

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition by Wye)
Transportation Corporation for)
Reinstatement of the Woodland) Case No. 10-1401-RR-RCP
Avenue Grade Crossing (919-867L),)
in the City of Columbus, Ohio.)

ENTRY

The Commission finds:

- (1) On October 15, 2009, Wye Transportation Corporation (Wye) filed a request in *In the Matter of a Request for an Exemption From Stopping for School Buses and Other Motor Vehicles at the Woodland Avenue Grade Crossing (919-867L), in the City of Columbus, Ohio*, Case No. 09-958-RR-RCP (09-958), for a temporary exemption for school buses from stopping at a grade crossing located at Woodland Avenue (919-867L) in the city of Columbus, Ohio. Wye noted that the rail line at the crossing had been paved over and that because parts of the automated upright gate posts were visible, school buses traveling on Woodland Avenue were required to stop and check for a train before proceeding over the crossing. Wye also noted that it intended in the near future to rebuild the rail line that extends over Woodland Avenue.
- (2) On November 12, 2009, Wye filed an amended request in 09-958, requesting as an alternative to a temporary exemption, permission to remove the remaining light and gate mechanism. Wye indicated that when it rebuilds the rail line at the crossing it would rebuild it to the required standards.
- (3) By entry issued on November 24, 2009, the Commission dismissed Wye's request for an exemption from stopping and directed Wye to remove the non-functioning light and gate assembly from the Woodland Avenue grade crossing. The Commission also directed Wye to file a petition with the Commission if Wye seeks to restore rail service across the Woodland Avenue grade crossing in the future.

- (4) On September 21, 2010, Wye filed in this docket a petition to reinstate the Woodland Avenue grade crossing. Wye states that it plans to reconnect the rail spur at the Woodland Avenue grade crossing, pursuant to an award of a loan from the Ohio Department of Development's (ODOD) Logistics and Distribution Stimulus Program. Wye states that, in addition to the rehabilitated rail spur that will cross the street, it plans to install automatic crossing gates while a precast concrete panel will be installed over Woodland Avenue to ensure a smoother crossing for motor vehicles. Wye requested expedited consideration of its petition, due to the fact that its project is on a tight time frame pursuant to the ODOD program.
- (5) On October 5, 2010, staff filed a recommendation that the Commission approve Wye's petition. Staff recited the facts provided by Wye in support of its petition, and also noted that the city of Columbus strongly supported Wye's plans.
- (6) Upon review of staff's recommendation and Wye's petition, the Commission finds that Wye's petition for reinstatement of the Woodland Avenue grade crossing is reasonable and should be granted. The Commission directs Wye to coordinate with staff and the city of Columbus while rebuilding the rail spur and Woodland Avenue grade crossing. In addition, Wye should provide updates on the status of its project to staff and the city of Columbus every 30 days following the issuance of this entry. Wye should also file a notice in the docket upon completion of rebuilding the rail spur and Woodland Avenue grade crossing.

It is, therefore,

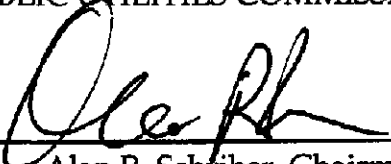
ORDERED, That Wye's petition for reinstatement of the Woodland Avenue grade crossing be granted. It is, further,


ORDERED, That Wye provide updates on the status of its project to rebuild the rail spur and Woodland Avenue grade crossing to staff every 30 days following issuance of this entry. It is, further,

ORDERED, That Wye file a notice in this docket upon completion of rebuilding the rail spur and Woodland Avenue grade crossing. It is, further,

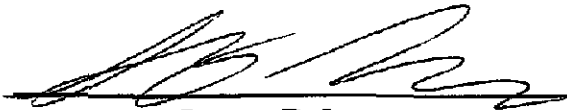
ORDERED, That a copy of this entry be served on the Wye Transportation Company, the city of Columbus, and all other interested parties of record.

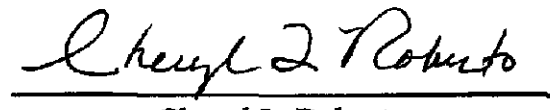
THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman


Paul A. Centolella

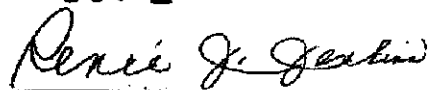

Valerie A. Lemmie


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HPG/sc

Entered in the Journal

OCT 15 2010


Reneé J. Jenkins
Secretary