

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of a Request for the Upgrade)
of the Warning Devices at the Wheeling &)
Lake Erie Railway Grade Crossing at Old) Case No. 08-914-RR-STP
Mill Road (DOT# 472-687X), Twinsburg)
Township, City of Aurora, Portage and)
Summit Counties.)

ENTRY

The attorney examiner finds:

- (1) On August 13, 2008, the Commission approved a stipulation for installation of upgraded warning devices at the Wheeling & Lake Erie Railway (W&LE) grade crossing on Old Mill Road (DOT# 472-687X), located in Twinsburg Township, City of Aurora, Portage and Summit counties. The Commission ordered that the project be completed no later than August 13, 2009.
- (2) On August 13, 2009, W&LE filed a letter requesting an extension of time to September 15, 2009, so that electric power could be connected to the location of the project. W&LE explains that because of storms in the area on August 10, 2009, work crews from American Electric Power were pulled from the project to repair storm damage and restore power, thus preventing timely completion of the project.
- (3) Also on August 13, 2009, staff filed a memo recommending that the Commission grant an extension of time to finish the project, not to exceed thirty days.
- (4) On August 28, 2009, staff filed a memo stating that it had been notified by W&LE on August 20, 2009, that gates and lights on Old Mill Road were placed in service as of August 19, 2009. Staff added that it is unaware of any accidents at this crossing from August 13, 2009, to August 19, 2009. According to the memo, a final inspection by staff is scheduled for the week of August 31, 2009.
- (5) W&LE's request for an extension of time is granted from August 13, 2009, through August 19, 2009. Staff shall review the actions of W&LE in this case, commencing from the date

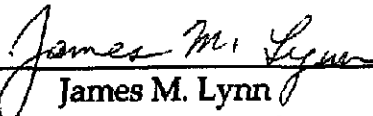
this project was ordered by the Commission and concluding when the project is placed in service. In the event staff finds that W&LE's actions or inactions were untimely or unreasonable, staff shall file a report of its findings.

It is, therefore,

ORDERED, That W&LE's request for an extension of time is granted through August 19, 2009. It is, further,

ORDERED, That a copy of this entry be served upon W&LE and its counsel, Twinsburg Township, City of Aurora, Portage and Summit Counties, and all other interested parties of record.

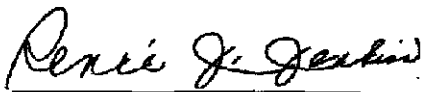
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: James M. Lynn
Attorney Examiner

grr/ct

Entered in the Journal

SEP 02 2009



Renee J. Jenkins
Secretary