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Law Department  
500 Water Street, J150  
Jacksonville, FL 32202  
TEL. 904-366-4228  
EFAX. 904-245-2599  
Tammy\_Butler@CSX.com

PUCO

**TAMMY D. BUTLER**  
COUNSEL  
BUSINESS & GOVERNANCE

Admitted in FL

January 18, 2010

*Via Facsimile 614-466-0313*

Public Utilities Commission of Ohio  
Docketing Division  
180 E Broad Street, 13<sup>th</sup> Floor  
Columbus, Ohio 43215-3793

**Re: Subject: Troy, Miami County, OH – Upgrade Warning Devices – Union Street;  
DOT 155 181L; Milepost BE-78.94; OH0666; Case No. 07-1169-RR-FED**

Dear Ms. Dalton:

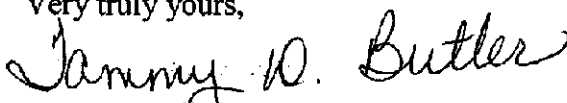
On November 6, 2007 the Public Utilities Commission of Ohio ("PUCO") issued Entry Number 07-1169-RR-FED to upgrade active warning devices at the above crossing at Union Street (the "Work") with November 20, 2008 as the final construction completion date. The PUCO has since granted extension of the construction due date to February 4, 2010.

Since July of 2009, there have been a number of delays to this project, including CSXT's inability to create a Force Account Estimate ("FAE") until the City's roadway contractor provided a quote for the median work. Once the FAE was created, it was sent to the ORDC for approval and construction authorization. After receiving the authorization for construction, CSXT completed the necessary widening of the existing crossing surface.

On December 11, 2009 the City notified CSXT that the roadway median layout was complete and ready for CSXT inspection for compliance with current railroad specifications. Due to several factors, including the recent weather conditions and disagreement between the parties regarding the width of the crossing surface, CSX field forces were unable to inspect the site until January 10, 2010. CSX forces have verified that the roadway medians could be installed per the City schematics and is contacting all pertinent parties to proceed with the project.

Due to the unexpected delays, CSXT respectfully requests a construction due date extension to August 4, 2010.

Very truly yours,

  
Tammy D. Butler

TDB/lcf

cc: Mr. Mike Spoores  
Mr. Eric Wagoner

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