

# Memo

**To:** Docketing Division  
**From:** Jill Henry, Rail Specialist, Rail Division  
**Cc:** PUCO Legal Department  
**Date:** 12/5/2019

**Re:** PUCO Case No. 18-1616-RR-FED- In the Matter of a Request for Upgrades to the Active Warning Devices at the Norfolk Southern Railway Crossing, Union Avenue DOT#503-013S, in Stark County, Ohio.

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On February 22, 2018, the Ohio Rail Development Commission (ORDC) authorized funding for Norfolk Southern Railway to upgrade the active warning devices at Union Avenue DOT#503-013S, in Stark County, Ohio. The crossing was surveyed, on August 11, 2017, and found to warrant the upgrades.

On November 28, 2018, the Commission approved the project and ordered completion by November 28, 2019.

On November 20, 2019, NS filed for an extension until December 28, 2019. In the request, NS states construction commenced on November 11, 2019. Crews will need 20 gang days to complete construction.

ORDC and Staff reviewed this project. Based on staff's review of the extension request and communications with ORDC, Staff does not believe thirty (30) days is sufficient to complete the project. As such, staff recommends denial of the extension request.

[illegible]

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

[illegible]

In the Matter of the Authorization of Norfolk Southern Railway to Upgrade Active Warning Devices in the City of Alliance, in Stark County.

: Case No. 18-1616-RR-FED

: **REQUEST TO EXTEND**

: **CONSTRUCTION DEADLINE**

:

: D. Casey Talbott (0046767)

: (Counsel of Record)

: EASTMAN & SMITH LTD.

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:

: Attorneys for Norfolk Southern

: Railway Company

[illegible]

Norfolk Southern Railway Company (“NSRC”) respectfully requests an extension of time of thirty (30) days – through December 28, 2019 – within which to complete the involved construction project at the Union Avenue grade crossing (DOT #503013S) in Alliance, Stark 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**

Involved utility concerns were documented to be cleared as of September 13, 2019, following which physical construction commenced, on or about November 11, 2019. NSRC anticipates that it will need approximately twenty (20) gang days within which to complete construction/effectuate cut-in. Accordingly, NSRC respectfully requests an extension of time of thirty (30) days – through December 28, 2019 – 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 20<sup>th</sup> day of November, 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**

**Commission of Ohio Docketing Information System on**

**11/20/2019 4:59:22 PM**

**in**

**Case No(s). 18-1616-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**

**Commission of Ohio Docketing Information System on**

**12/10/2019 9:10:35 AM**

**in**

**Case No(s). 18-1616-RR-FED**

Summary: Response In the Matter of an Extension Request for Upgrades to the Active Warning Devices at the Norfolk Southern Railway Crossing, Union Avenue DOT#503-013S, in Stark County, Ohio. electronically filed by Mrs. Jill A Henry on behalf of PUCO/Rail Division