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