

Memo

To: Docketing Division

From: Jill Henry, Rail Specialist, Rail Division

Cc: PUCO Legal Department

Date: 5/20/2019

Re: PUCO Case No. 18-1138-RR-FED- In the Matter of a Request for an Upgrade at the Norfolk Southern Railway Crossing, Main Street DOT#528-002B, in Madison County, Ohio.

On February 21, 2018, the Ohio Rail Development Commission (ORDC) authorized funding for Norfolk Southern Railway to modify the existing warning devices by adding sidelights, adding LED lights, and replacing masts at Main Street DOT#528-002B, in Madison County, Ohio. The crossing was surveyed on August 22, 2017 and found to warrant the upgrades.

On August 22, 2018, the Commission approved the project and ordered completion by May 22, 2019.

On May 8, 2019, NS filed for an extension until May 22, 2020. In the request, NS states that they have continued delays due to PTC (Positive Train Control) projects.

ORDC and Staff have reviewed this project and note that this project is only for upgrades to existing warning devices. Both parties feel that a 12 month extension is excessive given the amount of work needed to complete this project.

Staff recommends a 90 day extension for this project. Staff will not consider additional extensions of time, due to PTC, unless firm and reasonable construction deadlines are provided.

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

**In the Matter of the Authorization of
Norfolk Southern Railway to Upgrade
Active Warning Devices in the City
of London, Madison County.**

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REQUEST TO EXTEND CONSTRUCTION DEADLINE

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Norfolk Southern Railway Company ("NSRC") respectfully requests an extension of time of twelve (12) months – through May 22, 2020 – within which to complete the involved

construction project at the Main Street grade crossing (DOT #528002B) in London, Madison County.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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Attorneys for Norfolk Southern
Railway Company

MEMORANDUM IN SUPPORT

By Finding and Order of August 22, 2018, NSRC was authorized to add side lights and LED lights, and to replace masts, at the Main Street grade crossing in London, Madison County, with an original construction deadline of May 22, 2019.

In light of the approaching, federally-mandated PTC deadline, NSRC anticipates that it will need through approximately May of 2020 within which to complete this project.

In the meantime, NSRC confirms that the Main Street crossing remains protected by active warning devices.

For the foregoing reasons, NSRC respectfully requests that the Commission grant it an extension of time through May 22, 2020 within which to complete this project.

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 electronically with the Commission this 8th 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
Railway Company

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 18-1138-RR-FED

Summary: Request Request to Extend Construction Deadline electronically filed by Mr. D. Casey Talbott on behalf of Talbott, D. Casey Mr.

This foregoing document was electronically filed with the Public Utilities

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5/20/2019 11:51:54 AM

in

Case No(s). 18-1138-RR-FED

Summary: Memorandum In the Matter of a Request for an Upgrade at the Norfolk Southern Railway Crossing, Main Street DOT#528-002B, in Madison County, Ohio. electronically filed by Mrs. Jill A Henry on behalf of PUCO/Rail Division