

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of)
CSX Transportation, Inc. to Close to)
Vehicular Traffic the Bloomingrove/New) Case No. 14-379-RR-UNC
Winchester Road Grade Crossing (DOT)
No. 262042J), Located in Washington)
Township, Morrow County, Ohio.)

ENTRY

The attorney examiner finds:

- (1) On March 7, 2014, CSX Transportation, Inc. (CSX) filed a petition to close the Bloomingrove/New Winchester Road (Bloomingrove-NW Road Crossing) grade crossing (DOT No. 262042J), located between Morrow County and Crawford County.
- (2) By Entry issued April 4, 2014, interested persons were invited to file comments in response to the CSX petition by April 30, 2014.
- (3) On April 30, 2014, Morrow County filed a response to CSX's petition requesting that the Commission deny the petition. Morrow County asserts that closing the crossing will limit county residents' access to their properties, will reduce access to properties by fire and rescue services, and will inconvenience mail carriers. Additionally, Morrow County avers that CSX routinely stops trains at the crossing and that CSX intends to use the crossing as a siding, which is not a proper reason to close a crossing pursuant to R.C. 4907.475.
- (4) On May 2, 2014, the Board of the Crawford County Commissioners (Crawford County) also filed a response to CSX's petition requesting that the Commission deny the petition. Crawford County asserts that the crossing is used as an avenue of exit during high school cross country events, that the crossing is necessary to maintain availability of emergency services, and that Crawford County will bear the burden of increased traffic as a result of closing the crossing.

- (5) Pursuant to R.C. 4907.475, the Commission must hold a public hearing on a petition to close a grade crossing on a road or highway other than a state highway, which is located outside the limits of a municipal corporation, and shall hold the hearing within the county in which the crossing is located. Because of the nature of this crossing, public hearings were held in both Morrow and Crawford counties on July 15, 2014.
- (6) On November 17, 2014, CSX filed a motion for a prehearing conference pursuant to Ohio Adm.Code 4901-1-26(A)(1-7) for parties to determine an appropriate date for hearing in this matter. On December 8, 2014, the attorney examiner granted CSX's motion for prehearing conference and scheduled a prehearing teleconference for January 19, 2015.
- (7) The attorney examiner finds that the prehearing teleconference should be rescheduled for January 30, 2015, at 10:00 a.m. At that time, parties wishing to participate in the prehearing teleconference should dial-in at (866) 209-2820 and use conference code 7956949825#.

It is, therefore,

ORDERED, That the prehearing teleconference be rescheduled for January 30, 2015, at 10:00 a.m., in accordance with finding (7). It is, further,

ORDERED, That a copy of this Entry be served upon the Ohio Rail Development Commission, CSX and its counsel, the Morrow County Prosecuting Attorney, the Board of the Crawford County Commissioners, and any interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Bryce McKenney

By: Bryce A. McKenney
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

1/14/2015 11:37:55 AM

in

Case No(s). 14-0379-RR-UNC

Summary: Attorney Examiner Entry rescheduling the prehearing teleconference for 01/30/2015 at 10:00 a.m. - electronically filed by Sandra Coffey on behalf of Bryce McKenney, Attorney Examiner, Public Utilities Commission of Ohio