

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Request of the)
Wheeling & Lake Railway to Complete) Case No. 09-995-RR-FED
Grade Crossing Projects, Village of)
Hartville, Stark County.)

ENTRY

The attorney examiner finds:

- (1) By entry dated November 12, 2009, the Commission directed Wheeling & Lake Erie Railway (WE) to proceed with and complete grade crossing projects at Maple Street/SR 619, DOT# 472-624T, and North Prospect Avenue/CR 56, DOT# 472-625A, in the Village of Hartville, Stark County, by May 11, 2011.
- (2) On May 2, 2011, WE filed a request for an extension of time, until August 1, 2011, to complete the projects. In support of the request, WE cited design problems with the crossing gates. WE also stated that the Village of Hartville required additional time to redesign the traffic signal portion of the projects. Further, the village has yet to address culvert issues at the crossings to provide proper drainage.
- (3) On May 2, 2011, Commission staff filed a memorandum recommending that WE's requested extension of time be granted.
- (4) Given the circumstances surrounding this request, the attorney examiner will grant an extension of time to the next regularly scheduled Commission meeting, currently scheduled for May 19, 2011. At that time, the Commission will address WE's request for an extension of the deadline to complete the projects in a separate entry.

It is, therefore,

ORDERED, That WE be granted an extension of time in this matter until the next regularly scheduled Commission meeting. It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

Kerry K. Sheets
By: Kerry K. Sheets
Attorney Examiner

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/vrm

Entered in the Journal

MAY 10 2011

Betty McCauley
Betty McCauley
Secretary