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FILE

FAX

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Established 1844

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May 25, 2010

VIA FACSIMILE AND U.S. MAIL

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

PUCO

2010 MAY 25 PM 4:21

RECEIVED-DOCKETING DIV

Re: In the Matter of the Authorization of Norfolk Southern Railway and
 Ashland Railway for a Consolidation Project in Richland County
 PUCO Case No. 09-430-RR-FED
 Our File No: N1432/176814

Dear Docketing Clerk:

Attached for filing is a Request for Extension of Construction Deadline.

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.)
 Peter Crane (w/enc.)
 Thomas E. Beck (w/enc.)
 Springfield Township Trustees (w/enc.)

PUCO

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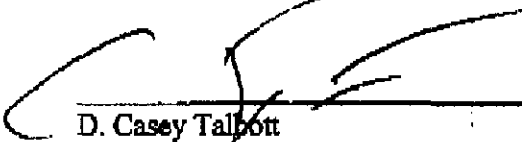
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www.eastmansmith.com

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 Date Processed 5/25/10

Respectfully submitted,

EASTMAN & SMITH LTD.



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Attorneys for Norfolk Southern
Railway Company

MEMORANDUM IN SUPPORT

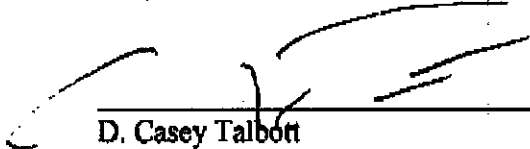
By Entry of June 3, 2009, the Commission authorized the closure of the Springmill North Road grade crossing (502-669K), and the upgrading of the warning devices at two grade crossings on Leppo Road (502-668D and 152-170N), with the closure to take place after the completion of the upgrades.

The upgrades are substantially complete – specifically, Norfolk Southern has installed its equipment, and Ashland Railway is scheduled to complete final wiring work this week, following which Norfolk Southern will complete an interconnection between its equipment and Ashland Railway's, so the warning devices can work in unison as required by MUTCD standards. Once the upgrades are operational, then Springfield Township is to install appropriate guardrails at the Springmill North Road grade crossing, to effectuate closure.

Since there are a number of players involved here, and work is substantially but not quite complete, Norfolk Southern is erring on the side of requesting an extension of time of thirty (30) days – through July 3, 2010 – for the involved parties to complete this project.

Respectfully submitted,

EASTMAN & SMITH LTD.



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Attorneys for Norfolk Southern
Railway Company

PROOF OF SERVICE

A copy of the foregoing *Request for Extension of Construction Deadline* was mailed this 25th day of May, 2010, to: **Leah Thomas-Dalton**, Chief, PUCO Rail Division, Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215; **Susan J. Kirkland**, Manager, Safety Programs, c/o Ohio Rail Development Commission, 1980 West Broad Street, 2nd Floor, Columbus, Ohio 43223; **Peter Crane**, Ashland Railway, 1 Village Square, New Hope, PA 18938; **Thomas E. Beck**, Richland County Engineer, 77 North Mulberry Street, Mansfield, OH 44902; and **Springfield Township Trustees**, P.O. Box 133, Ontario, OH 44862.



Attorneys for Norfolk Southern
Railway Company