

FILE

**Public Utilities
Commission of Ohio**

Memo

10-945-RR-FED

To: Docketing Division
From: George Martin, Grade Crossing Planner, Rail Division *REM*
Re: PUCO Case No. 10-945-RR-FED Request by the Youngstown & Austintown Railroad Company for a 30-day extension of time to complete a project
Date: September 27, 2011

By its entry dated July 29, 2010, the Commission ordered, in part, that the Youngstown & Austintown Railroad Company (YARR) install mast-mounted and cantilevered flashing lights at Mahoning County, City of Youngstown, Meridian Rd, DOT# 262368A, on or before July 29, 2011.

YARR was granted a 30-day extension of time on July 11, 2011, and a further 30-day extension on August 29, 2011, establishing an ordered in-service date of September 29, 2011. YARR had, in their first request, lost their original contractor. In their second request, an unforeseen utility issue occurred which affected the placement of a cantilever. Additionally, insufficient right-of-way existed for the placement of the mast foundation.

On September 20, 2011, Inspector Robert Reustle recommended that a variance from the standards set forth in the Manual of Uniform Traffic Control Devices be granted to allow placement for the cantilever assembly in the NW quadrant on railroad right-of-way. In an email on September 20, 2011, YARR stated "Let's start back on Meridian Tuesday the 20th and we can have this job complete by deadline".

Staff notes that YARR apparently has only one crew available for work, but has a second project due (Yoder Rd, 474256M, Case No. 10-480-RR-STP, Tuscarawas County) on September 26, 2011. An extension request for this project was denied on September 20, 2011.

On September 23, 2011, YARR filed in this docket a third request for a 30-day extension. According to the railroad and Inspector Reustle, the problems giving rise to the earlier extension request were resolved as of September 20. The reason for the latest request is worded exactly the same as the request of August 25, 2011. Because the reason for extension is for a problem that has been resolved, staff does not recommend granting this request.

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