

[illegible]

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

[illegible]

In the Matter of a Consolidation
Project with Norfolk Southern
Railway in the City of Middletown,
Butler County.

: Case No. 13-1906-RR-FED

: **CONSENT REQUEST FOR**
EXTENSION OF CONSTRUCTION
DEADLINE

: D. Casey Talbott (0046767)
(Counsel of Record)

: EASTMAN & SMITH LTD.
One SeaGate, 24th Floor

: P.O. Box 10032
Toledo, Ohio 43699-0032

: Telephone: (419) 241-6000
Fax: (419) 247-1777

: Attorneys for Norfolk Southern
Railway Company

[illegible]

With the consent of the City of Middletown, Norfolk Southern Railway Company respectfully requests an extension of time of six (6) months – through March 18, 2015 – within which to complete the instant consolidation project.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

D. Casey Talbott

One SeaGate, 24th 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

This is a consolidation project which involves the installation of premium surfaces at two of the City of Middletown's grade crossings (Central Avenue and Verity Parkway, DOT#s 524-677N and 525-342C, respectively) to be followed by the consolidation/closure of the City's Grand Avenue grade crossing (524-680W).

Substantial progress has been made – specifically, the premium surfaces have been installed at both Central and Verity Parkway. The involved parties (the City, the ORDC, and Norfolk Southern) remain in the process of trouble-shooting various concerns re the surface installations, and which may necessitate additional construction at the respective crossings; accordingly, and with winter weather approaching (including the closing of asphalt plants, etc.), Norfolk Southern respectfully requests an extension of time of six (6) months – through March 18, 2015 – within which to complete this consolidation project.

The City has been advised of and consents to this request.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott
D. Casey Talbott
One SeaGate, 24th 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 *Consent Request for Extension of Construction Deadline* was filed with the Commission electronically this 4th day of September, 2014. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ D. Casey Talbott
Attorney for Norfolk Southern
Railway Company

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/4/2014 4:44:00 PM

in

Case No(s). 13-1906-RR-FED

Summary: Request Consent Request for Extension of Construction Deadline electronically filed by Mr. D. Casey Talbott on behalf of Norfolk Southern Railway Company