

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of)
Wheeling & Lake Erie Railway, CSX)
Transportation, and Norfolk Southern) Case No. 15-1011-RR-FED
Railway to Install Active Grade Crossing)
Warning Devices in Wyandot and)
Seneca Counties.)

ENTRY

The attorney examiner finds:

- (1) On July 1, 2015, the Commission issued a Finding and Order approving installation by CSX Transportation (CSX) of mast-mounted flashing lights and roadway gates at the Ward Road/Township Road 43 grade crossing (DOT#142230T), located in Seneca County, Loudon Township. The Commission ordered completion of the project by April 1, 2016, which was extended to May 2, 2016, by attorney examiner Entry.
- (2) On May 3, 2016, CSX filed a request to further extend the completion date to June 2, 2016. CSX explains that the location of the grade crossing is highly congested, with existing underground utilities requiring additional hand digging.
- (3) Staff filed a memorandum on May 4, 2016, concerning CSX's request. Staff emphasizes that the heavy volume of train traffic at that location does not allow a signal crew to work on or near the crossing, and has limited the time available for hand digging and other work necessary to complete the project.
- (4) Pursuant to the Commission's September 19, 1996 Entry in *In re 1996 Federal Crossing Protection Program*, Case No. 96-676-RR-FED, the Commission authorized the attorney examiner assigned to the case to grant extensions for up to 30 days.

- (5) Upon review of CSX's request and Staff's recommendation, the attorney examiner finds reasonable the need for more time to complete the project. Therefore, CSX's request for a 30-day extension of time is granted, with the project to be completed no later than June 2, 2016. CSX should expedite work on this project and follow all standard railroad crossing safety protocol to ensure the protection of the traveling public at this crossing. Further, Staff should monitor the work at the project to ensure completion within the newly ordered timeframe.
- (6) CSX should notify Staff, the Ohio Rail Development Commission (ORDC), and Loudon Township upon the completion of the project. At the time the Commission or ORDC makes its final inspection and finds that installation is completed, Staff should file a memorandum in this docket indicating that the project is completed.

It is, therefore,

ORDERED, That CSX's request for additional time to complete the project, no later than June 2, 2016, is granted in accordance with finding (5). It is, further,

ORDERED, That, when Staff or ORDC makes its final inspection and finds that the project is completed in accordance with the agreement, Staff will file a memorandum in this docket indicating that the project is completed. It is, further,

ORDERED, That a copy of this Entry be served upon CSX, ORDC, Loudon Township Trustees, North Central Electric Cooperative, and any other interested person of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

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in

Case No(s). 15-1011-RR-FED

Summary: Attorney Examiner Entry granting CSX's request for additional time to complete the project no later than 06/02/2016. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio