

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of CSX)
Transportation, Inc. to Close to Vehicular) Case No. 01-2399-RR-UNC
Traffic the Broadway Street Crossing in the)
City of Republic, Seneca County, Ohio.)

ENTRY

The attorney examiner finds:

- (1) On September 12, 2001, CSX Transportation, Inc. (hereinafter applicant) filed a petition for closure of Broadway Street (DOT 142169S) crossing in the city of Republic to vehicular traffic pursuant to Sections 4907.474 and 4907.475. Revised Code.
- (2) Applicant requests that the Commission exercise its authority to order the appropriate governmental bodies to effect the closing of the Broadway Street crossing to all vehicular traffic. Applicant further, requests that, in the event that the appropriate governmental bodies fail to implement the Commission order to close the crossing within the required thirty day period, that the Commission petition the Court of Common Pleas in Seneca County, Ohio, to order the crossing closure.
- (3) Section 4907.474, Revised Code, requires the Commission to hold a public hearing on the proposed crossing closure. Pursuant to Section 4907.474, Revised Code, the applicant must demonstrate that there is not a demonstrable need for the crossing, and that the crossing should be closed to the public.
- (4) In order for the public and all interested stakeholder to participate in the hearing, which will be scheduled through the issuance of a later entry, the staff shall compile statistical data related to the petition and file its report in this docket by December 21, 2001. The statistical data shall include the following factors listed in Section 4907.474(A)(1)-(9), Revised Code: a) the daily vehicular and train traffic at the crossing at the crossing to be closed; b) the daily vehicular and train traffic at any alternative crossings; c) the daily increase in vehicular traffic at alternate crossings resulting from the proposed closure; d) the nature of the roadway at any alternate crossing; e) the total number of crossings within one linear mile of the crossing proposed to be closed; f) the type of advance warning devices at any alternate crossing; g) the sight distance at any alternate crossings, including any permanent obstruction affecting distance of view; h) the impact of the closure on

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vehicular traffic, emergency vehicles, commercial enterprises, and any other factors pertinent to municipal corporations or other populated areas; and i) any other factor that the staff determines appropriate.

- (5) Thereafter, the attorney examiner will issue an entry scheduling the hearing to allow all interested parties the opportunity to address the nine considerations related to the proposed crossing closure, pursuant to Section 4907.474(A)(1)-(9), Revised Code.
- (6) A copy of this entry should also be served upon all parties of record.

It is, therefore,

ORDERED, That the staff shall file and serve on all parties to this case, a report on the data related to the petition for closure of the Broadway Street crossing to vehicular traffic. It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

M. Bryan Little
By: M. Bryan Little
Attorney Examiner

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Entered in the Journal

NOV 28 2001

A True Copy

G. E. Vigorito
G. E. Vigorito
Secretary