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PUBLIC UTILITIES COMMISSION OF OHIO
180 EAST BROAD STREET
COLUMBUS, OHIO 43215

CASE NUMBER: 20-41-RR-RCP
HEARING DATE: WEDNESDAY, MARCH 30, 2022
TIME: 1:00 P.M.
LOCATION: ASHLAND COUNTY SHERIFF'S
DEPARTMENT ANNEX
1205 EAST MAIN STREET
ASHLAND, OHIO 44805

ADMINISTRATIVE LAW JUDGE:

MR. MATT SANDOR

TAMI L. BARKER
NOTARY AND COURT REPORTER
853 CARROLL ROAD
COLLINS, OHIO 44826
(419) 681-0487
tamilbarker@yahoo.com

1 MR. SANDOR: Let's go on the
2 record. Public Utilities Commission of Ohio, and
3 this is assigned for hearing in Case Number
4 20-41-RR-RCP, which is captioned as: In the Matter
5 of a Request by the City of Ashland for an Exemption
6 from Stopping for School Buses and Hazardous
7 Materials Vehicles, at the State Route 58/Union
8 Street, Ashland Railway Grade Crossing in Ashland
9 County.

10 My name is Matt Sandor and I am the
11 Attorney Examiner assigned by the Commission to hear
12 this case. The purpose of our hearing today is to
13 receive public comments regarding the request made
14 by the City of Ashland's Engineer to classify the
15 State Route 58/Union Street, Ashland Railway Grade
16 Crossing as exempt.

17 In the petition, the Engineer explained
18 that the crossing is rarely used, and that the
19 Railway has stop and flag provisions in place at the
20 crossing. And the petition notes that school bus
21 traffic is still affected by the crossing.

22 For those in attendance who wish to
23 testify, your testimony will be considered part of
24 the official record for this case, and it will be
25 reviewed by the Commission before it makes its final

1 decision.

2 I will start by calling each witness
3 forward and swearing you in. The Court Reporter
4 will record your statement, so please speak plainly
5 and clearly so she is able to write down everything.

6 Please spell your name and state your
7 address. After that, state why you think that the
8 request should or should not be granted. I may ask
9 some questions after you're finished with your
10 testimony.

11 All right, let's start, I believe
12 Mr. Wolfe if you please raise your right hand?

13 MR. WOLFE: Yes.

14 MR. SANDOR: Do you swear or
15 affirm the testimony you are about to provide is
16 the truth?

17 MR. WOLFE: Yes, sir, I do.

18 MR. SANDOR: Thank you, please go
19 ahead. Please state and spell your name for the
20 record.

21 MR. WOLFE: Would you like me to
22 stand?

23 MR. SANDOR: It doesn't matter.

24 MR. WOLFE: Richard Wolfe,
25 W-o-l-f-e. I am the Director of Law, City of

1 Ashland, and my office originally filed the petition
2 in this matter. There are two crossings of close
3 proximity, and at a previous hearing that advanced
4 the rationale for that -- the other crossing as well
5 as this crossing indicated that there is very little
6 train traffic that goes by there, and they are
7 operating under a flag rule stop and flag crossing.

8 And I've frankly never seen a train cross
9 there, doesn't mean that they don't on a very, very
10 rare occasion. And one line has been covered over,
11 and it ceased to be used in its entirety. And so
12 there was a mix up originally as to the number of
13 the particular crossings, so while we thought we
14 were having the hearing previously on this crossing,
15 it was actually on the other one. And it did not
16 need a hearing because of the abandonment.

17 And I would ask the Hearing Officer to
18 incorporate the previous testimony, and I believe
19 that was a 2020 hearing that -- where the
20 Superintendent spoke in favor of the petition to
21 make this an exempt crossing as well as the City
22 Engineer, and I gave comments at the time, as well.

23 It would enable school buses to primarily
24 proceed across this crossing without stopping and
25 without unnecessary delays, and especially in

1 wintertime and other times that would be
2 particularly helpful, and that is for traffic, that
3 is a fairly busy traffic thoroughfare, so it does
4 cause other traffic to lock up unnecessarily as
5 well.

6 MR. SANDOR: Okay, thank you
7 Mr. Wolf. I have no questions for you. So you are
8 excused. Thank's for testifying.

9 And now, sir, then if you would please
10 raise your right hand?

11 MR. MILLER: Yes.

12 MR. SANDOR: Do you swear or
13 affirm the testimony you are about to provide is
14 the truth?

15 MR. MILLER: Yes, I do.

16 MR. SANDOR: Would you please
17 state and spell your name for the record?

18 MR. MILLER: Matt Miller, M-a-t-t
19 M-i-l-l-e-r, and I have the honor of serving as the
20 Mayor of the City of Ashland, and over the last
21 several years we have repeatedly received requests
22 from area bus drivers to pursue this exemption. And
23 many of the reasons for that have already been
24 explained, but not the least of which, the fact that
25 the bus drivers must stop the bus there in the

1 middle of oncoming traffic for quite frankly no
2 apparent reason.

3 Because as was previously stated, I may
4 have seen one train in my lifetime go down that
5 track, and it was just several cars linked together
6 and they were barely moving.

7 So we do not believe that an exemption at
8 this particular location would create any issues for
9 either the train or school bus or any other motorist
10 passing over the tracks.

11 MR. SANDOR: Thank you for your
12 testimony. We have reached the end of the witnesses
13 who are here today to testify. And I would like to
14 thank the Ashland County Sheriff's office for
15 allowing us to use their facilities, and thank you
16 to our Court Reporter for coming today.

17 This case will submitted with the record
18 and the Commission will issue a decision in due
19 course. Thank you.

20 MR. MILLER: Thank you.

21 MR. WOLFE: Thank you.

22 THEREUPON, the meeting was adjourned at 1:11 p.m.

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CERTIFICATE

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I, Tami L. Barker, Official Court Reporter
and Notary Public in and for the State of
Ohio, duly commissioned and qualified
therein, do hereby certify that the
foregoing is a true and correct transcript
of the proceedings as transcribed by me.
IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my seal of office at
Collins, Ohio, on this 30th day of March,
2022.

Tami L. Barker, OCR

Tami L. Barker, OCR
Notary Public, State of Ohio
My Commission Expires 4-30-22

