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Public Utilities
Commission of Ohio

PUCO

Memo

To: Docketing Division

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

Re: PUCO Case No. 07-1169-RR-FED Request of the Indiana & Ohio Railway for an extension of time to complete the installation of active grade crossing warning devices in Clinton County

Date: January 14, 2009

By its Entry dated November 11, 2008 the Commission ordered the Indiana & Ohio Railway (IORY) to install an active grade crossing warning device at Clinton County, Village of Sabina, Hulse St, DOT# 1510936P by February 2, 2009. By its Entry dated December 17, 2009 the Commission ordered IORY to install an active grade crossing warning device at Clinton County, Village of Sabina, SR 79/N Howard St, DOT# 151-933U by February 2, 2009. This crossing was added because of an expanded scope of the original project requested by the Ohio Rail Development Commission (ORDC).

On January 13, 2009 IORY filed in this docket a request for an extension of time to complete these two projects until "97 days after ORDC plan approval has been granted, pending any significant weather delays". IORY notes the following delays in its request:

- 1) Pending ORDC approval of RailAmerica design and build contracts with GE Transportation Systems and Safetran.
- 2) ORDC directed scope change of original project to include SR 79/N Howard St.
- 3) ORDC directed scope change of circuitry for College St so that proposed warning devices will function as intended (existing equipment condition and compatibility with the proposed improvements).
- 4) ORDC approval of plan revisions and design changes to resolve compatibility issues.

IORY has kept staff apprised of all details regarding the projects since the initial Commission order, by both phone and email. Staff further notes that due to existing rail conditions at the crossings, it was anticipated at the diagnostic survey that the project(s) would not be a "cut and dry" installation.

Staff finds IORY's request timely and well made. Staff recommends that ORDC file in this docket comments as to when approval of the above items will be forthcoming, and further recommends that the Commission grant IORY's request for 97 days from the date of Entry with the understanding that IORY may request a further extension upon a show of good cause.

C: Legal Department

Please serve the following parties of record

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