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**Public Utilities
Commission of Ohio**

Memo

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2010 MAY 10 PM 2:54

PUCO

To: Docketing Division

From: Jill Henry, Rail Specialist, Rail Division *JH*

Cc: PUCO Legal Department

Date: 5/10/2010

Re: PUCO Case No. 09-1990 -RR-STP- In the matter of a request for CSX Transportation, Inc. to install active grade crossing warning devices in Darke County, Wayne Township at HB Hole Rd. (DOT#538-785B) and Wolf Rd. (DOT#538-798C).

On December 23, 2009, Commission Staff, The Ohio Rail Development Commission (ORDC), CSX Transportation, Inc.(CSX), and Wayne Township, Darke County, Ohio entered into an agreement (attached) whereby active grade crossing warning devices would be installed at HB Hole Rd. (DOT#538-785B) and Wolf Rd. (DOT#538-798C).

On January 20, 2010, the Commission issued a Finding and Order approving the project and requiring the submission of plans and estimates by April 20, 2010.

On April 12, 2010, CSX filed with the Rail Division plans and estimates for both projects.

The plans and estimates submitted by CSX have been reviewed and authorization is recommended. (See attached documentation.)

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business
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**Public Utilities
Commission**

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May 10, 2010

CSX Transportation, Inc.
Mr. Benjamin Biesterveld
Principal Engineer Public Projects
500 Water Street-J301
Jacksonville, FL 32202

Re: CSX Grade Crossings, DOT#538-798C, Wolf Rd
and DOT#538-785B HB Hole Rd., Wayne
Township, Darke County

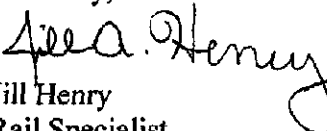
Mr. Biesterveld:

CSX is now authorized to proceed with field construction for the above referenced project. This authorization is contingent upon accepting the following:

- 1) CSX will make any adjustments to the plans noted in the field report docketed May 10, 2010 (Attached).
- 2) CSX will furnish prior e-mailed, faxed or phone notification when starting field construction to Jill Henry, PUCO, at E-MAIL jill.henry@puc.state.oh.us or FAX 614-995-5535 or PHONE 614-466-0435.
- 3) CSX will arrange for utilities to be relocated and/or dropped (as soon as possible) at the project site through the Ohio Utilities Protection Service (OUPS) and prior to any construction activities. Utilities that are not participating members of the OUPS service must be contacted directly by CSX.
- 4) CSX project foreman will notify the PUCO Railroad Inspector of any changes in the scope of work, cost overruns, material changes, etc. which are not included in the approved plan and estimates and secure approval of same before the work is performed.
- 5) CSX will furnish three (3) copies of each partial bill to the PUCO.
- 6) CSX will furnish three (3) copies of the final-inclusive bill to PUCO stating that exact dates of starting and completing work, the initial and final dates of construction and location where the accounts may be audited.
- 7) CSX will furnish as-built detailed circuit plans directly to PUCO.
- 8) CSX is to schedule and complete the subject project by January 20, 2011. If any extraordinary circumstances unique to this project occur, please notify the Commission's rail staff immediately.

Thank you for you cooperation in this matter.

Sincerely,


Jill Henry
Rail Specialist
PUCO Rail Division

Enclosure
cc: LHA; ORDC, File

**PUBLIC UTILITIES COMMISSION OF OHIO
TRANSPORTATION DEPARTMENT
RAIL DIVISION**

Date of Assignment: April 12, 2010

Date of Inspection: April 30, 2010

Subject: Plans and estimates review for active warning devices at rail grade crossings HB Hole Road (DOT# 538-785B) and Wolf Road (DOT#538-798C) CSX Transportation, Inc. (CSX), Darke County

DOT #: 538-785B & 538-798C

FINDINGS

Office Review

On April 28, 2010, Shawn Zurfle, PUCO/FRA Rail Inspector conducted an office review of the plans and estimates for both crossings. Mr. Zurfle stated the following based on his review:

I have reviewed the plans and estimates for HB Hole Road. The plans I reviewed in my office appear to be fundamentally correct. The cost estimate appears to contain the usual and customary charges for this type installation of an active highway active highway grade crossing warning system. I took no exceptions to any of the material reviewed.

I have reviewed the plans and estimates for Wolf Road. The plans I reviewed in my office appear to be fundamentally correct. The cost estimate appears to contain the usual and customary charges for this type of installation of an active highway grade crossing warning system. I took exceptions to the plans in regards to the placement of the instrument case being placed in the southwest quadrant next to the fence. It appears the house would be better located in the northeast or northwest quadrant. However without a site visit to see the terrain this determination may not be accurate. It also appears the gate mechanism in the northwest quadrant may be interfering with the buried phone line. This problem would be minimal and can be resolved by placing the gate mechanism further back. However as stated before this would be better determined with a site visit to determine the lights would still be visible by moving the gate further back.

Field Review

On April 30, 2010, on-site reviews of plans and estimates were performed at both crossings by Jerry Gibson, PUCO/FRA Rail Inspector, Tim Perkins, Ohio Rail Development Commission, Grade Crossing Specialist, and Jill Henry, PUCO Rail Specialist.

HB Hole Road

HB Hole Road is a 2-lane roadway traveling North/South and intersecting two tracks of CSX traveling East/West across HB Hole Road. Existing warning devices consist of advanced warnings signs, rumble strips, pavement markings, and crossbucks.

In reviewing the site plans for the HB Hole Road crossing, the plans appear to be fundamentally correct. During the field inspection, Mr. Zurfley's concerns were reviewed. It appears that the phone line in the Northwest quadrant can be worked around to install the gate foundation. Based upon our review the instrument case could be placed in any quadrant at the crossing, so that determination will be left to CSX.

Wolf Road

Wolf Road is a 2-lane roadway traveling North/South and intersecting two tracks of CSX traveling East/West across Wolf Road. Existing warning devices consist of advanced warnings signs, rumble strips, pavement markings, and crossbucks.

In reviewing the site plans for the Wolf Road crossing, the plans appear to be fundamentally correct.

SUMMARY AND CONCLUSIONS

The plans and estimates for the proposed project have been reviewed. The plans and estimates appear to be fundamentally correct. Construction authorization should be granted for these projects.

Jill Henry
PUCO Rail Specialist
Date: May 10, 2010