

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of)
Norfolk Southern Railway to Install) Case No. 15-1054-RR-FED
Active Grade Crossing Warning Devices)
in Athens County.)

ENTRY

The Commission finds:

- (1) R.C. 4905.04 provides that the Commission has statutory authority to regulate and promote the welfare and safety of railroad employees and the traveling public.
- (2) R.C. 4907.471 provides that the Commission shall survey all grade crossings and establish a priority list to determine which grade crossings are in need of additional protective devices.
- (3) R.C. 4907.476 provides that where the Ohio Department of Transportation (ODOT) enters into contracts and agreements for grade crossing protective device projects, the Commission shall work with and through the department. Federal funding for such projects is provided through the Ohio Rail Development Commission (ORDC), which is an independent agency of the state within ODOT, established in accordance with R.C. 4981.02.
- (4) Norfolk Southern Railway (NS) is a railroad as defined in R.C. 4907.02 and subject to the jurisdiction of the Commission under R.C. 4905.04.
- (5) By Finding and Order issued July 8, 2015, the Commission directed NS to install mast-mounted flashing lights and roadway gates at the Braun Street grade crossing (DOT#513-476S), located in the village of Glouster Athens County.
- (6) On March 24, 2016, NS filed a request to cancel the project. NS indicated that the rail line along which the involved crossing is located was taken out of service. As a result, NS requests that the project be cancelled.

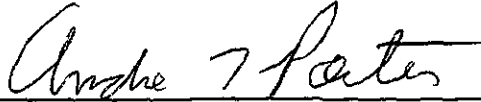
- (7) On March 25, 2016, ORDC filed a notice that, since the date of the diagnostic survey that recommended this project, the rail line that travels over this crossing is no longer in service. As a result, ORDC noted that it is in the process of cancelling federal funding for this project.
- (8) On March 25, 2016, Staff filed a memorandum recommending that the Commission cancel the project.
- (9) Upon review, the Commission finds that the Braun Street grade crossing improvement project should be cancelled and NS no longer is subject to the directives of the July 8, 2015 Finding and Order.

It is, therefore,

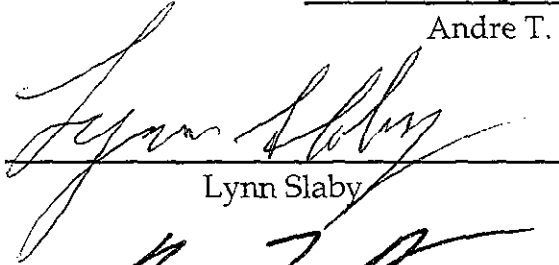
ORDERED, That the Braun Street grade crossing improvement project should be cancelled and NS no longer is subject to the directives of the July 8, 2015 Finding and Order. It is, further,

ORDERED, That copies of this Entry be served upon ORDC, NS, Mayor of the village of Glouster, Glouster Utility, and any other interested person of record.

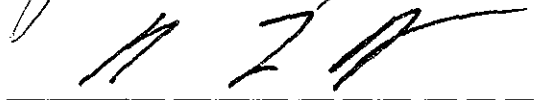
THE PUBLIC UTILITIES COMMISSION OF OHIO



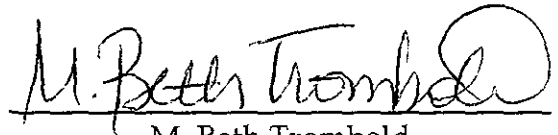
Andre T. Porter, Chairman



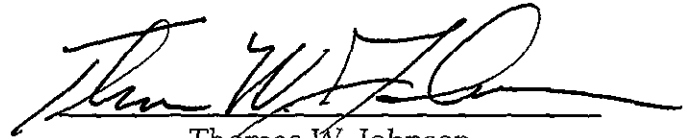
Lynn Slaby



Asim Z. Haque



M. Beth Trombold



Thomas W. Johnson

SEF/dah

Entered in the Journal
APR 14 2016



Barcy F. McNeal
Secretary