

**FAX
FILE**

The Columbus & Ohio River Rail Road
 Mahoning Valley Railway Company
 Ohio Central Railroad, Incorporated
 Warren & Trumbull Railroad Company
 Aliquippa & Ohio River Railroad Company



a Gannett & Wyoming Company

Pittsburgh & Ohio Central Railroad Company
 Ohio & Pennsylvania Railroad Company
 Ohio Southern Railroad, Incorporated
 Youngstown Belt Railroad Company
 Youngstown & Austintown Railroad Company

October 6, 2010

Ohio Public Utilities Commission
 Docketing Division
 180 East Broad Street
 Columbus, Ohio 43215-3793

PUCO

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RECEIVED-DOCKETING DIV

RE: Case No. 09-867-RR-FED

In the matter of the authorization of the Columbus & Ohio River Rail Road to install active grade crossing warning devices in Tuscarawas County.

Dear Administrator:

By Order dated October 1, 2010 the Commission granted the Columbus & Ohio River Rail Road Company a 30 day extension of time to complete the above referenced project. Further, the Commission ordered that, commencing October 7, 2010, CUOH shall have a stop and flag order in place for all train movements at the crossing until completion of the project.

The Railroad requests that the Commission reconsiders the stop and flag order for the following reasons:

- 1) The crossing is located in a bowl with inclines in both directions. It would only be with extreme difficulty that a train would be able to stop and restart at this location. Under certain circumstances it is foreseeable that a train may not be able to restart in this position at all and would have to be broken into sections short enough for the locomotive to pull up the incline.
- 2) The amount of time involved in stopping and starting a train at this location will likely block the road crossings in Dennison and Uhrichsville for extended periods causing problems with vehicular traffic flow in these cities.
- 3) Some of our trains that run through this area are scheduled to run in the late night hours. This presents additional safety hazards in getting on and off of the locomotive and walking along the right-of-way in the dark.
- 4) At the current time we run two trains per day @ 105 cars per train across this crossing.

Will the Commission rescind the stop and flag order and allow CUOH to continue operating through this crossing under the present guidelines and regulations?

Sincerely,

Daniel Birrell, Signal Supervisor
 The Columbus & Ohio River Rail Road Company
 (740) 296-4122

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