

**Public Utilities
Commission of Ohio**

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PUCO

Memo

To: Docketing Division
From: Jill Henry, Rail Specialist, Rail Division
Cc: PUCO Legal Department
Date: 2/5/15



Re: PUCO Case No. 13-301-RR-STP- In the matter of a request for Norfolk Southern Railway Company to install active grade crossing warning devices in the Village of Ashville at Griggs Street (DOT#481-432A) in Pickaway County.

On January 4, 2013, Commission Staff, the Ohio Rail Development Commission (ORDC), Norfolk Southern Railway Company (NS), and the Village of Ashville, Ohio (LHA) entered into an agreement (attached) whereby active grade crossing warning devices would be installed in Pickaway County, at Griggs Street (DOT#481-432A).

On January 8, 2013, the Ohio Rail Development Commission authorized funding for the project.

On February 13, 2013, the Commission issued a Finding and Order approving the project and requiring the submission of plans and estimates by May 14, 2013 and for construction to be completed by February 13, 2014.

On May 2, 2013, NS filed with the Rail Division plans and estimates for the project. Construction authorization was granted on June 7, 2013.

On January 23, 2013, NS submitted a request for a six month extension of time for the completion of the project. In that request, NS noted that they were working with the Village of Ashville to coordinate the necessary roadway work that must be done in conjunction with the installation of the signals. On February 5, 2014, the Commission granted a six month extension until August 13, 2014.

NS filed a second six month extension request on July 30, 2014. In the request NS states that related track work has been completed and that the Village of Ashville has re-profiled the roadway approach to compensate for the track adjustments. This required that the adjacent intersection be redesigned. The Village has finalized those new roadway designs and hopes to complete the work by December 2014. NS will then be able to finish construction of the crossing signals. On August 20, 2014, the Commission granted a six month extension until February 13, 2015.

On January 29, 2015, NS filed a five month extension request. According to NS, the Village of Ashville is scheduled to complete the roadway work by the first part of May and then NS will be able to complete the crossing work. NS is requesting a 5 month extension until July 13, 2015.

Since NS cannot complete the crossing project until the roadway work is completed, staff recommends that the Commission grant the extension request.

[illegible]

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

[illegible]

In the Matter of a Request for Norfolk : Case No. 13-301-RR-STP
Southern Railway Company to Install
Active Grade Crossing Warning : **CONSENT REQUEST FOR**
Devices at Griggs Street, in the : **EXTENSION OF CONSTRUCTION**
Village of Ashville, Pickaway : **DEADLINE**
County.
 :
 : D. Casey Talbott (0046767)
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Attorneys for Norfolk Southern
Railway Company

[illegible]

With the consent of the Village of Ashville, Norfolk Southern Railway Company respectfully requests an additional extension of time of five (5) months – through July 13, 2015 – within which to complete the instant construction project.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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MEMORANDUM IN SUPPORT

This is a complex construction project which involves the relocation of the existing Griggs Street grade crossing (481-432A), and related surface and signal work, in furtherance of the Village's master development plan, and includes the installation of flashing lights and gates at the relocated crossing.

The parties continue to work well together here, and have made considerable progress – *e.g.*, Norfolk Southern has completed related track work (raising, etc.), and the Village has: profiled the proposed roadway approach, to compensate for track adjustment, designed the adjacent intersection, and finalized its roadway plans; bid and awarded the roadway contract; submitted the roadway plans to Norfolk Southern for its review and approval which has been secured; and entered into an appropriate agreement with Norfolk Southern toward performing the actual roadway work.

The parties are currently in the process of scheduling a pre-construction meeting, with the Village to then turn toward completing the roadway work as soon as possible, albeit contingent upon winter weather, with completion anticipated in late April versus early May.

Following the Village's completion of the roadway work, Norfolk Southern will perform signal installation at the relocated crossing, with completion anticipated in or about June of 2015. Norfolk Southern would then perform any requisite touch-up work, including the removal of the signals and surface, at the site of the existing crossing, and then final touch-up work at the site of the relocated crossing which would then be opened for vehicular traffic.

In light of the above, and with the Village's consent, Norfolk Southern respectfully requests an additional extension of time of five (5) months – through July 13, 2015 – within which to complete the instant construction project.

Respectfully submitted,

EASTMAN & SMITH LTD.

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PROOF OF SERVICE

A copy of the foregoing *Consent Request for Extension of Construction Deadline* was filed with the Commission electronically this 29th day of January, 2015. 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

1/29/2015 3:35:24 PM

in

Case No(s). 13-0301-RR-STP

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