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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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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. 12-2196-RR-RCP

: **CONSENT REQUEST TO CONTINUE**
HEARING

: D. Casey Talbott (0046767)

: (Counsel of Record)

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: Attorneys for Norfolk Southern
Railway Company

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Norfolk Southern Railway Company respectfully requests that the hearing set for 10:00 a.m. on November 1, 2012 be continued.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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Attorneys for Norfolk Southern
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MEMORANDUM IN SUPPORT

On October 16, counsel for Norfolk Southern learned that this matter had been set for hearing at 10:00 a.m. on November 1, 2012. Unfortunately, the undersigned has a conflict on that date, as he is scheduled to be in Court that morning in another area of the state.

Regardless, the parties would benefit by an additional window of time within which to confer further toward determining whether some agreement can be reached here and, absent same, then to adequately prepare for the hearing.

Counsel for the Village of Loudonville has been advised of and consents to this request.

For the foregoing reasons, Norfolk Southern Railway Company respectfully requests that the hearing scheduled for 10:00 a.m. on November 1, 2012 be continued to some mutually-convenient date and time.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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PROOF OF SERVICE

A copy of the foregoing *Consent Request to Continue Hearing* was e-mailed this 18th day of October, 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 **Thomas R. Gilman**, Kick & Gilman LLC, 133 South Market Street, Loudonville, Ohio 44842, Attorneys for Village of Loudonville.

/s/ D. Casey Talbott

Attorney for Norfolk Southern
Railway Company

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Case No(s). 12-2196-RR-RCP

Summary: Request Consent Request to Continue Hearing electronically filed by Mr. D. Casey Talbott on behalf of Norfolk Southern Railway Company