

FILE

EASTMAN & SMITH LTD.

ATTORNEYS AT LAW

Established 1844

12-2196-RR-RCP 4

D. Casey Talbott  
Attorney at Law  
Direct Dial: 419-247-1845  
dctalbott@eastmansmith.com

One SeaGate, 24<sup>th</sup> Floor  
P.O. Box 10032  
Toledo, Ohio 43699-0032  
Telephone: 419-241-6000  
Facsimile: 419-247-1777

July 30, 2012

VIA HAND-DELIVERY

The Public Utilities Commission of Ohio  
Docketing Division  
180 East Broad Street  
Columbus, Ohio 43215-3793

Re: In the Matter of the Request of Norfolk Southern Railway Company  
to Downgrade the Existing Warning Devices at the Spring Street Grade  
Crossing (503-105E) in Loudonville, Ashland County  
PUCO Case No.  
Our File No: N1432/176814

Dear Docketing Clerk:

Enclosed for filing are an original and seven (7) copies of a Request to Downgrade  
Warning Devices. Please file this pleading and then return a date-stamped copy to me via the enclosed,  
stamped envelope.

Please call me – at (419) 241-6000 – if you have any questions or concerns.

Thank you.

Very truly yours,

EASTMAN & SMITH LTD.

Casey Talbott

DCT/kml  
Enclosures

cc: Leah Thomas Dalton (via e-mail)  
Susan J. Kirkland (via e-mail)  
Cayela Wimberly (via e-mail)  
Stewart Zody/Curt Young (via mail)

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 LD Date Processed 7-30-12

RECEIVED-DOCKETING DIV  
2012 JUL 30 PM 3:56  
PUCO

Columbus • Toledo • Findlay • Novi

[illegible]

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

[illegible]

In the Matter of the Request of  
Norfolk Southern Railway Company  
to Downgrade the Existing Warning  
Devices at the Spring Street Grade  
Crossing (503-105E) in Loudonville,  
Ashland County.

: Case No.

: **REQUEST TO DOWNGRADE**

: **WARNING DEVICES**

: D. Casey Talbott (0046767)

: (Counsel of Record)

: Mark W. Sandretto (0079536)

: EASTMAN & SMITH LTD.

: One SeaGate, 24<sup>th</sup> Floor

: P.O. Box 10032

: Toledo, Ohio 43699-0032

: Telephone: (419) 241-6000

: Fax: (419) 247-1777

: Attorneys for Norfolk Southern

: Railway Company

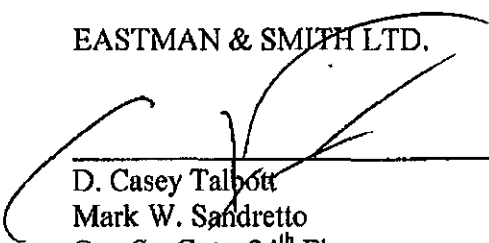
[illegible]

Norfolk Southern Railway Company ("Norfolk Southern") respectfully requests that the Commission convene a diagnostic review at the Spring Street grade crossing (503-105E) in Loudonville, Ashland County, and assuming MUTCD-compliant, that it issue an Order authorizing Norfolk Southern to permanently remove a cantilever which had existed in the northwest quadrant of the crossing.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.



---

D. Casey Talbott  
Mark W. Sandretto  
One SeaGate, 24<sup>th</sup> Floor  
P.O. Box 10032  
Toledo, Ohio 43699-0032  
Telephone: (419) 241-6000  
Fax: (419) 247-1777

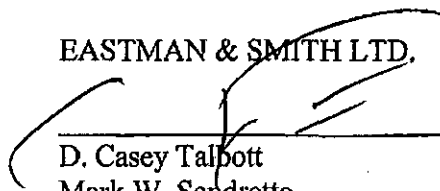
Attorneys for Norfolk Southern  
Railway Company

**MEMORANDUM IN SUPPORT**

A motor vehicle struck and irreparably damaged the foundation/cantilever assembly in the northwest quadrant of the Spring Street grade crossing, resulting in the need for its removal. A concern has been raised with respect to whether a cantilever is in fact mandated at this location. Accordingly, Norfolk Southern respectfully requests that the Commission convene a diagnostic review at the crossing and, assuming MUTCD-compliant, that it issue an Order authorizing Norfolk Southern to permanently remove the cantilever, and to replace it with the existing flasher-gate combination as mounted on a single mast, together with a crossbuck.

Respectfully submitted,

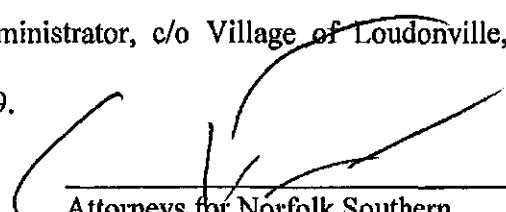
EASTMAN & SMITH LTD.

  
\_\_\_\_\_  
D. Casey Talbott  
Mark W. Sandretto  
One SeaGate, 24<sup>th</sup> Floor  
P.O. Box 10032  
Toledo, Ohio 43699-0032  
Telephone: (419) 241-6000  
Fax: (419) 247-1777

Attorneys for Norfolk Southern  
Railway Company

**PROOF OF SERVICE**

A copy of the foregoing *Request to Downgrade Warning Devices* was e-mailed this 3<sup>rd</sup> day of July, 2012, to: **Leah Thomas-Dalton**, Chief, PUCO Rail Division, Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215; **Susan J. Kirkland**, Manager, Safety Programs, c/o Ohio Rail Development Commission, 1980 West Broad Street, 2<sup>nd</sup> Floor, Columbus, Ohio 43223; and **Cayela Wimberly**, Norfolk Southern Corporation, 1200 Peachtree St., NE, P.O. Box 123, Atlanta, Georgia 30309; and mailed to **Stewart Zody/Curt Young**, Mayor/Village Administrator, c/o Village of Loudonville, 156 North Water Street, Loudonville, Ohio 44842-1249.

  
\_\_\_\_\_  
Attorneys for Norfolk Southern  
Railway Company