

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of the )  
Columbus & Ohio River Railroad to Install ) Case No. 09-867-RR-FED  
Active Grade Crossing Warning Devices in )  
Tuscarawas County. )

ENTRY

The attorney examiner finds:

- (1) By entry of October 7, 2009, the Commission ordered, in part, the Columbus & Ohio River Railroad (CUOH) to install, by October 7, 2010, flashing lights and roadway gates at the County Road 37/Pleasant Valley Road grade crossing (510-745W), located in Union Township, Tuscarawas County.
- (2) By entry of October 1, 2010, the Commission granted CUOH a 30-day extension of time until November 6, 2010, to complete the project.
- (3) On November 1, 2010, CUOH filed a second request for a 30-day extension of time to complete the project. CUOH indicated that the availability of its workforce has been limited due to other projects in Licking County and an industry backlog resulted in a delay of necessary equipment to complete the project.
- (4) On November 2, 2010, staff filed a memo recommending that CUOH's request for a 30-day extension of time be granted. Staff noted that the approved contractor for the project maintains a low overhead on inventory and that the other project with which CUOH's workforce has been working is now complete.
- (5) By entry of September 19, 1996, in *In the Matter of the Implementation of the 1996 Federal Crossing Protection Program*, Case No. 96-676-RR-FED (Entry September 19, 1996), the Commission authorized the attorney examiner assigned to the case to grant extensions for up to 30 days and indicated that any request for an extension in excess of 30 days would be considered and decided by the Commission. Given the circumstances surrounding this request, the attorney examiner

will grant CUOH's request for a 30-day extension of time to complete this project. Accordingly, CUOH should complete the project by December 6, 2010.

It is, therefore,

ORDERED, That CUOH's request for a 30-day extension of time to complete the project is granted. It is, further,

ORDERED, That CUOH complete the project by December 6, 2010. It is, further,

ORDERED, That copies of this entry be served upon CUOH, ORDC, Ohio Central System, Tuscarawas County Engineer, American Electric Power, and any other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Scott Farkas  
Attorney Examiner

gaf/sc

Entered in the Journal

NOV 03 2010



Renee J. Jenkins  
Secretary