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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Authorization of	:	Case No. 17-1508-RR-FED
Norfolk Southern Railway to Install	:	
New Active Warning Devices at Four	:	<u>REQUEST TO EXTEND</u>
Grade Crossings in the City of Dayton,	:	<u>CONSTRUCTION DEADLINE</u>
Montgomery County.	:	
	:	D. Casey Talbott (0046767)
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	:	Attorneys for Norfolk Southern
	:	Railway Company

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Norfolk Southern Railway Company (“NSRC”) respectfully requests an extension of time of twelve (12) months – through May 13, 2020 – within which to complete the final one of four involved construction projects in Dayton, Montgomery County.

A memorandum in support is attached.

Respectfully submitted,
EASTMAN & SMITH LTD.

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MEMORANDUM IN SUPPORT

Recall that this case involves construction projects at four separate grade crossings in Dayton, Montgomery County: Irwin Street (DOT #527818F), Miami Chapel Road (DOT #524629Y), Findlay Street (DOT #527819M), and Stewart Street (DOT #524628S).

Substantial progress has been made – specifically, Irwin was placed in-service as of November 5, 2018, Miami Chapel as of February 4, 2019, and Findlay as of February 12, 2019.

But outstanding utility conflicts have delayed final construction and cut-in at the remaining crossing – specifically, Stewart.

By way of greater information: There are two remaining utility conflicts at Stewart – Crown Castle which is expected to be resolved shortly (perhaps by the end of this week), and Charter which is expected to be resolved by or about the end of May. Following same, due to the approaching, federally-mandated PTC deadline, NRSC anticipates that it would need through approximately May of 2020 within which to complete construction and cut-in.

In the meantime, NSRC confirms that Stewart remains protected by active warning devices.

For the foregoing reasons, NSRC respectfully requests that the Commission grant it a further extension of time here, through May 13, 2020, within which to complete the instant project – specifically, to complete construction and cut-in at Stewart.

Respectfully submitted,
EASTMAN & SMITH LTD.

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PROOF OF SERVICE

A copy of the foregoing **Request to Extend Construction Deadline** was filed electronically with the Commission this 6th day of May, 2019. 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). 17-1508-RR-FED

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