

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Request for Norfolk)
Southern Railway Company to Install)
Active Grade Crossing Warning Devices at) Case No. 13-301-RR-STP
Griggs Street, in the Village of Ashville,)
Pickaway County.)

ENTRY

The Commission finds:

- (1) Pursuant to R.C. 4905.04, the Commission has statutory authority to regulate and promote the welfare and safety of railroad employees and the traveling public.
- (2) Pursuant to R.C. 4907.471, the Commission is responsible for evaluating public grade crossings to determine the need for installing active warning devices and apportioning the cost thereof.
- (3) R.C. 4907.471 also provides that the Commission is responsible for the administration and implementation of the State Grade Crossing Protection Fund, established to help defray a portion of the public's share of the cost of upgrading warning devices at Ohio's highway-railroad grade crossings.
- (4) By Finding and Order issued February 13, 2013, the Commission approved a subsidy stipulation between Staff, the Ohio Rail Development Commission (ORDC), which is an independent agency of the state within the Ohio Department of Transportation, the village of Ashville (Village), and Norfolk Southern Railway Company (NS), which is a railroad as defined in R.C. 4907.02 and subject to the jurisdiction of the Commission under R.C. 4905.04. Under the stipulation, NS was directed to install flashing lights and warning gates at the Griggs Street grade crossing (481-432A), located in the Village, and complete the project by February 13, 2014.
- (5) On various dates, the Commission granted NS extensions of the construction deadline, most recently until July 13, 2015. The extensions were granted due to equipment concerns,

inclement weather, and in order for the Village to complete the roadway work associated with the project.

- (6) On June 26, 2015, NS requested, with the consent of the Village, an additional extension of four months, through November 13, 2015, to complete the project. NS notes that it has completed the track work related to the project and the Village has profiled the proposed roadway approach to compensate for track adjustment, designed the adjacent intersection, and finalized its roadway plans. According to NS, the Village has completed approximately 75 percent of the work, but due to various concerns, including inclement weather and a utility conflict involving relocation of two poles, additional time is warranted and necessary. NS notes that the Village is expected to complete its roadway work within the next 45 days, after which, NS will install signals at the relocated crossing and will then perform any necessary touch-up work, including the removal of the signals and surface at the site of the existing crossing.
- (7) On June 29, 2015, Staff filed a memorandum recommending the Commission grant the extension request.
- (8) Upon review, the Commission finds that NS's request for an extension, until November 13, 2015, should be granted. Accordingly, NS is granted an extension of time until November 13, 2015, to complete the project. NS should follow all standard railroad crossing safety protocol to ensure the protection of the traveling public at this crossing. NS should expedite the work at this crossing to timely complete the project. In addition, Staff should continue to monitor the work at the project to ensure completion within the newly-ordered timeframe.

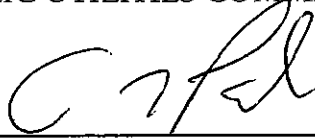
It is, therefore,

ORDERED, That NS's request for an extension of time to complete the project is granted in accordance with finding 8. It is, further,

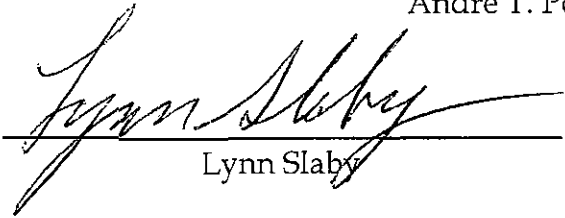
ORDERED, That NS complete the project by November 13, 2015. It is, further,

ORDERED, That copies of this Entry be served upon NS, ORDC, village of Ashville;
South Central Power Company, and any other interested person of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



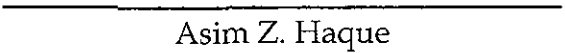
Andre T. Porter, Chairman



Lynn Slaby



M. Beth Trombold



Asim Z. Haque

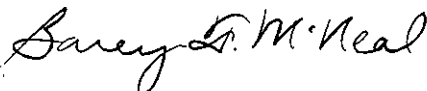


Thomas W. Johnson

SEF/dah

Entered in the Journal

JUL 08 2015



Barcy F. McNeal
Secretary