

Memo

To: Docketing Division

From: Jill Henry, Rail Specialist, Rail Division

Cc: PUCO Legal Department

Date: 9/7/17

Re: PUCO Case No. 16-1413-RR-FED- In the Matter of the Authorization of Norfolk Southern Railway to Install Active Warning Devices at a Grade Crossing in Fulton County.

On January 25, 2013, the Ohio Rail Development Commission (ORDC) authorized funding for Norfolk Southern Railway (NS) to install lights and gates at the W. Barre Street, DOT#509-522J, grade crossing in Archbold, Fulton County, Ohio. The crossing was surveyed, on September 18, 2012, and was found to warrant the upgrade.

There were significant delays with the engineering of this project due multiple utility conflicts. ORDC granted construction authorization for this project on June 14, 2016.

On July 6, 2016, the Commission issued a Finding and Order approving the project and ordering project completion by April 6, 2017.

Since construction began, there have been additional utility conflicts found on site and resolution of them has been ongoing. Staff has participated in multiple on site meetings and conference calls, but the construction of the warning devices in the Northeast quadrant remains unresolved.

On March 23, 2017, NS filed a 30 day extension request for the project construction deadline and the Commission approved an extension until May 6, 2017. On April 24, 2017, NS filed a 120 day extension request and also requested a variance for the type of warning devices that were ordered to be installed in the Northeast quadrant. The Commission approved the extension request.

Staff has evaluated the variance request, had numerous discussions with NS and participated in on-site review with NS, ORDC, and the City of Archbold. The review was conducted, on July 19, 2017, and there were a few options discussed on-site to resolve the Northeast quadrant issues. ORDC and the PUCO has provided written comments to NS for review. Staff is waiting for NS to evaluate the potential options and determine if they want to proceed with the variance request or construct one of the options.

On September 1, 2017, NS filed a four month extension request. Since a final resolution is being developed between all parties, Staff supports the extension request requested by NS.

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Case No(s). 16-1413-RR-FED

Summary: Memorandum In the Matter of and Extension Request for Norfolk Southern Railway to Install Active Warning Devices at a Grade Crossing in Fulton County. electronically filed by Mrs. Jill A Henry on behalf of PUCO/Rail Division