

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of)
RJ Corman Railroad Company (Cleveland)) Case No. 11-5679-RR-FED
to Install Active Grade Crossing Warning)
Devices in Stark County.)

ENTRY

The Commission finds:

- (1) On November 7, 2011, the Commission Staff filed a memorandum stating that the Ohio Rail Development Commission (ORDC) had authorized funding for RJ Corman Railroad Company (Cleveland) (RJCL) to install mast-mounted flashing lights, roadway gates, and one set of cantilevered flashing lights at Stark County, near Beach City, Justus Ave/County Road 307A (142-576V).
- (2) Staff indicated that ORDC has approved the plans and estimates for the project. Staff recommended that construction for the project be completed within 9 months.
- (3) RJCL is hereby authorized to commence construction. RJCL shall notify Staff at least five working days before the date work is scheduled to begin at the project site so that arrangements can be made for inspections. In addition, RJCL shall notify Staff of any changes in the scope of work, cost overruns, materials, etc., which are not in the approved plans and estimates and secure approval before the work is performed.
- (4) Within 120 days of the issuance of this entry, RJCL shall file in the docket notice that it has initiated discussions with the Ohio Edison Company (OE) to ensure that electric service will be available to enable the grade crossing improvements to be constructed and placed in service within the deadline specified by the Commission. Such filing shall identify the steps RJCL has taken with OE, government entity, and local highway authority to have electric service available during the construction and cut-in phases of the projects. RJCL shall serve a copy of the notice upon the public utility. To ensure that the deadline is met, RJCL shall timely inform the Commission, in

writing, of any issues regarding the availability of electric service.

- (5) The Commission will issue no further construction authorization. Further, the construction of the mast-mounted flashing lights, roadway gates, and one set of cantilevered flashing lights should be completed by September 14, 2012.
- (6) In order to expedite the activation of the warning devices, the Commission no longer requires railroad companies to delay such activation pending final inspection by staff. However, RJCL should notify Staff and ORDC 30 days before the projected date of completion. At the time the Commission or ORDC Staff makes its final inspections of the devices and if it finds that the identified installation is completed and the warning devices have been put in service, Staff should file a memorandum in this docket indicating that the installation is completed and the warning devices have been put in service.
- (7) With the intention of promoting increased public safety during the pendency of the projects, the Commission urges the appropriate local government agencies to make an immediate assessment of interim physical improvements, which would enhance driver awareness at the crossing. The Commission may provide assistance in funding improvements such as rumble strips, illumination, signs, or other safety enhancements at the project location. Applications for such funding should be made to the Commission's Transportation Department, Rail Division, which shall review all proposals. In the event the department finds the improvements appropriate, the department director is hereby authorized to execute a contract with the local government agency, and obligate up to \$5,000 from the State Grade Crossing Safety Fund for such improvements. However, the local government agency should not initiate any improvements until a contract has been executed.

It is, therefore,

ORDERED, That RJCL notify Staff at least five working days before the date work is scheduled to begin at the project site so that arrangements can be made for inspections. It is, further,

ORDERED, That, by April 12, 2012, RJCL file a notice that it has initiated with OE the process to ensure that electric service will be available at the involved grade crossing as set forth in finding 4. It is, further,

ORDERED, That RJCL notify the Commission and ORDC 30 days before the projected date of completion. It is, further,

ORDERED, That RJCL proceed with and complete the project by September 14, 2012. It is, further,

ORDERED, That RJCL notify Staff of any changes in the scope of work, cost overruns, materials, etc., which are not in the approved plans and estimates and secure approval before the work is performed. It is, further,

ORDERED, That at the time Staff or ORDC makes its final inspection and if it finds that the installations at the grade crossing are completed and the warning devices have been put in service, Staff will file a memorandum in this docket indicating that the installations are completed and the warning devices have been put in service. It is, further,

ORDERED, That copies of this entry be served upon all interested parties of record.

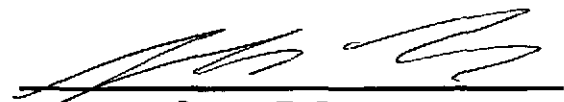
THE PUBLIC UTILITIES COMMISSION OF OHIO



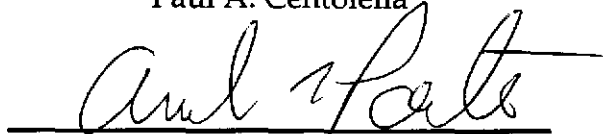
Todd A. Snitchler, Chairman



Paul A. Centolella



Steven D. Lesser



Andre T. Porter

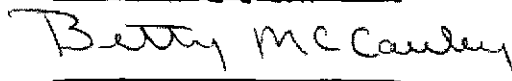


Cheryl L. Roberto

JJT/sc

Entered in the Journal

DEC 14 2011



Betty McCauley
Secretary