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RECEIVED-DOCKETING DIV

2014 MAR 11 PM 1:14

**Public Utilities
Commission of Ohio**

PUCO

Memo

To: Docketing Division
From: George Martin, Grade Crossing Planner, Rail Division 
Re: In the matter of the authorization of CSX Transportation, Norfolk Southern Railway, and the Wheeling & Lake Erie Railway to install active grade crossing warning devices in Defiance, Seneca, Columbiana, and Summit Counties
Date: March 10, 2014

The Ohio Rail Development Commission (ORDC) has authorized funding for CSX Transportation (CSX), Norfolk Southern Railway (NS) and the Wheeling & Lake Erie Railway (WE) to install active grade crossing warning devices as follows:

CSX, Defiance County, City of Defiance, SR 18, DOT# 142347B, **cantilevered flashing lights**
CSX, Seneca County, Big Spring Township, St Peter Rd/TR 96, DOT# 228775P, **flashing lights & gates**

NS, Columbiana County, Washington Township, Hazel Run Rd/TR 879, DOT# 502936L, **flashing lights & gates**

WE, Summit County, City of Akron, Fairway Plaza Drive, DOT# 002122L, **flashing lights & gates**

These crossings were surveyed between March, 2012 and September 2013 and were found to warrant the upgrades. The projects will be paid for with federal funds, and are actual cost. As the plans and estimates for the projects have been submitted and approved, staff requests a Finding & Order with completion due in nine months. Construction may commence at once. Staff requests that the following language be incorporated in the Entry:

It is expected that all work necessary for FHWA acceptance of the warning devices will be completed by the in-service due date and that the railroad will be responsible for this work. This work includes, but is not limited to:
Any ancillary work to make the warning devices function as designed and visible to the roadway user, and
MUTCD compliance, including minor roadway work if necessary.

A suggested case coding and heading would be:

PUCO Case No. 14- 392 -RR-FED In the matter of the authorization of CSX Transportation, Norfolk Southern Railway, and the Wheeling & Lake Erie Railway to install active grade crossing warning devices in Defiance, Seneca, Columbiana and Stark Counties

C: Legal Department

Please serve the following parties of record.

Ms Cathy Stout

Ohio Rail Development Commission

1980 W Broad St, Mailstop # 3140

Columbus, Oh 43223

Washington Township Trustees

100 Commerce St

Salineville, Oh 43945

Ms Amanda DeCesare

CSX Transportation

1717 Dixie Hwy, Ste 400

Ft Wright, Ky 41011

Big Spring Township Trustees

7380 W TR 148

New Riegel, Oh 44853

Ms Cayela Wimberly

Norfolk Southern Railway

1200 Peachtree St, Box 123

Atlanta, Ga 30309

Patrick Dille

ODOT District 1

1805 N McCullough St

Lima, Oh 45801

Mr Tim Andrews

Wheeling & Lake Erie Railway

100 E First St

Brewster, Oh 44613

AEP, Toledo Edison, & Ohio Edison

Mr Dave Gasper, Engineer

City of Akron

Municipal Building 7th Floor

166 South High Street

Akron, Ohio 44308

**OHIO RAIL DEVELOPMENT COMMISSION
INTER-OFFICE COMMUNICATION**

TO: Randall Schumacher, Supervisor, Rail Division, PUCO
FROM: Cathy Stout, Manager, Safety Section, ORDC
BY: Don Damron, Project Manager, ORDC
SUBJECT: Defiance County, SR 18-28.31 / CSX Transportation
DOT# 142347B
PID# 97003
DATE: March 7, 2014

The Ohio Rail Development Commission (ORDC) established a Diagnostic Review Team Survey at the subject highway/railroad crossing location on 9/26/2013. The Public Utilities Commission of Ohio (PUCO) attended the Diagnostic Survey. The Diagnostic Review Team recommended the improvement of mast and cantilever mounted flashing lights (no gates). Copies of the Diagnostic Review Team Survey form and the railroad plan and estimate are attached.

The PE has already been provided by the railroad. ORDC approves the site plans and estimates as provided. Please issue a construction-only order for the project outlined above. This authorization is made with the stipulation and understanding that an approved estimate may contain entries for items or activities that may be cited and found to be ineligible for federal participation during the project audit.

It is expected that all work necessary for FHWA acceptance of the warning devices will be completed by the in-service due date and that the railroad will be responsible for this work. This work includes, but is not limited to:

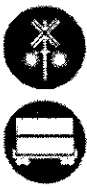
- any ancillary work to make warning devices function as designed and visible to the roadway user, and
- MUTCD compliance – including minor roadway work if necessary.

Thank you for your assistance with these matters.

Attachments:

Diagnostic Review Team Survey dated 9/26/2013
Force Account Estimate dated 1/31/2014
Proposed Crossing Layout – PE Approved Plan

c: George Martin, PUCO
ORDC Project Manager (file)



OHIO RAIL DEVELOPMENT COMMISSION

Mail Stop #3140, 1980 West Broad Street, Columbus OH 43223

John R. Kasich, Governor • James G. Bradley, Chairman

March 7, 2014

Amanda DeCesare
Project Manager – Public Projects
CSX Transportation
1717 Dixie Highway, Suite 400
Ft. Wright, KY 41011

RE: Grade Crossing Warning Device Improvement – Construction Authorization
Defiance County, SR 18 - 28.31
DOT# 142347B
PID# 97003
CSX OP: OH0976

Dear Ms. DeCesare:

The Force Account Estimate dated 1/31/2014 and the Proposed Crossing Layout for the referenced project have been reviewed and are acceptable. CSX Transportation may proceed with the construction of the proposed grade crossing warning system in accordance with the abbreviated plan. This authorization is made with the stipulation and understanding that the approved estimate may contain entries for items or activities that may be cited and found to be ineligible for federal participation during the project audit. Reimbursement of eligible actual cost is limited to \$233,554.00. Additional costs must be approved in writing by the Ohio Rail Development Commission (ORDC) prior to being incurred. Emergency verbal authorizations by ORDC may be permitted and will be confirmed by ORDC in writing within ten (10) business days of the verbal approval.

This authorization is contingent upon CSX Transportation accepting the following instructions:

1. CSX must obtain a MR 505 Permit from ODOT District 1 relevant to the placement of the Cantilever within ODOT SR 18 right-of-way in the northeast quadrant of the highway/railroad at-grade crossing. The required permit must be obtained prior to construction. The link to the MR 505 Application on the ODOT District 1 page is: <http://www.dot.state.oh.us/districts/D01/PlanningPrograms/permits/Pages/default.aspx>. Please be sure that the approved plan sheet is attached to the permit application.
2. CSX's project foreman will furnish written notification five (5) working days prior to the date work will start at the project site to Don Damron, ORDC, Mail Stop #3140, 1980 West Broad Street, 2nd Floor, Columbus Ohio 43223, or email don.damron@dot.state.oh.us, or Fax 614-728-4520, (phone: 614-466-2509; cell phone: 614-917-8466), and to the Public Utilities Commission of Ohio at George.martin@puc.state.oh.us (phone 614-752-9107). The CSX project foreman will also notify the same of any stops and re-starts of the work activity and of the date work was completed for the project.



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phone: 614.644.0306

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2. CSX will arrange for utilities to be located at the project site by the Ohio Utilities Protection Service (OUPS) prior to any construction activities at the site. Utilities that are not participating members of the service must be contacted directly by CSX.
3. CSX 's project foremen will notify Don Damron at 614-917-8466 (cell) or don.damron@dot.state.oh.us (email) of any changes in the scope of work, cost overruns, material changes, etc. which are not included in the approved plan and estimate and secure approval of same before the work is performed.
4. CSX will furnish two (2) copies of each partial bill to ORDC. Please find the enclosed ODOT Purchase Order to reference when billing.
5. CSX will furnish two (2) copies of the final all-inclusive bill to ORDC stating the exact dates of starting and completing work, the initial and final dates of construction and location where the accounts may be audited.

Thank you for your assistance with these matters.

Sincerely,



Donald J. Damron
Project Manager

C: Randall Schumacher, Supervisor, Rail Division, PUCO
George Martin, Grade Crossing Planner, PUCO
ORDC (file)

**OHIO RAIL DEVELOPMENT COMMISSION
INTER-OFFICE COMMUNICATION**

TO: Randall Schumacher, Supervisor, Rail Division, PUCO
FROM: Cathy Stout, Manager, Safety Section, ORDC
BY: Don Damron, Project Manager, ORDC
SUBJECT: Seneca County, TR 96 St Peter Rd / CSX Transportation
DOT# 228775P
PID# 96125
DATE: March 7, 2014

The Public Utilities Commission of Ohio (PUCO) established a Diagnostic Review Team Survey at the subject highway/railroad crossing location on 5/15/13. The Ohio Rail Development Commission (ORDC) attended the Diagnostic Survey. The Diagnostic Review Team recommended the improvement of warning devices to flashing lights and roadway gates. Copies of the Diagnostic Review Team Survey form and the railroad plan and estimate are attached.

The PE has already been provided by the railroad. ORDC approves the site plans and estimates as provided. Please issue a construction-only order for the project outlined above. This authorization is made with the stipulation and understanding that an approved estimate may contain entries for items or activities that may be cited and found to be ineligible for federal participation during the project audit.

It is expected that all work necessary for FHWA acceptance of the warning devices will be completed by the in-service due date and that the railroad will be responsible for this work. This work includes, but is not limited to:

- any ancillary work to make warning devices function as designed and visible to the roadway user, and
- MUTCD compliance – including minor roadway work if necessary.

Thank you for your assistance with these matters.

Attachments:

Diagnostic Review Team Survey dated 5/15/13
Force Account Estimate dated 9/17/2013
Proposed Crossing Layout – PE Approved Plan

c: George Martin, PUCO
ORDC Project Manager (file)



OHIO RAIL DEVELOPMENT COMMISSION

Mail Stop #3140, 1980 West Broad Street, Columbus OH 43223

John R. Kasich, Governor • James G. Bradley, Chairman

March 7, 2014

Amanda DeCesare
Project Manager – Public Projects
CSX Transportation
1717 Dixie Highway, Suite 400
Ft. Wright, KY 41011

RE: Grade Crossing Warning Device Improvement – Construction Authorization
Seneca County, TR 96, St Peter Road
DOT# 228775P
PID# 96125
CSX ACCT. CODE: OH0950

Dear Ms. DeCesare:

The Force Account Estimate dated 9/17/2013 along with the Proposed Crossing Layout for the referenced project have been reviewed and are acceptable. CSX Transportation may proceed with the construction of the proposed grade crossing warning system in accordance with the abbreviated plan. This authorization is made with the stipulation and understanding that the approved estimate may contain entries for items or activities that may be cited and found to be ineligible for federal participation during the project audit. Reimbursement of eligible actual cost is limited to \$197,356.00. Additional costs must be approved in writing by the Ohio Rail Development Commission (ORDC) prior to being incurred. Emergency verbal authorizations by ORDC may be permitted and will be confirmed by ORDC in writing within ten (10) business days of the verbal approval.

This authorization is contingent upon CSX Transportation accepting the following instructions:

1. CSX's project foreman will furnish written notification five (5) working days prior to the date work will start at the project site to Don Damron, ORDC, Mail Stop #3140, 1980 West Broad Street, 2nd Floor, Columbus Ohio 43223, or email don.damron@dot.state.oh.us, or Fax 614-728-4520, (phone: 614-466-2509; cell phone: 614-917-8466), and to the Public Utilities Commission of Ohio at George.martin@puc.state.oh.us (phone 614-752-9107). The CSX project foreman will also notify the same of any stops and re-starts of the work activity and of the date work was completed for the project.
2. CSX will arrange for utilities to be located at the project site by the Ohio Utilities Protection Service (OUPS) prior to any construction activities at the site. Utilities that are not participating members of the service must be contacted directly by CSX.



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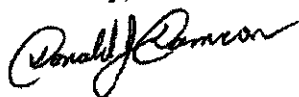
phone: 614.644.0306

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3. CSX 's project foremen will notify Don Damron at 614-917-8466 (cell) or don.damron@dot.state.oh.us (email) of any changes in the scope of work, cost overruns, material changes, etc. which are not included in the approved plan and estimate and secure approval of same before the work is performed.
4. CSX will furnish two (2) copies of each partial bill to ORDC. Please find the enclosed ODOT Purchase Order to reference when billing.
5. CSX will furnish two (2) copies of the final all-inclusive bill to ORDC stating the exact dates of starting and completing work, the initial and final dates of construction and location where the accounts may be audited.

Thank you for your assistance with these matters.

Sincerely,



Donald J. Damron
Project Manager

C: Randall Schumacher, Supervisor, Rail Division, PUCO
George Martin, Grade Crossing Planner, PUCO
ORDC (file)

OHIO RAIL DEVELOPMENT COMMISSION INTER-OFFICE COMMUNICATION

TO: Randall Schumacher, Rail Division Chief, PUCO

FROM: Cathy Stout, Manager, Safety Section, ORDC

BY: Mike Forte', Project Manager, ORDC *M. Forte*

SUBJECT: Hazel Run Road
Washington Township, Columbiana County
Norfolk Southern
US DOT 502 936L

DATE: March 10, 2014

The Public Utilities Commission of Ohio (PUCO) established a diagnostic survey at the subject location on September 17, 2012. The Ohio Rail Development Commission (ORDC) attended the review. The Diagnostic Team recommended the improvement of warning devices to flashing lights and roadway gates. Copies of the diagnostic review form and the plan and estimate are attached.

PE has already been provided by the railroad. ORDC approves the site plans and estimates as provided. Please issue a construction-only order for the project outlined above. This authorization is made with the stipulation and understanding that an approved estimate may contain entries for items or activities that may be cited and found to be ineligible for federal participation during the project audit.

It is expected that all work necessary for FHWA acceptance of the warning devices will be completed by the in-service due date and that the railroad will be responsible for this work. This work includes, but is not limited to:

- any ancillary work to make warning devices function as designed and visible to the roadway user, and
- MUTCD compliance – including minor roadway work if necessary.

Thank you for your assistance with these matters.

Attachment: Diagnostic Review
Plans & Estimates

c: George Martin, PUCO
Susan Arduini, ORDC
ORDC Project Manager (file)



OHIO RAIL DEVELOPMENT COMMISSION

Mail Stop #3140, 1980 West Broad Street, Columbus OH 43223

John R. Kasich, Governor • James G. Bradley, Chairman

March 10, 2014

Ms. Cayela J. Wimberly
Norfolk Southern Railway
Public Projects Engineer
1200 Peachtree Street, Box 123
Atlanta, Ga. 30309

RE: Grade Crossing Warning Project
Nolan Road (Hazel Run Road), USDOT 502 936L
Columbiana County
PID 94554

Dear Ms. Wimberly:

The revised plan submitted January 28, 2014 and estimate dated April 29, 2013, for the referenced project has been reviewed and is acceptable. Norfolk Southern (NS) may proceed with the construction of the proposed grade crossing warning system in accordance with the abbreviated plan. This authorization is made with the stipulation and understanding that the approved estimate may contain entries for items or activities that may be cited and found to be ineligible for federal participation during the project audit. Reimbursement of eligible actual cost is limited to \$280,000.00. Additional costs must be approved in writing by the ORDC prior to being incurred. Emergency verbal authorizations by ORDC may be permitted and will be confirmed by ORDC in writing within ten (10) business days of the verbal approval.

This authorization is contingent upon NS accepting the following instructions:

1. NS's project foreman will furnish written notification five (5) working days prior to the date work will start at the project site to the Public Utilities Commission of Ohio at George.martin@puc.state.oh.us. NS's project foreman will also notify the same of any stops and re-starts of the work activity and of the date work was completed for the project.
2. NS's project foreman will furnish written notification five (5) working days prior to the date work will start at the project site to Mike Fortè, Ohio Rail Development Commission (ORDC), email Mike.forte@dot.state.oh.us or telephone 614- 374-9287. NS's project foreman will also notify the same of any stops and re-starts of the work activity and of the date work was completed for the project.



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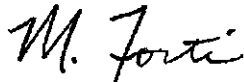
phone: 614.644.0306

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3. NS will arrange for utilities to be located at the project site by the Ohio Utilities Protection Service (OUPS) prior to any construction activities at the site. Utilities that are not participating members of the service must be contacted directly by NS.
4. NS's project foremen will notify Mike Fortè of any changes in the scope of work, cost overruns, material changes, etc. which are not included in the approved plan and estimate and secure approval of same before the work is performed.
5. NS will furnish two (2) copies of each partial bill to ORDC. Please find the enclosed Purchase Order to reference when billing.
6. NS will furnish two (2) copies of the final all-inclusive bill to ORDC stating the exact dates of starting and completing work, the initial and final dates of construction and location where the accounts may be audited.
7. **Modify the site plan to include a set of flashing lights for SIG "A" directed towards the dirt driveway.**

Thank you for your assistance with these matters.

Sincerely,



Michael Fortè
Project Manager

Attachments: letter agreement, purchase order

- C: Randall Schumacher, Rail Division Chief, PUCO
George Martin, Grade Crossing Planner, PUCO
Susan Arduini, ORDC
ORDC (file)

OHIO RAIL DEVELOPMENT COMMISSION INTER-OFFICE COMMUNICATION

TO: Randall Schumacher, Supervisor, Rail Division, PUCO

FROM: Cathy Stout, Manager, Safety Section, ORDC

BY: Mike Forte', Project Manager, ORDC *M. Forte*

SUBJECT: Fairway Plaza, WLE, City of Akron, US DOT 002 122L

DATE: March 10, 2014

The Ohio Rail Development Commission (ORDC) established a diagnostic survey at the subject location on March 14, 2013. The Public Utilities Commission of Ohio (PUCO) attended the review. The Diagnostic Team recommended the improvement of warning devices to flashing lights and roadway gates. Copies of the diagnostic review form and the plan and estimate are attached.

PE has already been provided by the railroad. ORDC approves the site plans and estimates as provided. Please issue a construction-only order for the project outlined above. This authorization is made with the stipulation and understanding that an approved estimate may contain entries for items or activities that may be cited and found to be ineligible for federal participation during the project audit.

It is expected that all work necessary for FHWA acceptance of the warning devices will be completed by the in-service due date and that the railroad will be responsible for this work. This work includes, but is not limited to:

- any ancillary work to make warning devices function as designed and visible to the roadway user, and
- MUTCD compliance – including minor roadway work if necessary.

Thank you for your assistance with these matters.

Attachment: Diagnostic Review
Plan & Estimate

c: George Martin, PUCO – S. Arduini - M. Forte' (file)



OHIO RAIL DEVELOPMENT COMMISSION

Mail Stop #3140, 1980 West Broad Street, Columbus OH 43223

John R. Kasich, Governor • James G. Bradley, Chairman

March 10, 2014

Tim Andrews
S & C Supervisor
Wheeling & Lake Erie Railway Company
100 East First Street
Brewster, OH 44613

Re: Grade Crossing Warning Project
Fairway Plaza, City of Akron
US DOT 002 122L
PID 95811

Dear Mr. Andrews:

The revised plan transmitted in Dan's December 12, 2013 email, and the estimate dated October 17, 2013 for the referenced project has been reviewed and is acceptable. Wheeling & Lake Erie Railway Company (WLE) may proceed with the construction of the proposed grade crossing warning system in accordance with the abbreviated plan. This authorization is made with the stipulation and understanding that the approved estimate may contain entries for items or activities that may be cited and found to be ineligible for federal participation during the project audit. Reimbursement of eligible actual cost is limited to \$253,603.22. Additional costs must be approved in writing by the Ohio Rail Development Commission (ORDC) prior to being incurred. Emergency verbal authorizations by ORDC may be permitted and will be confirmed by ORDC in writing within ten (10) business days of the verbal approval.

This authorization is contingent upon WLE accepting the following instructions:

1. WLE's project foreman will furnish written notification five (5) working days prior to the date work will start at the project site to ORDC, email mike.forte@dot.state.oh.us, and to the Public Utilities Commission of Ohio at George.martin@puc.state.oh.us. WLE's project foreman will also notify the same of any stops and re-starts of the work activity and of the date work was completed for the project.
2. WLE will arrange for utilities to be located at the project site by the Ohio Utilities Protection Service (OUPS) prior to any construction activities at the site. Utilities that are not participating members of the service must be contacted directly by WLE.



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3. WLE's project foremen will notify Mike Forte at 614-374-9287 or mike.forte@dot.state.oh.us of any changes in the scope of work, cost overruns, material changes, etc. which are not included in the approved plan and estimate and secure approval of same before the work is performed.
4. WLE will furnish one (1) copy of each partial bill to ORDC. Please find the enclosed ODOT P.O. Number to reference when billing.
5. WLE will furnish one (1) copy of the final all-inclusive bill to ORDC stating the exact dates of starting and completing work, the initial and final dates of construction and location where the accounts may be audited.

Thank you for your assistance with these matters.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Forte".

Michael Forte'
Project Manager

C: George Martin, PUCO, Grade Crossing Planner
S. Arduini, ORDC
ORDC (file)

Attachment: Purchase Order