

# Memo

**To:** Docketing Division  
**From:** Jill Henry, Rail Specialist, Rail Division  
**Cc:** PUCO Legal Department  
**Date:** 8/23/2019

**Re:** PUCO Case No. 18-1135-RR-FED - In the Matter of a Request for the Installation of Active Warning Devices at the Norfolk Southern Railway and Wheeling & Lake Erie Railway Crossings, on Public Road DOT#503-246N & DOT#473-002U in Jefferson County, Ohio.

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On July 25, 2016, the Ohio Rail Development Commission (ORDC) authorized funding for Norfolk Southern Railway (NS) and Wheeling & Lake Erie Railway (WE) to install active warning devices at Public Road, DOT#503-246N & DOT#473-002U, in Jefferson County, Ohio. The crossings were surveyed, on April 19, 2016, 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 recommended a 90 day extension. The Commission granted a project extension until August 22, 2019.

On August 8, 2019, NS filed for an extension until May 22, 2020. In the request, they state that there are outstanding utility conflicts and that labor force restrictions do not allow them to begin work on the project.

ORDC and Staff reviewed this project and note that this project is only for upgrades to existing warning devices. Additionally, WE cannot complete their work until NS completes on-site construction. Staff believes that NS has failed to show that good cause exists to grant additional time for completion of the project. Staff does not recommend another project extension.

**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 18-1135-RR-FED**

Summary: Response In the Matter of an Extension Request for the Installation of Active Warning Devices at the Norfolk Southern Railway and Wheeling & Lake Erie Railway Crossings, on Public Road DOT#503-246N & DOT#473-002U in Jefferson County, Ohio. electronically filed by Mrs. Jill A Henry on behalf of PUCO/Rail Division