

FILE

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February 12, 2010

VIA FACSIMILE AND U.S. MAIL

The Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, Ohio 43215-3793
Fax No.: 614-466-0313

Re: In the Matter of the Authorization of CSX Transportation, Indiana & Ohio
Railway and Norfolk Southern Railway to Install Active Grade Crossing
Warning Devices in Five Counties
PUCO Case No. 07-1169-RR-FED
Our File No: N1432/176814

Dear Docketing Clerk:

Attached for filing is a Status Report.

I confirm that, via regular mail, we are forwarding to you the original document plus seven copies.

Please call me - at (419) 241-6000 - if you have any questions or concerns.

Thank you.

Very truly yours,

EASTMAN & SMITH LTD.

D. Casey Talbott

DCT/kml
Enclosures

cc: Leah Thomas Dalton (w/enc.)
Susan J. Kirkland (w/enc.)
Robert Stanley (w/enc.)

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Miamisburg's personnel have now completed their meetings with the local business constituents, and will be meeting further with Miamisburg's City Council on February 16, 2010. Miamisburg and Norfolk Southern are then scheduled to speak on March 1, 2010, toward brainstorming an outstanding engineering issue or two (which may necessitate another site visit).

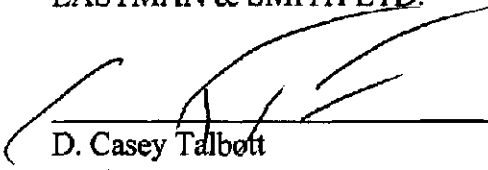
with the hope that Miamisburg will thereafter be in a position to enter into an appropriate letter agreement providing for the improvement of the majority of Miamisburg's crossings (including Kercher Street, which the parties agree should be addressed in conjunction with the other crossings in the corridor) versus the closure of at least certain crossings, due to redundancy and/or engineering concerns.

Constructive dialogue remains ongoing, as the parties continue their efforts with respect to this significant corridor project.

Assuming the Commission's approval, Norfolk Southern will file a further status report by April 13, 2010 (following further dialogue and, presumably, the on-site visit).

Respectfully submitted,

EASTMAN & SMITH LTD.



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Attorneys for Norfolk Southern
Railway Company

PROOF OF SERVICE

A copy of the foregoing *Status Report* was mailed this 12th day of February, 2010 to: **Leah Thomas Dalton**, Deputy Chief, Transportation Department, Safety Programs Division/Rail, c/o The Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43266-0573; **Susan J. Kirkland**, Manager, Safety Programs, Ohio Rail Development Commission, 1980 West Broad Street, 2nd Floor, Columbus, Ohio 43223; and **Robert L. Stanley**, City Engineer, 10 North First Street, Miamisburg, Ohio 45342.


Attorneys for Norfolk Southern
Railway Company