

Memo

To: Docketing Division
From: Jill Henry, Rail Specialist, Rail Division
Cc: PUCO Legal Department
Date: 10/9/2019

Re: PUCO Case No. 18-1314-RR-FED- In the Matter of a Request for Upgrades to the Active Warning Devices at the Norfolk Southern Railway Crossing, Lockbourne Road DOT# 513-362E and Fairwood Avenue DOT#513-364T, in Franklin County, Ohio.

On June 12, 2017, the Ohio Rail Development Commission (ORDC) authorized funding for Norfolk Southern Railway to upgrade the circuitry and add advanced traffic preemption to the active warning devices at Lockbourne Road DOT# 513-362E and Fairwood Avenue DOT#513-364T, in Franklin County, Ohio. The crossings were surveyed, on July 25, 2016, and found to warrant the upgrades.

On September 26, 2018, the Commission approved the project and ordered completion by September 26, 2019.

On September 12, 2019, NS filed for an extension until January 30, 2020 (see attached). In the request, NS states that they have resolved a number of utility conflicts and the City of Columbus has recently placed its portion of the traffic preemption project out for bid. They anticipate that the City of Columbus will commence construction in the spring of 2020.

Staff reviewed the project and finds that NS has not started construction of the warning devices. NS could construct the warning devices and the traffic preemption interconnect. The warning devices could be put in service and the traffic pre-emption would be completed and tested once the City of Columbus completes their work in the spring of 2020.

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 a project extension.

[illegible]

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

[illegible]

In the Matter of the Authorization of Norfolk Southern Railway to Upgrade Active Warning Devices at Two Grade Crossings in the City of Columbus, in Franklin County.

: Case No. 18-1314-RR-FED

: **REQUEST TO EXTEND**

: **CONSTRUCTION DEADLINE**

: D. Casey Talbott (0046767)

: (Counsel of Record)

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: Attorneys for Norfolk Southern

: Railway Company

[illegible]

Norfolk Southern Railway Company ("NSRC") respectfully requests a first extension of time of approximately four (4) months – through January 30, 2020 – within which to complete its portion of the involved construction projects at the Lockbourne Road and Fairwood Avenue grade crossings in Columbus, Franklin County.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott
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Attorneys for Norfolk Southern
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MEMORANDUM IN SUPPORT

By Finding and Order of September 26, 2018, NSRC was directed to “install upgrade circuitry and add advanced traffic preemption” to the active warning devices at the above-referenced crossings. In furtherance of these projects, NSRC will need to install new (relocated) cantilever/gates, so as to ensure MUTCD compliance. This need triggered a number of utility conflicts which have been resolved.

But NSRC still needs to: (1) install the new (relocated) cantilevers/gates; (2) install upgraded circuitry; and (3) add advanced traffic preemption toward interconnect with the City. With respect to (3), NSRC understands that the City has recently placed its portion of the project out for bid, with construction anticipated to commence in or about the Spring of 2020.

For the foregoing reasons, NSRC respectfully requests that the Commission grant it an extension of time through January 30, 2020 within which to complete its portion of these

projects. (NSRC welcomes input/directive from the Commission with respect to when it would issue its related in-service notifications – specifically, when it completes its portion of the projects or, rather, when the City effectuates actual interconnect, presumably in or about the Spring of 2020.)

In the meantime, NSRC confirms that the involved crossings are protected by active warning devices.

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 12th day of September, 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

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in

Case No(s). 18-1314-RR-FED

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

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10/9/2019 4:43:46 PM

in

Case No(s). 18-1314-RR-FED

Summary: Response In the Matter of an Extension Request for Upgrades to the Active Warning Devices at the Norfolk Southern Railway Crossing, Lockbourne Road DOT# 513-362E and Fairwood Avenue DOT#513-364T, in Franklin County, Ohio electronically filed by Mrs. Jill A Henry on behalf of PUCO/Rail Division