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FILE

EASTMAN & SMITH LTD.

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10-0046-RR-RCP 5

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January 13, 2010

Via Hand-Delivery

The Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, Ohio 43215-3793

RECEIVED-DOCKETING DIV
2010 JAN 13 PM 1:35
PUCO

Re: In the Matter of the Request of Norfolk Southern Railway
Company to Modify Warning Devices at the Park Road (481478N)
Crossing in Columbus, Franklin County, Ohio
PUCO Case No.
Our File No: N1432/176814

Dear Docketing Clerk:

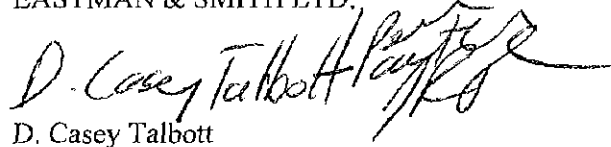
Enclosed for filing are an original and seven (7) copies of a Request to Modify Warning Devices. Please file this pleading and then return a date-stamped copy to me.

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: Leah Thomas Dalton (w/enc.)
Susan J. Kirkland (w/enc.)
Dean C. Ringle, P.E., P.S. (w/enc.)
Patti Austin, P.E. (w/enc.)
Rick H. Ray (w/enc.)

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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

[illegible]

In the Matter of the Request of
Norfolk Southern Railway Company
to Modify Warning Devices at the
Park Road Crossing (481478N) in
Columbus, Franklin County, Ohio

Case No.

REQUEST TO MODIFY WARNING DEVICES

D. Casey Talbott (0046767)
(Trial Attorney)
Mark W. Sandretto (0079536)
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Attorneys for Norfolk Southern
Railway Company

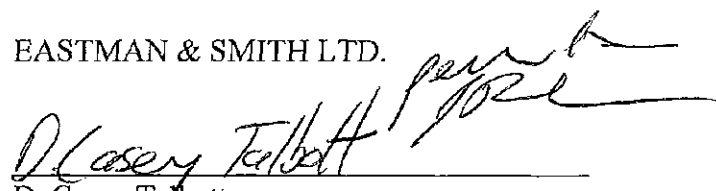
[illegible]

Norfolk Southern Railway Company respectfully requests the Commission's authority to replace a "No Right Turn" signal at the Park Road grade crossing (481478N) in Columbus, Franklin County, Ohio with a standard flashing light signal to be mounted on the crossing signal mast.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.


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Attorneys for Norfolk Southern
Railway Company

MEMORANDUM IN SUPPORT

The signalization at the above-referenced crossing includes a "No Right Turn" signal which is adjacent to the crossing signal.

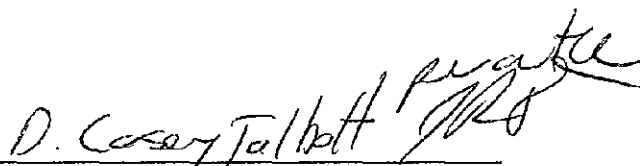
To Norfolk Southern's understanding, this sort of signal (that is, a "No Right Turn" signal) has not been designed for use since the 1970's and is considered obsolete in many states, at least certain of which have been actively supporting the replacement of these signals.

Further, the "No Right Turn" signal at the Park Road crossing has been damaged and is thus in need of repair, which process has been complicated due to the unavailability of requisite replacement parts.

For the foregoing reasons, and in lieu of repair, Norfolk Southern respectfully requests the Commission's authority to replace the signal with a standard flashing light signal, consistent with the standards of the Manual on Uniform Traffic Control Devices, to be mounted on the crossing signal mast, thereby providing warning to traffic proceeding northbound on Station Street. (See attached color-copy of a satellite photograph of the involved crossing, which references the signal to be replaced.)

PROOF OF SERVICE

A copy of the foregoing *Request to Modify Warning Devices* was mailed this 13th day of January, 2010, to: **Leah Thomas-Dalton**, Transportation Department, Railroad Commission, Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215; **Susan J. Kirkland**, Manager, Grade Crossing Safety Programs, Ohio Rail Development Commission, 1980 West Broad Street, 2nd Floor, Columbus, Ohio 43223; **Dean C. Ringle, P.E., P.S.**, Franklin County Engineer Office, 970 Dublin Road, Columbus, Ohio 43215-1169; and **Patti Austin, P.E.**, Planning and Operations Administrator, City of Columbus, 109 North Front Street, 3rd Floor, Columbus, Ohio 43215.



Attorneys for Norfolk Southern
Railway Company

D. Casey Talbott

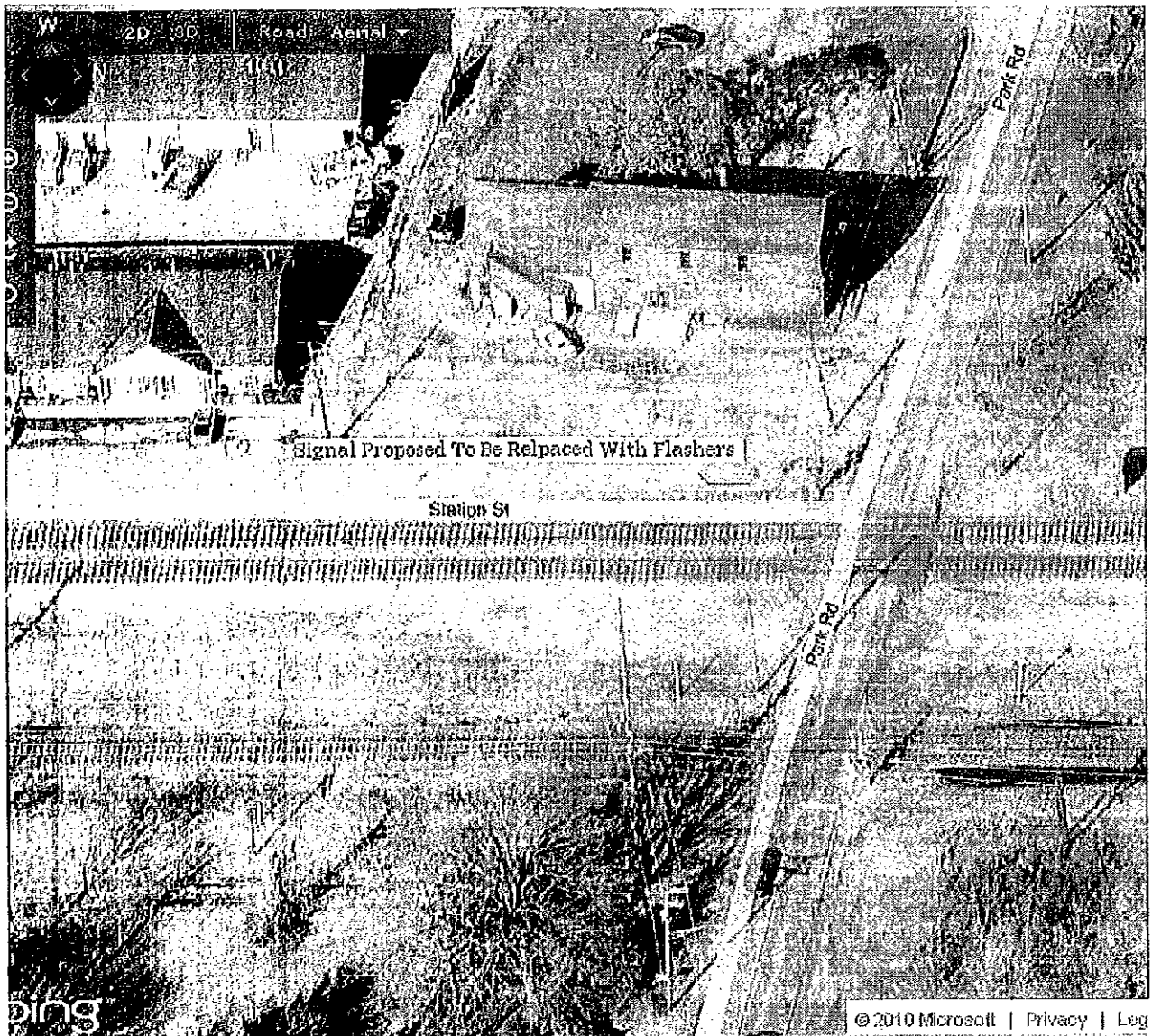
From: Ray, Rick H. [rick.ray@nscorp.com]

Sent: Friday, January 08, 2010 9:14 AM

To: Martin, George

Cc: Susan.Kirkland@dot.state.oh.us; Bankieris, Gus B; Ireton, Mick J.; Caldwell, David G.; Brahler, Michael C.; Johnson, Chuck; D. Casey Talbott; Barringer, William L.

Subject: 10.0573 Request PUCO Review - Park Rd #481478N



Project #: 10.0573
Road: PARK RD.
City: COLUMBUS
State: OH

1/8/2010