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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of Norfolk )  
Southern Railway and CSX Transportation to ) Case No. 08-276-RR-FED  
Install Active Grade Crossing Warning )  
Devices in Allen and Hancock Counties. )

ENTRY

The Commission finds:

- (1) On March 18, 2008, the Commission's railroad staff filed a memorandum stating that The Ohio Rail Development Commission (ORDC) authorized funding for the installation of flashing lights and gates by Norfolk Southern Railway (NS) at the County Road 216 grade crossing (472-461L) in Hancock County; and by CSX Transportation (CSX) at the County Road 216/Arcada Road grade crossing (513-684T) in Hancock County, and at the Township Road 287/Hook-Waltz Road (155-700L) and the Township Road 177/Eversole Road (155-705V) grade crossings in Allen County.
- (2) Staff recommended authorization for preliminary engineering within 90 days and a construction deadline of one year for all four projects
- (3) NS and CSX shall submit to the Commission and ORDC by June 26, 2008, site plans and cost estimates for the project. Within seven days thereafter, NS and CSX shall each file a letter in this docket advising that the site plans and costs estimates have been submitted to the Commission and ORDC. Following submission and approval of the site plans and cost estimates by ORDC, and, unless otherwise directed, NS and CSX are hereby authorized to acquire project materials and to commence construction as detailed in the letter of construction authorization. NS and CSX shall notify staff at least five working days before the date work is scheduled to begin at each project site so that arrangements can be made for inspection. In addition, NS and CSX shall notify staff of any changes in the scope of work, cost overruns, materials, etc., which are not in the approved plans and estimates and secure approval before the work is performed. The Commission will issue no further construction authorization. Further, the construction of active

warning devices at the grade crossings should be completed by March 26, 2009.

- (4) In order to expedite the activation of the warning devices, the Commission no longer requires railroad companies to delay such activation pending final inspection by staff. However, NS and CSX should each notify staff and ORDC 30 days before the projected date of completion. At the time the Commission or ORDC staff makes its final inspections of the devices and if it finds that the identified installations are completed and the warning devices have been put in service, staff should file a memorandum in this docket indicating that the installations are completed and the warning devices have been put in service.
- (5) With the intention of promoting increased public safety during the pendency of the projects, the Commission urges the appropriate local government agencies to make an immediate assessment of interim physical improvements, which would enhance driver awareness at the crossings. The Commission may provide assistance in funding improvements such as rumble strips, illumination, signs, or other safety enhancements at the project location. Applications for such funding should be made to the Commission's Transportation Department, Rail Division, which shall review all proposals. In the event the department finds the improvements appropriate, the department director is hereby authorized to execute a contract with the local government agency, and obligate up to \$5,000 from the State Grade Crossing Safety Fund for such improvements. However, the local government agency should not initiate any improvements until a contract has been executed.

It is, therefore,

ORDERED, That NS and CSX submit to the Commission and ORDC site plans and cost estimates for the projects by June 26, 2008. It is, further,

ORDERED, That, by July 3, 2008, NS and CSX each file a letter in this docket advising that it has submitted site plans and cost estimates to the Commission and ORDC. It is, further,

ORDERED, That, following approval of site plans and cost estimates by ORDC, NS and CSX proceed with and complete the projects by March 26, 2009. It is, further,

ORDERED, That NS and CSX follow the detailed instructions as outlined in the ORDC letter of construction authorization. It is, further,

ORDERED, That NS and CSX notify staff at least five working days before the date work is scheduled to begin at the project sites so that arrangements can be made for inspections. It is, further,

ORDERED, That NS and CSX notify staff of any changes in the scope of work, cost overruns, materials, etc. which are not in the approved plans and estimates and secure approval before the work is performed. It is, further,

ORDERED, That NS and CSX notify the Commission and ORDC 30 days before the projected date of completion. It is, further,

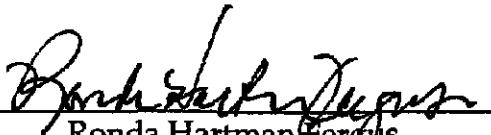
ORDERED, That at the time staff or ORDC makes its final inspection and if it finds that the installations at the grade crossings are completed and the warning devices have been put in service, staff will file a memorandum in this docket indicating that the installations are completed and the warning devices have been put in service. It is, further,

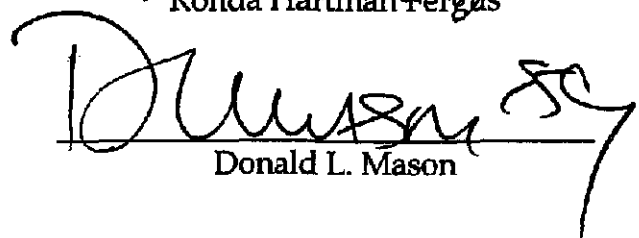
ORDERED, That copies of this entry be served upon the NS and CSX and their counsel, Hancock County Engineer, Monroe Township Trustees, ORDC, and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

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Alan R. Schriber, Chairman

  
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Paul A. Centolella


  
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Ronda Hartman Fergus

  
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Donald L. Mason

SEF:ct

Entered in the Journal

**MAR 26 2000**

  
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Renee J. Jenkins  
Secretary