

2

FILE

RECEIVED-DOCKETING DIV

2009 JUL 16 PM 2:09

Public Utilities
Commission of Ohio

PUCO

Memo

To: Docketing Division**From:** George Martin, Grade Crossing Planner, Rail Division *gmd***Re:** PUCO Case No. 07-1169-RR-FED Request of CSX Transportation for an extension of time to complete a grade crossing warning device installation in the City of Troy, Miami County**Date:** July 16, 2009

By its Entry dated November 20, 2007, the Commission ordered, in part, that CSX Transportation (CSX) install flashing lights and roadway gates at Miami County, City of Troy, Union Street, DOT# 155-181L, no later than November 20, 2008. The crossing was surveyed on September 6, 2007 and was found to warrant the upgrade.

It was known by all parties from the date of the survey that this grade crossing improvement would be complex due to the necessity of installing roadway medians for the gate masts, reconfiguration of the existing roadway and the submittal of these plans by the City of Miami (City) to CSX for the preparation of the ordered plan and estimate. CSX was finally able to submit the plan and estimate on November 5, 2008.

On November 4, 2008 CSX filed in this docket a request for an extension of time, until August 4, 2009, to complete this project. The request was due to the required engineering by the City of Troy being delayed. The Commission granted this request on November 19, 2008.

During a regularly scheduled teleconference on February 19, 2009 CSX notified staff that it would need an additional extension of time to complete the project. On June 5, 2009 all parties met at City Hall in Troy to determine the final layout, the funding of the project phases, and the widening of the crossing.

On July 13, 2009 CSX filed in this docket a second request for an extension of time to complete this project, until February 4, 2010. CSX states that the project will be completed in four phases; first the widening of the crossing by CSX, second the installation of the medians by the City, third the installation of the warning devices by CSX, and fourth filling in the medians with concrete and painting roadway markings by the City. This phasing of the project was agreed to by all parties during the June 5, 2009 meeting. Staff recommends that the Commission grant this request, noting that CSX has communicated all issues involved with this project in a timely fashion.

C: Legal Department

• Page 1

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.
Technician *Jim* Date Processed JUL 16 2009

Please serve the following parties of record.

Ms Susan Kirkland

Ohio Rail Development Commission

1980 W Broad St, 2nd Floor

Columbus, Oh 43223

Mr Ben Biesterveld

CSX Transportation

500 Water St J301

Jacksonville, FI 32202

Ms Deborah Swan, PE

City Hall

100 South Market St

Troy, Oh 45373-7303

Mr Wayne Bolen

URS Corporation

36 East Seventh St., Ste. 2300

Cincinnati, Oh 45202