

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of CSX)
Transportation, Inc. to Close the Lightner) Case No. 07-1028-RR-UNC
Street (228-813W) Public Grade Crossing,)
Located in the Village of Bradner, Wood)
County, Ohio.)

ENTRY

The attorney examiner finds:

- (1) By entry dated June 4, 2008, the Commission, in part, directed CSX Transportation, Inc. (CSX) to commence work on the closure of the Lightner Street (228-813W) grade crossing and on improvements at the Crocker Street (228-812P) grade crossing.
- (2) By entry dated June 10, 2009, the Commission granted CSX's request for an extension of time and ordered that the projects be completed by December 4, 2009.
- (3) On November 16, 2009, CSX filed a second request for an extension of time, until June 30, 2010, to complete the projects. In the request, CSX stated, in part, that the Crocker Street project could not proceed without details of planned improvements from the Village of Bradner (Village). CSX stated that quotes were finally received from the Village on October 1, 2009, and that plans and estimates were submitted to ORDC and the Commission on October 9, 2009. CSX noted that, once construction is authorized, the signal work can begin, but winter weather will delay the installation of the new concrete surfaces because of the necessary asphalt paving of the vehicular approaches. Further, CSX noted that this work will need to be done prior to the completion of the signal work.
- (4) On November 27, 2009, staff filed a memorandum recommending that the extension of time be granted. In the memorandum, staff noted that, according to the ORDC, construction authorization was issued to CSX on November 24, 2009.
- (5) Pursuant to the Commission's September 19, 1996, entry in *In the Matter of the Implementation of the 1996 Federal Crossing*

Protection Program, Case No. 96-676-RR-FED (Entry dated September 19, 1996), the Commission authorized the attorney examiner assigned to a case to grant extensions for up to 30 days and indicated that any request for an extension in excess of 30 days would be considered and decided by the Commission.


- (6) Given the circumstances surrounding this request, the attorney examiner will grant a 30-day extension of the completion deadline for these projects while the Commission considers CSX's request for the balance of the time requested.

It is, therefore,

ORDERED, That a 30-day extension of time be granted in this matter. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Kerry K. Sheets
Attorney Examiner

QRG
/vrm

Entered in the Journal

DEC 04 2000



Renee J. Jenkins
Secretary