

FILE

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February 12, 2010

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: Leah Thomas Dalton (w/enc.)
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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Attorneys for Intervenor, Pike County
Commissioners and Denny Salisbury,
Pike County Engineer

[illegible]

Per the Commission's Entry of November 25, 2009, this will serve as a Joint Status Report in the above matter.

The interested parties (specifically, the Pike County Commissioners, the Pike County Engineer, various representatives of Norfolk Southern Railway Company, two outside consultants, and a representative of Governor Strickland's office) met in Pike County on December 23, 2009, in furtherance of their common interest in resolving various outstanding public and private crossing concerns in Pike County including, most notably, the prospective restoration versus relocation of the existing River Road crossing.

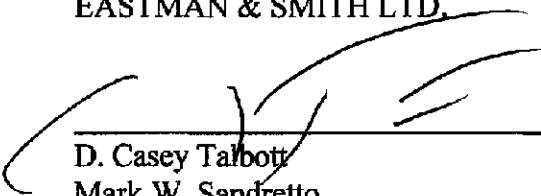
After extended discussion, the parties agreed that Norfolk Southern would prepare a preliminary proposal, including a cost estimate, toward relocating the River Road crossing to an alternate location, with the proposal to include the prospective closure of at least three private crossings.

There are fairly significant concerns at issue here (*e.g.*, engineering, economic, and etc.); accordingly, the parties welcome and appreciate the Commission's ongoing willingness to stay the instant Request, as constructive dialogue proceeds. In the meantime, the parties jointly request that the River Road crossing be maintained in its existing condition – that is, as barricaded to vehicular traffic.

Assuming the Commission's approval, and consistent with the Commission's Entry of November 25, 2009, the parties will file a further Status Report on or before May 17, 2010.

Respectfully submitted,

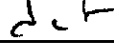
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Per authority: 

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County Engineer

PROOF OF SERVICE

A copy of the foregoing *Joint Status Report* was mailed this 12th day of February 2010 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 J. Kirkland**, Manager, Safety Programs, Ohio Rail Development Commission, 1980 West Broad Street, 2nd Floor, Columbus, Ohio 43223; 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.



Attorneys for Norfolk Southern
Railway Company