

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of )  
Norfolk Southern Railway Company to )  
Close to Vehicular Traffic the Stores )  
Road/Township Road 159 Grade ) Case No. 12-2145-RR-UNC  
Crossing (DOT No. 472543T), Located in )  
Brown Township, Paulding County, )  
Ohio. )

ENTRY

The attorney examiner finds:

- (1) On May 22, 2013, the attorney examiner issued an entry scheduling a August 14, 2013, evidentiary hearing in this case.
- (2) On August 8, 2013, counsel for Norfolk Southern Railway Company (NS) filed a request to continue the evidentiary hearing to October 30, 2013. NS explains that it has reinitiated discussions with Brown Township in an attempt to reach an agreement regarding the requested closure of the Stores Road/Township Road 159 grade crossing. NS also states that a scheduling conflict has arisen regarding the ability of its primary witness to testify at the August 14, 2013, hearing, because the witness has also been asked to appear at Federal Railroad Administration proceedings on August 14, 2013, for matters unrelated to this case. NS closes by stating that Brown Township agrees with the request to continue the evidentiary hearing to October 30, 2013.
- (3) The attorney examiner finds NS's request for a continuance is reasonable and should be granted. Accordingly, the evidentiary hearing is continued to October 30, 2013, at 1:00 p.m. at the Commission offices, 180 East Broad Street, Hearing Room 11-D, Columbus, Ohio 43215-3793.

It is, therefore,

ORDERED, That the evidentiary hearing be continued to October 30, 2013, at 1:00 p.m. in Hearing Room 11-D at the Commission Offices, 180 East Broad Street, Columbus, OH 43215-3793. It is, further,

ORDERED, That a copy of this entry be served upon ORDC, NS and its counsel, the Brown Township Trustees, the Paulding County Prosecuting Attorney, and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/ James M. Lynn

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By: James M. Lynn  
Attorney Examiner

jrj/sc

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**8/12/2013 11:51:46 AM**

**in**

**Case No(s). 12-2145-RR-UNC**

Summary: Attorney Examiner Entry continuing the evidentiary hearing to October 30, 2013, at 1:00 p.m., electronically filed by Vesta R Miller on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission of Ohio