

# Indiana & Ohio

## INDIANA & OHIO RAILROAD

497 Circle Freeway Drive, Suite 230  
Cincinnati, OH 45246

February 5, 2009

Subject: PUCO Case No. 07-1154-RR-FED  
ORDC Encumbrance Number 569043  
IORY# IORYRP08-002  
SWE# VEM08-21809  
Ballah Road - Railroad Crossing DOT# 151878W  
Derby, (Pickaway), OH

Mr. George Martin  
PUCO Rail Division  
Ohio Department of Transportation  
50 West Broad Street, Suite 1510  
Columbus, Ohio 43215

RECEIVED-DOCKETING DIV  
2009 FEB -6 AM 7:23  
PUCO

Dear Mr. Martin:

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 original PUCO order stated for the subject crossing to be installed by November 20, 2008. The extension notification submitted by IORY on 10-17-2008, was accepted by the PUCO, and an extension date of 02-09-2009 was received.

This date will no longer be feasible due to the following unforeseen delays:

- Awaiting ORDC\PUCO Approval of SWE as Project Management Team Vendor (ORDC\PUCO approval granted 09/25/2008)
- Awaiting ORDC\PUCO approval of existing RailAmerica Design/Build Contracts with GETS & Safetran Systems as qualified Vendors (ORDC\PUCO approval not yet granted).
- Adverse weather conditions which prevent Power Utility Service Supplier to construct Transformer and service drop due to Storm Damage and outages, which have designated all available utility crews to emergency projects.

Due to these delays the current specified PUCO Order date will no longer be feasible. We are providing this notification of delays for your records, and request formal acceptance of the extension request for our file records.

IORY is further requesting the pending vendor approval by PUCO of Southwest Signal Engineering Co., GETS & Safetran Systems for future projects on IORY & all other RailAmerica Properties within the State of Ohio.

The RailAmerica selected Design/Build Vendor (GETS) for this project will have completed all crossing warning system installation by the current specified PUCO due date, with exception of the Power Service connection, which have been delayed due to weather conditions preventing third party agencies to complete the required work.

It is estimated that the following timeline will be needed to complete this project after the causes for delay noted above have been resolved:

30 Days – To provide Power Service Utility Agency to complete Installation and Service connection work.

10 Days – Railroad Power Service Connection and in-service commissioning of the crossing.

30 Days – Final Plans and Financial statement submittal to ORDC\PUCO for approval.

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70 Days – TOTAL (pending any further unforeseen delays)

**This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.**

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

Sincerely,

A handwritten signature in cursive script that reads "C. A. Stone".

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)  
RR Project File