

FILE

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07-1169-RR-FED

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May 19, 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 MAY 20 PM 2:30
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.)

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician SM Date Processed May 20 2011

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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
	:	<u>STATUS REPORT</u>
	:	D. Casey Talbott (0046767) (Counsel of Record)
	:	Mark W. Sandretto (0079536) EASTMAN & SMITH LTD.
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	:	Attorneys for Norfolk Southern Railway Company

[illegible]

This will serve as a Status Report in the above matter.


On April 26, 2011 Miamisburg's city council passed consent legislation providing for the closure of the vehicular crossing at Buckeye Street and the pedestrian crossing at Park Avenue.

The ORDC is now preparing and will circulate a confirmatory subsidy agreement to be executed by all parties in interest, and which will confirm the improvements to be made throughout the Miamisburg corridor, including at the Kercher Street crossing.

Assuming the Commission's approval, Norfolk Southern will file a further Status Report by July 6, 2011.

Respectfully submitted,

EASTMAN & SMITH LTD.



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Attorneys for Norfolk Southern
Railway Company

PROOF OF SERVICE

A copy of the foregoing *Status Report* was e-mailed this 19th day of May, 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.



Attorney for Norfolk Southern
Railway Company