

FAX

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## FAX TRANSMISSION SHEET

DATE: February 3, 2011

TO: The Public Utilities Commission of Ohio  
Docketing Division

FAX NUMBER: (614) 466-0313

FROM: D. Casey Talbott

FILE NUMBER: N1432/176814

NUMBER OF PAGES (including this sheet): 5

MESSAGE: Re: In the Matter of the Authorization of Norfolk Southern Railway to  
Upgrade the Circuitry at Two Grade Crossings in Fulton and Erie Counties

PUCO Case No: 10-43-RR-FED

REQUEST FOR EXTENSION OF CONSTRUCTION DEADLINED. Casey Talbott (0046767)  
Mark W. Sandretto (0079536)  
EASTMAN & SMITH LTD.  
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PUCO

**EASTMAN & SMITH LTD.**

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*Established 1844*

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February 3, 2011

**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

Re: In the Matter of the Authorization of Norfolk Southern Railway to  
Upgrade the Circuitry at Two Grade Crossings in Fulton and Erie  
Counties.  
PUCO Case No. 10-43-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 &amp; SMITH LTD.

  
D. Casey Talbott

DCT/kml  
Enclosures

cc: Leah Thomas-Dalton (w/enc.)  
Susan J. Kirkland (w/enc.)  
Huron City Manager (w/enc.)  
First Energy (w/enc.)  
Fulton County Engineer (w/enc.)

Columbus •

Toledo •

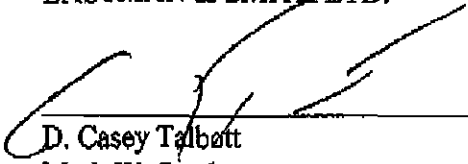
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Respectfully submitted,

EASTMAN & SMITH LTD.



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Attorneys for Norfolk Southern  
Railway Company

**MEMORANDUM IN SUPPORT**

By Entry of February 11, 2010, the Commission authorized Norfolk Southern to upgrade the warning device circuitry at the following grade crossings: Archbold Road/County Road D (509-519B) in Fulton County and Rye Beach Road/County Road 122 (524-059N) in Erie County, with the respective upgrades to be completed by February 10, 2011.

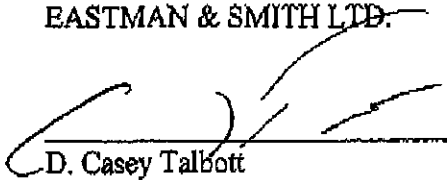
The upgrade at the Rye Beach Road/County Road 122 crossing is completed. The upgrade at the Archbold Road/County Road D crossing has commenced, but its completion has been or will continue to be delayed by three main circumstances: 1) the utility companies experienced some difficulty locating the project, toward confirming the location of the underground utility lines; 2) Norfolk Southern's crews have a mandatory safety meeting during the week of February 7 (meaning the week of the current deadline); and 3) most notably, inclement (winter) weather.

In light of the above, Norfolk Southern respectfully requests an extension of time of up to thirty (30) days – through March 12, 2011 – to complete the upgrade at the Archbold

Road/County Road D crossing (although note that Norfolk Southern hopes to have the work completed during the week of February 21, 2011).

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 3<sup>rd</sup> day of February, 2011, 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, 2<sup>nd</sup> Floor, Columbus, Ohio 43223; Huron City Manager, 417 Main Street, Huron, Ohio 44839; First Energy, c/o Steven Ouellette, 76 South Main Street, Akron, Ohio 44308; and Fulton County Engineer, c/o Frank Onweller, 9120 County Road 14, Wauseon, Ohio 43567.

  
\_\_\_\_\_  
Attorney for Norfolk Southern  
Railway Company