

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE AUTHORIZATION  
OF NORFOLK SOUTHERN RAILWAY TO  
INSTALL ACTIVE WARNING DEVICES IN  
THE CITY OF TOLEDO, IN LUCAS COUNTY.

CASE NO. 18-1615-RR-FED

### ENTRY

Entered in the Journal on December 16, 2019

{¶ 1} On November 28, 2018, the Commission issued a Finding and Order approving installation by Norfolk Southern Railway (NS) of active warning devices at the Norwood Avenue grade crossing (DOT#508925U) in the city of Toledo, Lucas County. The Commission ordered completion of the project by November 28, 2019.

{¶ 2} On November 20, 2019, NS filed a request for additional time to finish the project. NS explained that it will need approximately 28 gang days within which to complete construction/effectuate cut-in. NS requested an additional 30 days, until December 28, 2019, to finish the grade crossing project.

{¶ 3} On December 10, 2019, Staff filed a memorandum recommending that the Commission deny the 30-day request for completion of the project. Staff stated that it reviewed the project with the Ohio Rail Development Commission (ORDC) and concluded that 30 days is insufficient to complete the project.

{¶ 4} Pursuant to the Commission's September 19, 1996 Entry in *In re 1996 Federal Crossing Protection Program*, Case No. 96-676-RR-FED, the Commission authorized the attorney examiner assigned to the case to grant extensions for up to 30 days.

{¶ 5} Having read the contentions of NS and Staff, the attorney examiner finds it reasonable to grant NS's request, with the condition no further extensions of time will likely be granted. NS should complete the project as soon as possible, but no later than December 28, 2019.

{¶ 6} NS should notify Staff, the city of Toledo, and Toledo Edison Company (TEC) upon completion of the project. At the time Staff makes its final inspection and finds that the installations are completed, Staff should file a memorandum in this docket indicating that the project is completed.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That NS's request for additional time to complete the project be granted in accordance with Paragraph 5. It is, further,

{¶ 9} ORDERED, That NS complete the project no later than December 28, 2019. It is, further,

{¶ 10} ORDERED, That NS notify Staff, the city of Toledo, and TEC upon the completion of the project. It is, further,

{¶ 11} ORDERED, That when Staff or ORDC makes its final inspection and finds that the project is completed, Staff file a memorandum in the docket indicating that the project is completed. It is, further,

{¶ 12} ORDERED, That a copy of this Entry be served upon NS, ORDC, the city of Toledo, TEC, and any other interested person of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Matthew Sandor

By: Matthew Sandor  
Attorney Examiner

JRJ/mef

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

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**in**

**Case No(s). 18-1615-RR-FED**

Summary: Attorney Examiner Entry granting request for additional time and setting the project completion date to 12/28/19 with notification and filing requirements. electronically filed by Ms. Mary E Fischer on behalf of Matthew Sandor, Attorney Examiner, Public Utilities Commission