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Public Utilities
Commission of Ohio

PUCO

Memo

To: Docketing Division
From: George Martin, Grade Crossing Planner, Rail Division
Re: PUCO Case No. 10-1209-RR-UNC
Date: October 25, 2010

Please docket the attached staff report in the above referenced case.

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.
Technician SM Date Processed OCT 25 2010



The Public Utilities
Commission of Ohio

A report by the Staff of the
Public Utilities Commission of Ohio

October 25, 2010



INTRODUCTION

Rail Division

The Public Utilities Commission of Ohio (PUCO) works with local highway authorities and communities to provide safety for the citizens of Ohio at highway-railroad grade crossings.

The PUCO has the statutory authority to regulate and promote the welfare and safety of railroad employees and the traveling public pursuant to Ohio Revised Code Section 4905.471; and

The PUCO has the authority to close public at grade crossings pursuant to Ohio Revised Code Sections 4907.474 and 4907.475. The sections set forth a variety of factors to be considered by the Commission in determining whether there is a demonstrable need for any public grade crossing to exist and whether any such crossing could be closed to vehicular traffic, pedestrian traffic, or both and the travel over the grade crossing diverted to other grade crossings.

The PUCO is responsible for evaluating public highway-railroad grade crossings to determine the need for upgrading the warning devices and apportioning the cost thereof pursuant to Ohio Revised Code Section 4907.471.

The PUCO has the authority under Ohio Revised Code Section 4511.63 (B) to declare a grade crossing exempt, whereby vehicles normally required to stop at a grade crossing under that title and Code of Federal Regulations Title 49, 392.10 would be able to proceed through the crossing without stopping.

The PUCO enforces all aspects of the Federal Railroad Administration regulations through inspections and evaluations of Ohio's public highway-railroad grade crossings.

I. DESCRIPTION OF APPLICANT

The Hocking Valley Scenic Railway (HVSR) is non-profit, tourist railway operated by volunteers, and founded in 1972. It operates between Nelsonville, Ohio, and Logan, Ohio, on track formerly owned by the Chesapeake & Ohio Railway.

II. PROJECT DESCRIPTION

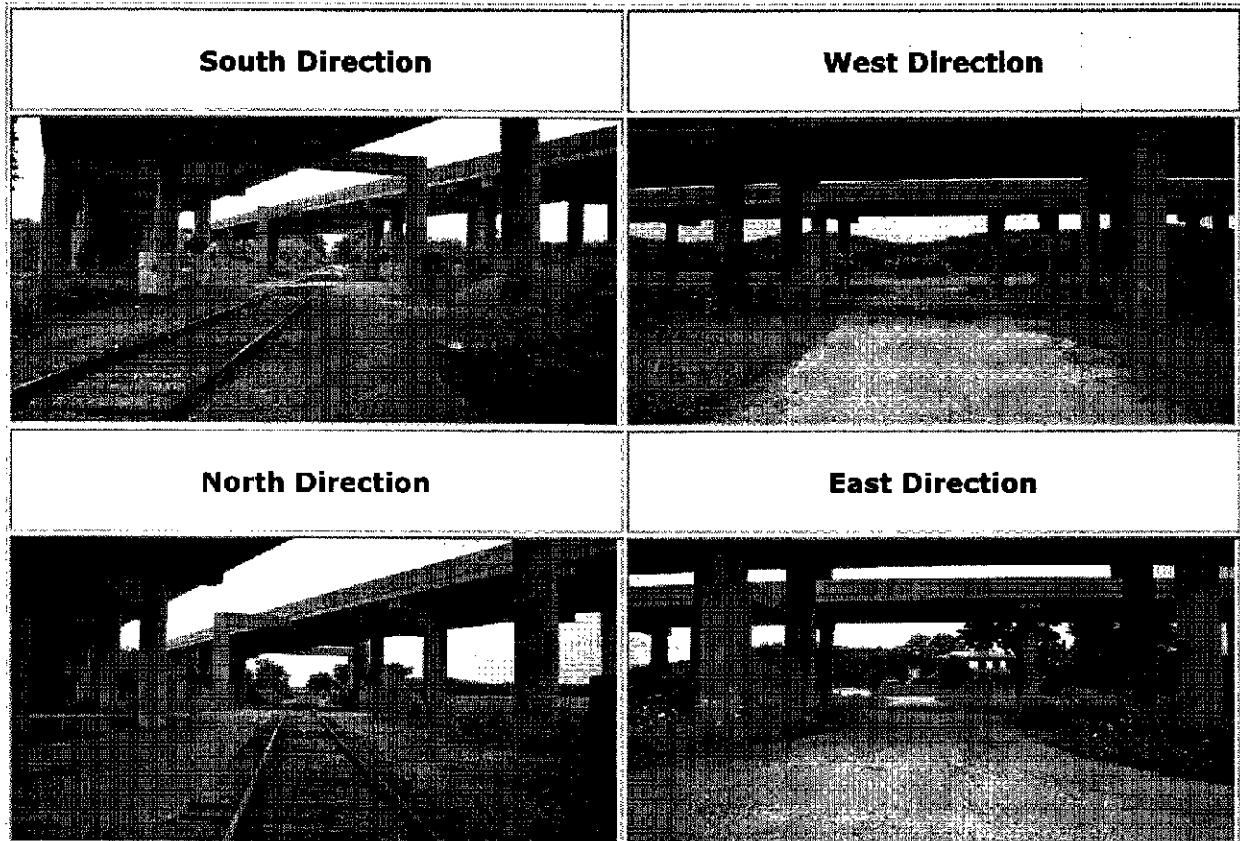
On August 20, 2010, the Hocking Valley Scenic Railway (HVSr) filed under Case No. 10-1209-RR-UNC a petition for the downgrade of the warning devices at Hocking County, Green Township, Well Rd/CR 417, DOT# 229024B. The warning devices at the crossing currently consist of out-of-service mast-mounted flashing light signals. HVSr seeks to replace these with standard crossbucks.

III. Photo's from PUCO Database



Public Utilities Commission of Ohio

Record ID: 3892



Site Information	
AARDOT:	229024B
AARDOT Source:	Railroad
Adj. AARDOT:	
Adj. AARDOT Source:	Railroad
Survey Site ID:	
Init. Agency for Change:	Railroad
Reason for Change:	Updated Record
Effective Date:	Aug 3 2010 12:00AM

Railroad Information	
Operating RR:	Hocking Valley Scenic Railroad
Division:	
Sub-Division:	ATHENS
Branch/Line Name:	
Milepost:	54.26
Railroad ID:	
Nearest Time Table Station:	NELSONVILLE
Parent RR Company:	
Crossing Owner:	
Location and Classification Information	
County:	HOCKING
(Nearest) City:	LOGAN
Street:	WELL RD
Highway and SLM:	CR417
High Speed Corridor:	
County Map Ref. Number:	37
ODOT NLF ID:	
Latitude:	39.500547
Longitude:	-82.345965
Elevation (ft):	
Crossing Type:	Public
Position:	At-Grade
Emergency Contact:	740-753-1152
Railroad Contact:	
State Contact:	
LHA:	HOCKING COUNTY
LHA2:	
Dev. Type:	Open Space
Crossing Angle:	60-90 Degrees

Tracks:	0
Lanes:	1
Warning Devices	
Crossbucks, Standard:	0
Crossbucks, Buckeye:	0
Lights, Mast Mounted:	8
Lights, Cantilevered:	0
Lights, Other:	0
Gates:	0
Traffic Information	
Day Thru Trains:	0
Day Switching Trains:	0
Night Thru Trains:	0
Night Switch Trains:	0
Date of Train Count:	
Highway AADT:	13
Date of AADT:	2009

Highway Information	
Distance to Nearest Intersection:	
Type of Intersection:	Not Surveyed
Number of HW-HW Intersections:	

Site Comments
confirmed public with hocking co highway dept charles worthington, 740-3858546 less than one movement a day.8/3/10

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

Date of Assignment: August 23, 2010

Date of Inspection: October 21, 2010

Subject: Case No. 10-1209-RR-UNC – Hocking Valley Scenic Railway petition to downgrade warning devices

DOT No. 229024B Well Road/CR 417-Hocking Co.

FINDINGS

On October 21, 2010 at Well Road/CR 417-Hocking Co, this inspector met with representatives of the Hocking Valley Scenic Railway (HVSR). Well Road is a dead end gravel road maintained by the Hocking County Highway Department. The road provides access to farmer's fields and fishing spots along the Hocking River. No residences are accessed by this road. The daily average traffic count, dated 2009, indicates 13 cars per day. The HVSR averages less than one train movement per day over the crossing. The train speed is 10 to 15 miles per hour over the crossing. The crossing, located at milepost 54.26 of the HVSR line and is currently equipped with flashers that are out of service and covered with black plastic. There are railroad crossing signs present on both flasher masts. No advance warning signs are present on Well Road or on CR 33 approaching Well Road. This crossing was believed to be a private farm crossing, however, after checking with the local highway authority, it was confirmed to be a public crossing. The HVSR representatives stated the flashers have been out of service for several years. Obstructive vegetation upon the HVSR right-of-way within 600 feet of the crossing is present in all four quadrants. Additional obstructive vegetation exists beyond the HVSR right-of-way.

SUMMARY

Well Road is a lightly traveled dead end road which does not provide access to any residences. It does provide access to several farmers' fields as well as fishing spots along the Hocking River. The average of trains per day traversing the crossing is less than one.

CONCLUSIONS & RECOMMENDATIONS

Consideration should be given to allowing the HVSR to downgrade the warning devices at this crossing under the following conditions:

1. The crossing is brought into compliance with all current State of Ohio regulations, standards, and recommendations by the HVSR and the Hocking County Highway Department related to crossbuck signs and removal of obstructive vegetation upon the HVSR right of way as well as all applicable advance warning signs.
2. The obstructive vegetation beyond the HVSR right of way is addressed through the joint efforts of the HVSR and the HCHD. Otherwise, if the flashers are allowed to be removed, a false impression that the crossing is no longer in use may be giving to the motoring public.

Inspector R Heinzman
PUCO/FRA Safety Inspector
October 22, 2010

Ohio's Rail Grade Crossing Programs

Ohio is a national leader in terms of railroad operations. Ohio is home to nearly 40 railroads that operate thousands of trains in Ohio every day over approximately 5,200 miles of track and 6,000 public grade crossings. The Public Utilities Commission of Ohio (PUCO) is the state agency with regulatory authority over railroads operating in Ohio. The Commission works in partnership with the Federal Railroad Administration to ensure that rail operations and infrastructure are safe and in compliance with federal and state regulations.

In addition to central office planners and other support staff, the PUCO employs federally certified railroad inspectors throughout Ohio. These inspectors respond to inquiries and complaints and conduct specialized inspections of railroad tracks and equipment, rail operations, hazardous material transportation, and grade crossing signal circuitry. The inspectors also monitor railroad rights-of-way and grade crossings for surface conditions, view obstruction, fencing and drainage concerns, conditions on railroad equipment and at rail yards and other facilities, and related safety concerns of both the PUCO and railroad employees.

PUCO inspectors investigate all grade crossing and railroad employee fatalities and monitor company inspections of rail bridges throughout the state.

Safety is our highest priority

Grade crossing safety is one of the PUCO's highest priorities, and we are proud of our accomplishments. Since 1990, motor vehicle/train crashes at grade crossings in Ohio have declined by 66 percent and the number of fatalities has dropped by 77 percent. This dramatic improvement has been achieved during a period of steady increase in the amount of train traffic and in the number of registered motor vehicles and licensed drivers in Ohio. Over the past 10 years, the PUCO has participated in the installation of lights and gates at more than 1,000 grade crossings across Ohio. We look forward to working with your community to help make grade crossings as safe as possible.

Questions or Concerns?

Call the Ohio Rail Hotline at (866) 814-RAIL or log on to www.OhioRail.ohio.gov for answers to all of your railroad crossing needs.

The Public Utilities Commission of Ohio
Ted Strickland, Governor • Alan R. Schriber, Chairman
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