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PUBLIC UTILITIES COMMISSION OF OHIO
TRANSPORTATION DEPARTMENT
RAILROAD DIVISION

RECEIVED-DOCKETING DIV

97 SEP 10 PM 1:33

PUCO

INTEROFFICE MEMORANDUM

To: Docketing

Date: September 9, 1997

From: Robert E. Marvin, Chief

REM

97-1056-RR-CSS

Subjects: W.V. 75-97-6 -- Alleged excessive growth of weeds and vegetation, Allen Sugar Company, Cleveland, Cuyahoga County, Ohio, Consolidated Rail Corporation.

W.V. 76-97-7 -- Alleged excessive growth of weeds and vegetation, Marcy Yard, Cleveland, Cuyahoga County, Ohio, Consolidated Rail Corporation.

W.V. 77-97-8 -- Alleged excessive growth of weeds and vegetation, Von Willer Yard, Cleveland, Cuyahoga County, Ohio, Consolidated Rail Corporation.

W.V. 78-97-9 -- Alleged excessive growth of weeds and vegetation, Commercial Ulman Oil Company, Cleveland, Cuyahoga County, Ohio, Consolidated Rail Corporation.

W.V. 79-97-10 -- Alleged excessive growth of weeds and vegetation, Atlas Iron Processors, Cleveland, Cuyahoga County, Ohio, Consolidated Rail Corporation.

W.V. 80-97-11 -- Alleged excessive growth of weeds and vegetation, Old Harvard Tower, Cleveland, Cuyahoga County, Ohio, Consolidated Rail Corporation.

W.V. 81-97-12 -- Alleged excessive growth of weeds and vegetation, Randall Secondary, Cleveland, Cuyahoga County, Ohio, Consolidated Rail Corporation.

WV-82-97-13 -- Alleged excessive growth of weeds and vegetation, Rockport Yard, Cleveland, Cuyahoga County, Ohio, Consolidated Rail Corporation.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician *Joan Schupfle* Date Processed *9-11-97*

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September 9, 1997

Please docket the attached complaints filed by the Co-Operative Legislative Committee, United Transportation Union. These complaints are filed pursuant to Rule 4901-5-22, O.A.C.

These complaints are filed against the Consolidated Rail Corporation. It is recommended that copies be served on: Mr. Harry Crawford, District Superintendent, Consolidated Rail Corporation, 601 East 152nd Street, Cleveland, OH 44110 and Mr. William J. Thompson, Chairman, Ohio State Legislative Board, United Transportation Union, 2021 East Dublin-Granville Road, Suite 245, Columbus, OH 43229.

In the absence of a railroad answer within fifteen (15) days, the Railroad Division will arrange to investigate the complaints and file a written report of its findings.

c: William J. Thompson
Inspector Leo Charles
Files

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2021 East Dublin-Granville Road
Columbus, Ohio 43229-3522

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Blumenstiel, Huhn, Wood, Adams
& Hemmer, Co., LPA
Legal Counsel
261 West Johnstown Rd.
Columbus, Ohio 43230

September 3, 1997

W.V. 81-97-12
CHARLES
CUYAHOGA Co.

The Public Utilities Commission of Ohio
180 East Broad Street, 5th Floor
Columbus, OH 43266-0573

ATTENTION: Mr. Robert E. Marvin, Chief
Transportation Department
Railroad Section

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RAILROAD SECTION
Public Utilities Commission of Ohio

Gentlemen:

The Co-Operative Legislative Committee representing Ohio railroad employees wishes to file a weed and vegetation complaint (Ohio Administrative Code 4901-5-22) against the Consolidated Rail Corporation (Conrail), which railroad is subject to regulation under Chapters 4905 and 4907 of the Revised Code.

In conducting its railroad operation on the Randall Secondary, Cleveland, Ohio, said company has permitted unsafe and hazardous conditions to arise due to the excessive growth of weeds and vegetation on its property at the following location:

For the entire length of the lead on the Randall Secondary, from East 79th Street to the Cleveland Track Material, trees need to be trimmed. These trees are rubbing the sides of cars and engines.

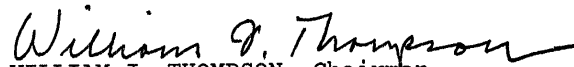
By its failure to establish or maintain an adequate vegetation control program early in the season, it is now endangering the railroad employees required to use this area in the performance of their required duties.

It is requested that an investigation be conducted, under Section 4907.08, to determine if this railroad at the above

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location is in violation of your Commission's "Weed Order". If excessive growth is found, then an appropriate and timely order should be issued to require the elimination of the growth and the establishment of a vegetation control program to prevent the recurrence of such unsafe conditions.

Respectfully submitted,


WILLIAM J. THOMPSON, Chairman
Co-Operative Legislative Committee

WJT/B/jvs

cc: Mr. Charles L. Little,
International President
Brotherhoods
C. T. Corporation - Certified Mail
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