

Memo

To: Docketing Division
From: Jill Henry, Rail Specialist, Rail Division
Cc: PUCO Legal Department
Date: 4/20/10

PUCO

2010 APR 20 PM 3:39

RECEIVED-DOCKETING DIV

Re: PUCO Case No. 09-1955-RR-STP- In the matter of a request for Wheeling and Lake Erie Railway Co. to install active grade crossing warning devices in Medina County at Beat Rd. (DOT#002-067N), Stone Rd. (DOT#002-066G), and Root Rd. (DOT#002-053F).

On December 14, 2009, Commission Staff, The Ohio Rail Development Commission (ORDC), Wheeling Lake Erie Railway Co.(WE), and Medina County, Ohio entered into an agreement whereby active grade crossing warning devices would be installed at Beat Rd. (DOT#002-067N), Stone Rd. (DOT#002-066G), and Root Rd. (DOT#002-053F).

On January 7, 2010, the Commission issued a Finding and Order approving the project and requiring the submission of plans and estimates by April 7, 2010.

On March 26, 2010, WE filed with the Rail Division plans and estimates for the three projects.

The plans and estimates submitted by WE have been reviewed and authorization is recommended. (See attached documentation.)



Public Utilities Commission

Ted Strickland, Governor
Alan R. Schriber, Chairman

Commissioners

Ronda Hartman Fergus
Valerie A. Lemmie
Paul A. Cantolella
Cheryl Roberto

April 20, 2010

Mr. Dan Reinsel
Wheeling & Lake Erie Railway Company
Chief, Signals & Communications
100 E. First Street
Brewster, Ohio 44613

Re: WE Grade Crossings, Beat Rd. (002-067N),
Root Rd. (002-053F), & Stone Rd. (002-066G)

Mr. Reinsel:

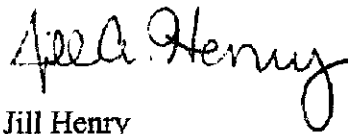
Wheeling and Lake Erie Railroad (WE) is now authorized to proceed with field construction for the above referenced project. This authorization is contingent upon accepting the following:

- 1) WE will make any adjustments to the plans noted in the field report docketed April 20, 2010 (Attached).
- 2) WE will provide PUCO Staff with the final estimates and the material package itemization once bidding for the material package is complete.
- 3) WE will furnish e-mail, fax, or phone notification five (5) working days prior to the date work will start at the project site. Notification to be made to Jill Henry, PUCO, at E-MAIL jill.henry@puc.state.oh.us , FAX 614-995-5535, or PHONE 614-466-0435.
- 4) WE will arrange for utilities to be relocated and/or dropped (as soon as possible) at the project site through the applicable utility company.
- 5) WE will arrange for utilities to be located at the project site by the Ohio Utilities Protection Service (OUPS) prior to any construction activities at the site. Utilities that are not participating members of the OUPS service must be contacted directly by WE.
- 6) WE's project foreman will notify the PUCO Railroad Inspector of any changes in the scope of work, cost overruns, material changes, etc. which are not included in the approved plan and estimates and secure approval of same before the work is performed.
- 7) WE will furnish three (3) copies of each partial bill to the PUCO.

- 8) WE will furnish three (3) copies of the final-inclusive bill to PUCO stating that exact dates of starting and completing work, the initial and final dates of construction and location where the accounts may be audited.
- 9) WE will furnish as-built detailed circuit plans directly to the PUCO.
- 10) WE is to schedule and complete the subject project by January 7, 2011. If any extraordinary circumstances unique to this project occur, please notify the Commission's rail staff immediately.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Henry", written in a cursive style.

Jill Henry
Rail Specialist
PUCO Rail Division

Enclosure

cc: Medina County, ORDC; File

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

Date of Assignment: April 13, 2010

Date of Inspection: April 13, 2010

Subject: Plans and estimates review for active warning devices at rail grade crossings Beat Road (DOT#002-067N), Root Road (DOT#002-053F), and Stone Road (DOT#002-066G) Wheeling and Lake Erie Railroad (WE), Medina County

DOT #: 002-067N, 002-053F, & 002-066G

FINDINGS

On April 13, 2010, on-site reviews of plans and estimates were performed at all three crossings by Shawn Zurfley, PUCO/FRA Rail Inspector, Joseph Reinhardt, Ohio Rail Development Commission, Grade Crossing Specialist, and Jill Henry, PUCO Rail Specialist.

Root Road

Root Road is a 2-lane roadway traveling North/South and intersecting a single track of WE traveling East/West at a sharp angle across the Root Road. Existing warning devices consist of advanced warnings signs, yield signs, pavement markings, and crossbucks.

In reviewing the site plans for the Root Road crossing, the 7'3" placement of gate #2 does not conform to the Manual of Uniform Traffic Control Devices (MUTCD) standards which require placement of the device a minimum of 8'3" from the edge of pavement.

Stone Road

Stone Road is a 2-lane roadway traveling East/West and intersecting a single track of WE traveling North/South at an angle across Stone Road. Existing warning devices consist of advanced warnings signs, pavement markings, and crossbucks.

In reviewing the site plans for the Stone Road crossing, the plans appear to be fundamentally correct.

Beat Road

Beat Road is a 2-lane roadway traveling North/South and intersecting a single track of WE traveling East/West at an angle across the Beat Road. Existing warning devices consist of advanced warnings signs, yield signs, pavement markings, and crossbucks.

In reviewing the site plans for the Beat Road crossing, the plans appear to be fundamentally correct.

SUMMARY AND CONCLUSIONS

We reviewed the plans and preliminary estimates for the proposed project. The plans appear to be fundamentally correct and designed properly except for the placement of Gate #2 at the Root Road crossing. WE will need to provide Staff with a finalized copy of the project estimates and material package itemization once bidding for the material package is complete.

Jill Henry
PUCO Rail Specialist
Date: April 16, 2010