

[illegible]

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Authorization of	:	Case No. 15-1494-RR-FED
Norfolk Southern Railway to Install	:	
Active Grade Crossing Warning	:	<u>REQUEST TO EXTEND</u>
Devices in Perry County.	:	<u>CONSTRUCTION DEADLINE</u>
	:	
	:	D. Casey Talbott (0046767)
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	:	Railway Company

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Norfolk Southern Railway Company (“NSRC”) respectfully requests an extension of time of ninety (90) days – through September 28, 2016 – within which to complete the involved construction project at Clay Road/Township Road 185 (DOT# 513-448N) in Jackson Township, Perry County.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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MEMORANDUM IN SUPPORT

By Finding and Order of September 30, 2015, the Commission authorized NSRC to install mast-mounted flashing lights and roadway gates at the above-referenced crossing, with an assigned project completion deadline of June 30, 2016.

Effective March 21, 2016, a significant portion of the involved rail line – the West Virginia Secondary – was taken out of service, with speed restrictions placed on the remainder; in light of same, the expectation/intent of the interested parties was to request the project's cancellation (as was requested and granted in PUCO Case No. 15-1054). Just recently, however, and subject to STB approval, NSRC has entered into an agreement with Kanawha River Railroad to lease a significant portion of the involved line, including that at DOT# 513-448N.

In light of the above, and various outstanding concerns – *e.g.*, STB approval, ORDC analysis of the projected (lesser) train count, ramifications as to eligibility for federal funding, and attendant responsibilities for the project, NSRC respectfully requests that the deadline for completing the project be extended at this point for ninety (90) days, through

September 28, 2016. Upon conferring further with the interested parties, NSRC will follow with the Commission, toward suggesting an appropriate future course.

Respectfully submitted,

EASTMAN & SMITH LTD.

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PROOF OF SERVICE

A copy of the foregoing **Request to Extend Construction Deadline** was filed with the Commission electronically this 16th day of June, 2016. 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
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in

Case No(s). 15-1494-RR-FED

Summary: Request Request to Extend Construction Deadline electronically filed by Mr. D. Casey Talbott on behalf of Norfolk Southern Railway Company