

FILE

**Public Utilities  
Commission of Ohio**

# Memo

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PUCO

**To:** Docketing Division  
**From:** George Martin, Grade Crossing Planner, Rail Division  
**Re:** PUCO Case No. 13-543-RR-FED, MRTA crossings in Summit County  
**Date:** February 28, 2013

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On February 27, 2013, staff filed a memo opening the above referenced case. Two of three crossings in the case are located in Summit County, near Krumroy, Killian Rd/CR 135, DOT# 142907F, and Pressler Rd/CR 137, DOT# 142906Y. These crossings are owned by the Metro Regional Transit Authority.

Section 306.31, Revised Code, states that a Regional Transit Authority is a political subdivision of the state. Consequently, as the Commission determined in Case No. 06-393-RR-FED, MRTA cannot be the subject of a Commission order. However, as in Case No. 06-393-RR-FED, the Ohio Rail Development Commission may continue the MRTA project without the involvement of the Commission.

Accordingly, staff requests that the Finding and Order issued in Case No. 13-543-RR-FED reflect only the Wheeling & Lake Erie Railway grade crossing in Wyandot County.

C: Legal Department

Parties of record

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