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**Public Utilities
Commission of Ohio**

Memo

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2010 DEC -9 PM 2:40
PUCO

To: Docketing Division
From: Jill Henry, Rail Specialist, Rail Division
Cc: PUCO Legal Department
Date: 12/9/10

Re: PUCO Case No. 10-204-RR-STP- In the matter of a request for CSX Transportation, Inc. to install active grade crossing warning devices in Butler County, Oxford Township at Taylor Rd.(DOT#154-092R) and Ringwood Rd. (DOT#154-089H).

On January 21, 2010, Commission Staff, The Ohio Rail Development Commission (ORDC), CSX Transportation, Inc.(CSX), and Oxford Township, Butler County, Ohio entered into an agreement whereby active grade crossing warning devices would be installed in Butler County, Oxford Township at Ringwood Rd. (DOT#154-089H).

On February 12, 2010, The Ohio Rail Development Commission authorized funding for the project.

On March 3, 2010, the Commission issued a Finding and Order approving the project and requiring the submission of plans and estimates by June 3, 2010.

On June 2, 2010, CSX filed with the Rail Division plans and estimates for the project.

Due to some design concerns raised by PUCO Staff, considerable discussion between the Federal Railroad Administration, the PUCO, and CSX has taken place over the last six months. PUCO Staff and CSX have come to a decision that resolves the Staff's design issues.

The plans and estimates submitted by CSX have been reviewed and authorization for the Taylor project by the PUCO and ORDC is recommended, based on the stipulation outlined in the attached construction authorization.



Public Utilities Commission

Ted Strickland, Governor
Alan R. Schriber, Chairman

Commissioners

Valerie A. Lemmie
Paul A. Centolella
Cheryl Roberto
Steven D. Lesser

December 9, 2010

CSX Transportation, Inc.
Shelby Stevenson
Principal Engineer Public Projects
500 Water Street-J301
Jacksonville, FL 32202

Re: CSX Grade Crossing, Taylor Road
DOT#154-092R, Oxford Township, Butler
County

Mr. Stevenson:

CSX is now authorized to proceed with field construction for the above referenced project. This authorization is contingent upon accepting the following:

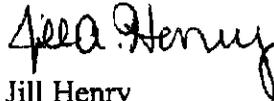
- 1) **CSX will make the adjustments to the plans** noted in the field report docketed December 9, 2010. (Attached).
- 2) CSX will furnish prior e-mailed, faxed or phone notification five (5) working days prior to the start of field construction to Jill Henry, PUCO, at E-MAIL jill.henry@puc.state.oh.us, or FAX 614-995-5535 and Tim Perkins, ORDC, at E-MAIL Tim.Perkins@dot.state.oh.us, or PHONE 614-580-7749.
- 3) CSX's project foreman will also notify the PUCO and ORDC of any stops and re-starts of the work activity and of the date work was completed for the project.
- 4) CSX will arrange for utilities to be relocated and/or dropped (as soon as possible) at the project site through the Ohio Utilities Protection Service (OUPS) and prior to any construction activities. Utilities that are not participating members of the OUPS service must be contacted directly by CSX.
- 5) CSX's project foreman will notify the PUCO Railroad Inspector and ORDC's Tim Perkins 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.
- 6) CSX will furnish three (3) copies of each partial bill to the PUCO and ORDC.
- 7) CSX will furnish three (3) copies of the final-inclusive bill to PUCO and ORDC stating that exact dates of starting and completing work, the initial and final dates of construction and location where the accounts may be audited.

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- 8) CSX will furnish as-built detailed circuit plans directly to PUCO and ORDC.
- 9) CSX is to schedule and complete the subject project by March 3, 2011. If any extraordinary circumstances unique to this project occur, please notify the Commission's rail staff and the ORDC immediately.

Thank you for you cooperation in this matter.

Sincerely,



Jill Henry
Rail Specialist
PUCO Rail Division

Enclosure
cc: LHA; ORDC; File

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

Date of Assignment: June 2, 2010

Date of Inspection: June 10, 2010, August 26, 2010

Subject: Plans and estimates review for active warning devices at rail grade crossing Taylor Road (DOT# 154-092R), CSX Transportation, Inc. (CSX), Butler County

DOT #: 154-092R

FINDINGS

Taylor Road

Taylor Road is a 2-lane roadway traveling North/South and intersecting one track of CSX traveling East/West across Taylor Road. Existing warning devices consist of advanced warnings signs, pavement markings, and crossbucks.

On June 11, 2010, Shawn Zurfley, PUCO/FRA Rail Inspector conducted an office review of the plans and estimates for the crossing. Mr. Zurfley stated the following based on his review:

The Taylor Road project estimate appears to contain the usual and customary charges. However I do not approve of the plans for Taylor Road. If you review page 25 of the PDF version it shows the track layout with two circuit controllers for the siding track. One circuit controller is connected to the switch and opens the track circuit when the switch is not in the normal position. The second circuit controller is used to detect the position of the derail on the siding track. This circuit controller is connected to the main track and causes the approach circuits to be shunted when the derail is out of correspondence. This will then set the block signals to red and hold out any trains from entering the block when the spur track is being used. The wayside signals are roughly 4000 feet away from the road crossing and the switch. The problem I have is if the train passes the wayside signal and the circuit controller for the derail goes out of correspondence the crossing approaches have been greatly reduced since the circuit controller shunts the rail. This has the potential to cause a short warning or even an activation failure. The type of system they have on the derail has been outlawed since 1984 but CSX has received a waiver from the FRA to be able to still install them.

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On June 10, 2010, an on-site review of the plans and estimates was performed at the crossing by Tim Perkins, Ohio Rail Development Commission, Grade Crossing Specialist, and Jill Henry, PUCO Rail Specialist. No additional issues were discovered based on the site plan review.

The PUCO contacted the Federal Railroad Administration (FRA) to discuss the details of the design and the waiver granted in 1984 for CSX. On August 26, 2010, an on-site meeting was held with the FRA, the PUCO, and CSX to discuss the issue and possible alternatives. At that meeting, CSX decided to review the design and suggest possible alternatives and to look into the possibility of eliminating the existing switch.

After a lack of response from CSX, the PUCO offered an alternative to possibly resolve the situation. To address the de-rail situation and prevent short warning or activation failures, Mr. Shawn Zurfley offered the solution of extending the island length to include the de-rail controller. On December 7, 2010, the PUCO and CSX had a conference call and an agreement was made to extend the island length to include the de-rail controller.

SUMMARY AND CONCLUSIONS

The plans and estimates for the proposed project have been reviewed. The estimates appear to contain the usual and customary charges. Construction authorization should be granted for this project with the stipulation that the island length must be extended to include the de-rail controller.

Jill Henry
PUCO Rail Specialist
Date: December 9, 2010