

## THE PUBLIC UTILITIES COMMISSION OF OHIO

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

### ENTRY

Entered in the Journal on December 16, 2019

{¶ 1} On March 6, 2019, the Commission issued a Finding and Order approving an upgrade for Norfolk Southern Railway (NS) and Wheeling & Lake Erie Railway (WE) to upgrade active warning devices at the Grace Street grade crossing (DOT#524340K for NS and DOT#524340K for WE) in the city of Bedford, in Cuyahoga County. The Commission ordered completion of the project by December 6, 2019.

{¶ 2} On November 27, 2019, NS filed a request for additional time to finish the project. NS explains that its work gang is finishing a project in Columbus and will then be directed to complete construction at NS's Grace Street grade crossing (DOT#524340K). NS anticipates needing eight gang days to effectuate cut-in. NS requests 30 more days, through January 5, 2020, to complete the project.

{¶ 3} On December 10, 2019, Staff filed a memorandum concerning NS's request. Staff states that it has reviewed the request with Ohio Rail Development Commission (ORDC) and notes that, on October 28, 2019, NS gave notice that construction was to begin on October 30, 2019. Staff concludes that 30 days is insufficient to complete the project. Staff recommends denial of the request.

{¶ 4} 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 January 5, 2020.

{¶ 5} NS should notify Staff, ORDC, and the Service Director for the city of Bedford 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.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That NS's request for additional time to complete the project be granted in accordance with Paragraph 4. It is, further,

{¶ 8} ORDERED, That NS complete the project no later than January 5, 2020. It is, further,

{¶ 9} ORDERED, That NS notify Staff, ORDC, and the Engineer for the city of Bedford upon the completion of the project. It is, further,

{¶ 10} 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,

{¶ 11} ORDERED, That a copy of this Entry be served upon NS, ORDC, Engineer for the city of Bedford, and any other interested person of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/James M. Lynn

By: James M. Lynn  
Attorney Examiner

JRJ/hac

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

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

Summary: Attorney Examiner Entry granting request for additional time electronically filed by Heather A Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission