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**EASTMAN & SMITH LTD.**

ATTORNEYS AT LAW

*Established 1844*

D. Casey Talbott  
Attorney at Law  
Direct Dial: 419-247-1845  
dctalbott@eastmansmith.com

One SeaGate, 24<sup>th</sup> Floor  
P.O. Box 10032  
Toledo, Ohio 43699-0032  
Telephone: 419-241-6000  
Facsimile: 419-247-1777

February 18, 2011

**VIA FACSIMILE AND U.S. MAIL**

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

RECEIVED-DOCKETING DIV  
2011 FEB 22 PM 2:14  
PUCO

**Re: In the Matter of the Authorization of CSX Transportation, Indiana & Ohio  
Railway and Norfolk Southern Railway to Install Active Grade Crossing  
Warning Devices in Five Counties  
PUCO Case No. 07-1169-RR-FED  
Our File No: N1432/176814**

Dear Docketing Clerk:

Attached for filing is a Status Report.

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.)  
Robert L. Stanley (w/enc.)

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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

[illegible]

In the Matter of the Authorization of CSX Transportation, Indiana & Ohio Railway and Norfolk Southern Railway to Install Active Grade Crossing Warning Devices in Five Counties.	:	Case No. 07-1169-RR-FED
	:	<b><u>STATUS REPORT</u></b>
	:	D. Casey Talbott (0046767) (Counsel of Record)
	:	Mark W. Sandretto (0079536) EASTMAN & SMITH LTD.
	:	One SeaGate, 24 <sup>th</sup> Floor P.O. Box 10032
	:	Toledo, Ohio 43699-0032 Telephone: (419) 241-6000
	:	Fax: (419) 247-1777
	:	Attorneys for Norfolk Southern Railway Company

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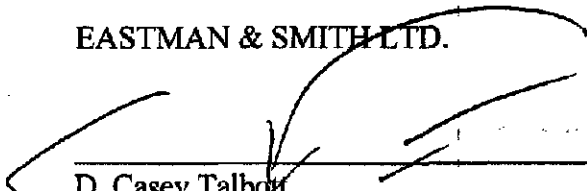
On February 18, 2011, Miamisburg confirmed that a recent meeting had been canceled, due to inclement weather, and its council was now scheduled to meet on March 1 (in study session) to review the instant consolidation project, in anticipation of moving forward with first and second readings of related consent legislation, on March 15 and April 5, respectively.

The parties hope to reach an agreement by that date (meaning by April 5, 2011), which would then be confirmed via formal subsidy agreement to be executed by all interested parties.

Assuming the Commission's approval, Norfolk Southern will file a further Status Report by April 8, 2011.

Respectfully submitted,

EASTMAN & SMITH LTD.




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D. Casey Talbot  
Mark W. Sandretto  
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P.O. Box 10032  
Toledo, Ohio 43699-0032  
Telephone: (419) 241-6000  
Fax: (419) 247-1777

Attorneys for Norfolk Southern  
Railway Company

**PROOF OF SERVICE**

A copy of the foregoing *Status Report* was mailed this 18<sup>th</sup> day of February, 2011 to: **Leah Thomas Dalton**, Deputy Chief, Transportation Department, Safety Programs Division/Rail, c/o The Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43266-0573; **Susan J. Kirkland**, Manager, Safety Programs, Ohio Rail Development Commission, 1980 West Broad Street, 2nd Floor, Columbus, Ohio 43223; and **Robert L. Stanley**, City Engineer, 10 North First Street, Miamisburg, Ohio 45342.



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Attorney for Norfolk Southern  
Railway Company