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*Established 1844*

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January 9, 2012

**FILE****VIA FACSIMILE AND OVERNIGHT MAIL**

The Public Utilities Commission of Ohio  
 Docketing Division  
 180 East Broad Street  
 Columbus, Ohio 43215-3793  
 Fax No.: 614-466-0313

**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 overnight 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 &amp; SMITH LTD.

D. Casey Talbott

DCT/kml  
 Enclosures

cc: Leah Thomas Dalton (via e-mail)  
 Susan J. Kirkland (via e-mail)  
 Robert L. Stanley (via e-mail)

**PUCO****2012 JAN -9 PM 4:27**

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 document delivered in the regular course of business.  
 Technician *[Signature]* Date Processed 01-09-12

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of	:	Case No. 07-1169-RR-FED
CSX Transportation, Indiana & Ohio		
Railway and Norfolk Southern	:	<b><u>STATUS REPORT</u></b>
Railway to Install Active Grade		
Crossing Warning Devices in Five	:	D. Casey Talbott (0046767)
Counties.		(Counsel of Record)
	:	Mark W. Sandretto (0079536)
		EASTMAN & SMITH LTD.
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	:	Attorneys for Norfolk Southern
		Railway Company

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

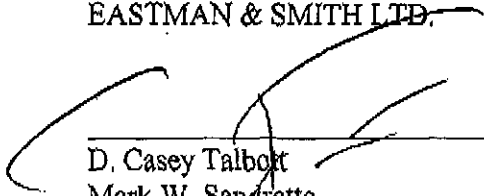
To the undersigned's understanding, the confirmatory Subsidy Agreement has been executed by the ORDC and the Commission, and has been forwarded to the remaining parties, Norfolk Southern and the City of Miamisburg, for execution on their respective ends which should be accomplished in fairly short order. At that point the City should be in a position to proceed with

effectuating the involved physical closures (x2), while the ORDC processes the requisite paperwork toward proceeding with the related circuitry work.

Norfolk Southern will file a further Status Report by February 10, 2012.

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 9<sup>th</sup> day of January, 2012 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