

BEFORE


THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of)
CSX Transportation, Inc., Indiana &)
Ohio Railway, and Norfolk Southern)
Railway to Install Active Grade) Case No. 07-1154-RR-FED
Crossing Warning Devices in Morrow,)
Putnam, Wood, Pickaway, and Ottawa)
Counties, Ohio.)

ENTRY

The Commission finds:

- (1) By entry of November 20, 2007, the Commission ordered the Indiana & Ohio Railway (I&O) to install a grade crossing improvement project at Ballah Road (151-878W) located in Darby Township, Pickaway County. The project was to be completed by November 20, 2008.
- (2) On November 3, 2008, I&O filed a request for an extension of 104 days to complete this project. I&O states that the project can no longer be completed by the due date because of unforeseen delays including the disqualification of National Signal Corporation as a qualified vendor and because it has had difficulty securing approval of a contractor and vendor and approval of plans and estimates from the Ohio Rail Development Commission (ORDC). I&O requests that the Commission grant the 104-day extension of time following approval of final plans and financial statements by ORDC.
- (3) On November 4, 2008, staff filed a memorandum recommending approval of I&O's extension request. Staff indicated that ORDC approved the plans and estimates and gave I&O approval to proceed with construction on October 27, 2008.
- (4) Upon review, good cause exists to grant I&O's request for a 104-day extension of time dating from the ORDC approval of plans and estimates. Accordingly, I&O should complete the project by February 9, 2009. Further, during this time period, I&O should provide monthly progress reports to staff on the status of this project. In addition, Commission staff should

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continue to monitor this project to ensure the project is completed within the Commission's newly ordered time frame.

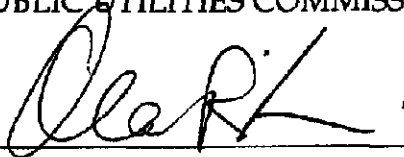
It is, therefore,

ORDERED, That I&O be granted an extension of time until February 9, 2009, to complete the project. It is, further,

ORDERED, That I&O provide monthly progress reports to staff, detailing the status of the project. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

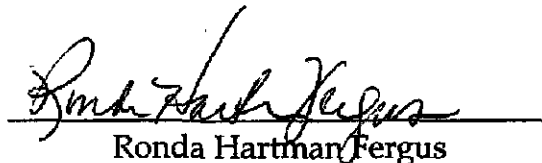
THE PUBLIC UTILITIES COMMISSION OF OHIO



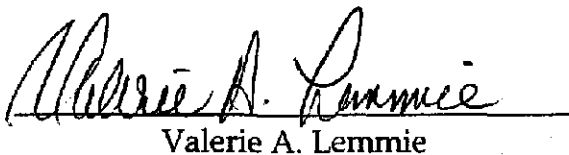
Alan R. Schriber, Chairman



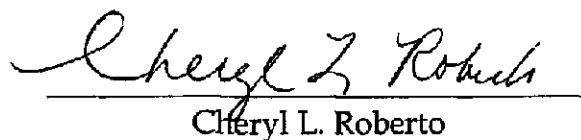
Paul A. Centolella



Ronda Hartman Fergus



Valerie A. Lemmie



Cheryl L. Roberto

GAP:ct

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NOV 12 2008



Renee J. Jenkins
Secretary