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November 13, 2009

VIA FACSIMILE AND U.S. MAILThe Public Utilities Commission of Ohio  
Docketing Division  
180 East Broad Street  
Columbus, OH 43215-3793  
Fax No.: 614-466-0313Re: In the Matter of a Request of Norfolk Southern Railway Company to  
Downgrade the Existing Warning Devices at the River Road Grade  
Crossing (481-342B) in Waverly, Pike County, Ohio  
PUCO Case No. 08-1098-RR-RCP  
Our File No: N1432/176814

Dear Docketing Clerk:

Attached for filing is a Joint Status Report.

I confirm that, via regular mail, we are forwarding to you the original document plus  
seven copies.

Please call me – at (419) 241-6000 – if you have any questions or concerns.

Thank you.

Very truly yours,

EASTMAN &amp; SMITH LTD.

D. Casey Talbott

DCT/kml  
Enclosurescc: Ms. Leah Thomas Dalton (w/enc.)  
Ms. Susan Kirkland (w/enc.)  
Jennifer B. Casto/Thomas L. Hart (w/enc.)

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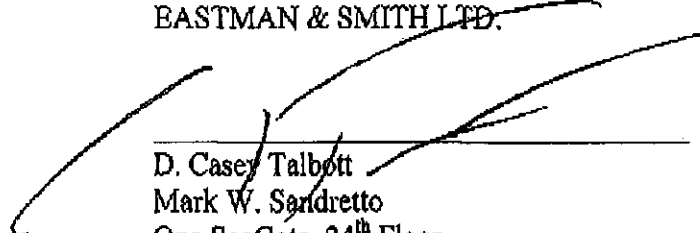


Constructive communications between the interested parties are ongoing, with a further face-to-face meeting scheduled for December 23, 2009, with the goal of reaching a mutually-satisfactory solution to various public and private crossing concerns in Pike County including, most notably, the prospective reopening versus relocation of the River Road crossing which is the subject of the instant Request. Accordingly, and while the parties continue to explore the viability of various potential solutions to the Pike County concerns (including related funding issues), the parties jointly request that the Commission stay the instant Request, and that the River Road crossing be maintained in its existing condition – that is, as barricaded to vehicular traffic.

Assuming the Commission's approval, the parties will file a further Joint Status Report by May 15, 2010.

Respectfully submitted,

EASTMAN & SMITH LTD.



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