

FILE

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November 13, 2009

VIA FACSIMILE AND U.S. MAIL

The Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, OH 43215-3793
Fax No.: 614-466-0313

RECEIVED-DOCKETING DIV
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PUCO

**Re: 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 & SMITH LTD.

D. Casey Talbott

DCT/kml
Enclosures

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

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PUCO

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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

[illegible]

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.

Case No. 08-1098-RR-RCP

JOINT STATUS REPORT

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Commissioners and Denny Salisbury,
Pike County Engineer


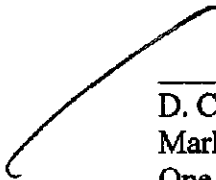
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Constructive communications between the interested parties are ongoing, with a further face-to-face meeting scheduled for December 23, 2009, with the goal of reaching a mutually-satisfactory solution to various public and private crossing concerns 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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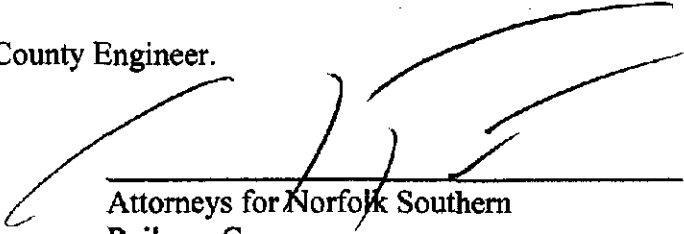
WILES, BOYLE, BURKHOLDER &
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Per authority: 2-8
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Commissioners and Denny Salisbury, Pike
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PROOF OF SERVICE

A copy of the foregoing *Joint Status Report* was mailed this 13th day of November 2009 to: **Leah Thomas Dalton**, Deputy Chief, Transportation Department, Safety Programs Division/Rail, c/o The Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43266-0573; **Susan Kirkland**, Manager, Safety Programs, c/o Ohio Rail Development Commission, 50 West Broad Street, 15th Floor, Columbus, Ohio 43615; and **Jennifer B. Casto/Thomas L. Hart**, Wiles, Boyle, Burkholder & Bringardner Co., L.P.A., 300 Spruce Street, Floor One, Columbus, Ohio 43215-1173, Attorneys for Intervenor, Pike County Commissioners and Denny Salisbury, Pike County Engineer.


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