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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Authorization of  
Norfolk Southern Railway to Install  
Active Grade Crossing Warning  
Devices in Perry County.

Case No. 15-1494-RR-FED

**REQUEST TO EXTEND  
CONSTRUCTION DEADLINE**

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Railway Company

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Norfolk Southern Railway Company (“NSRC”) respectfully requests a further extension of time of ninety (90) days – through December 27, 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, NSRC entered into an agreement with Kanawha River Railroad LLC ("KNWA") 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.*, 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 an additional ninety (90) days, through December 27, 2016.

NSRC will seek to include this project as an agenda item at the next ORDC Quarterly Meeting (currently scheduled for October 20, 2016), and will thereafter follow with the Commission, toward suggesting an appropriate future course.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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**PROOF OF SERVICE**

A copy of the foregoing **Request to Extend Construction Deadline** was filed with the Commission electronically this 16<sup>th</sup> day of September, 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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**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