

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

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

ENTRY

The Commission finds:

- (1) By its entry dated November 12, 2009, the Commission ordered the Wheeling & Lake Erie Railway (WE or railroad) to install flashing lights and roadway gates at Maple Street/SR 619, DOT# 472624T, and North Prospect Ave./CR 56, DOT# 472625A, in the village of Hartville, Stark County, on or before May 11, 2011. The entry also ordered the interconnection of highway traffic signals with the railroad warning devices. Further, the funding for these projects was secured through the American Recovery and Reinvestment Act of 2009.
- (2) On May 2, 2011, WE filed in this docket a request for an extension of time to complete these projects, until August 1, 2011. In support of the request, WE stated that the clearance time required by the interconnection resulted in approach lengths for crossing circuitry of 4,000 feet on either side of the crossing (WE reported this on June 30, 2010.). WE stated that the design for these locations required the railroad to redesign for four-quadrant gates, with an increase in the project cost. In addition, WE noted that the village of Hartville required additional time to redesign the traffic signal portion of the project and that the village also has yet to address culvert issues at the crossings to provide proper drainage.
- (3) On May 2, 2011, Commission staff filed a memorandum stating it has been aware of the issues surrounding this project since June 30, 2010, and that WE's request is well made, though not timely. Staff recommended that the Commission grant this request.
- (4) By entry dated May 10, 2011, the attorney examiner granted an extension of time in this matter until the next regularly scheduled Commission meeting.

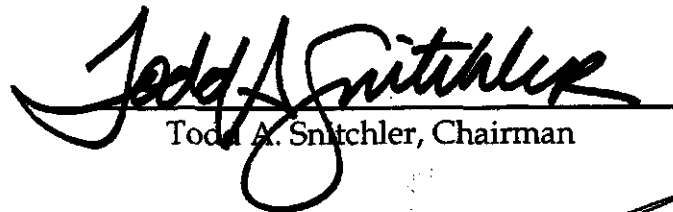
- (5) The Commission finds that the deadline for completion of these projects should be extended as requested. Accordingly, WE should complete the project by August 1, 2011. Staff should monitor the work at this crossing to insure that the projects are completed with as little delay as possible. WE is reminded that it is responsible for timely complying with Commission orders.

It is, therefore,

ORDERED, That the requested extension be granted and that WE complete this project by August 1, 2011. It is, further,

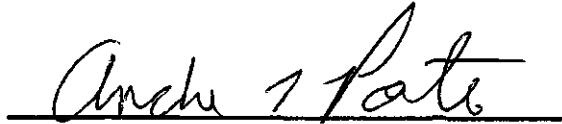
ORDERED, That copies of this entry be served upon WE, the Ohio Rail Development Commission, the mayor of Hartville, and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman

Paul A. Centolella


Steven D. Lesser



Andre T. Porter

Cheryl L. Roberto

KKS/vrm

Entered in the Journal

MAY 19 2011


Betty McCauley
Secretary