

FILE

**Public Utilities
Commission of Ohio**

Memo

To: Docketing Division
From: Leah Thomas-Dalton, Chief, Rail Division
C: Legal Department
Re: PUCO case No. 09-0976-RR-CSS -- Alleged excessive growth of weeds & vegetation on CSX Columbus Line, blocking view of signal 131.27 at MP QE 131.27 - CSX Transportation
Date: December 1, 2009

The Rail Division Staff was able to successfully mediate this matter. It is therefore recommended that the legal staff proceed with an entry to close the above case.

This is to certify that the images appearing are an accurate and complete representation of a case file used in the regular course of business.

P.A.

12/14/09

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PUCO

**PUBLIC UTILITIES COMMISSION OF OHIO
TRANSPORTATION DEPARTMENT
RAIL DIVISION**

Date of Assignment: December 4, 2009

Date of Inspection: December 4 and 10, 2009

Subject: **09-0976-RR-CSS** Excessive growth of weeds and vegetation, on CSX Columbus Line Subdivision, brush is blocking the view of signal 131.27 at Mile Post QE 131.27

FINDINGS

Signal 131.27 is geographically north of Morse Road, Worthington and is signal governing train movements on this single track mainline on CSX Transportation's Columbus Line Sub-division. The complaint was filed by the United Transportation Union in line with "Ohio Administrative Code 4901-5-22 against CSX Transportation who is subject to regulation under 4905 and 4907 of the Ohio Revised Code". At the time of our inspection vegetation was blocking the view of Signal 131.27 for eastbound trains. In addition some of the vegetation was striking rolling stock and was a violation of USC49CFR FRA 213 because it prevented employees from performing their duties from their work location. We cited CSX Transportation on December 4, 2009 with these defects by issuing a Public Utilities Commission of Ohio Track & Structures Report. We also contacted the railroad and provided verbal advice at the time we wrote the report.

SUMMARY

Upon phone contact with the railroad's local maintenance Roadmaster the railroad advised it would immediately remove the vegetation and on December 7, 2009 we were advised the work had been completed and the vegetation obstructing the view had been cut. We returned to the site on December 10, 2009 and found the vegetation had been cut and the purpose of the citation remedied. We have contacted the local representative of the complainant, and left a message, to inform him of the actions but have not received a return call as yet. We have issued a Public Utilities Commission of Ohio Track & Structures report indicating the defects have been corrected.

CONCLUSIONS & RECOMMENDATIONS

It is recommended that this complaint be closed.

Jerry E. Gibson
PUCO/FRA Safety Inspector
December 10, 2009

