

Memo

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

Re: PUCO Case No. 19-365-RR-FED- In the Matter of a Request for Upgrades to the Active Warning Devices at the Norfolk Southern Railway Crossing, Grace Street DOT#524-340K, in Cuyahoga County, Ohio.

On December 11, 2017, the Ohio Rail Development Commission (ORDC) authorized funding for Norfolk Southern Railway (NS), Wheeling & Lake Erie Railway (WE) and Cleveland Commercial Railroad (CCRL) to install upgrades at Grace Street DOT#524-340K, in Cuyahoga County, Ohio. This crossing has three main tracks. NS maintains two tracks at the crossing. WE operates and maintains the third track and CCRL operates on the third track. The existing warning devices are interconnected and NS, WE, and CCRL will need to coordinate on this project. The crossing was surveyed, on May 9, 2017, and found to warrant the upgrades.

On March 6, 2019, the Commission approved the project and ordered completion by December 6, 2019.

On November 27, 2019, NS filed for an extension until January 6, 2020. In the request, NS states crews are finishing up a project in Columbus, Ohio and will then be directed to complete construction at Grace Street.

ORDC and Staff reviewed this project and note that on October 28, 2019 NS gave notice that construction was to begin on October 30, 2019. 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 and
Wheeling & Lake Erie Railway to
Install Upgrades at a Grade Crossing
in the City of Bedford, in Cuyahoga
County.**

Case No. 19-365-RR-FED

REQUEST FOR EXTENSION OF
CONSTRUCTION DEADLINE

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Attorneys for Norfolk Southern
Railway Company

[illegible]

Norfolk Southern Railway Company ("NSRC") respectfully requests a first extension of time of thirty (30) days – through January 5, 2020 – within which to complete the construction project at the Grace Street grade crossing (DOT # 524340K)) in Bedford, Cuyahoga County.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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MEMORANDUM IN SUPPORT

NSRC's gangs are finishing up a project in Columbus, Ohio, and will then be directed to complete construction at the instant crossing, with an anticipated need for eight (8) total gang days within which to effectuate cut-in. Accordingly, NSRC respectfully requests an extension of time of thirty (30) days – through January 5, 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 for Extension of Construction Deadline** was filed electronically with the Commission this 27th 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

11/27/2019 4:35:58 PM

in

Case No(s). 19-0365-RR-FED

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

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/10/2019 9:12:22 AM

in

Case No(s). 19-0365-RR-FED

Summary: Response In the Matter of an Extension Request for Upgrades to the Active Warning Devices at the Norfolk Southern Railway Crossing, Grace Street DOT#524-340K, in Cuyahoga County, Ohio. electronically filed by Mrs. Jill A Henry on behalf of PUCO/Rail Division