

FILE
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Established 1844

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August 26, 2011

VIA FACSIMILE AND OVERNIGHT MAIL

The Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, Ohio 43215-3793
Fax No.: 614-466-0313

Re: In the Matter of the Authorization of the Norfolk Southern Railway
to Install Active Grade Crossing Warning Devices in Montgomery
and Warren Counties.
PUCO Case No. 10-222-RR-FED
Our File No: N1432/176814

Dear Docketing Clerk:

Attached for filing is a Request for Extension of Construction Deadline.

I confirm that, via overnight 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 J. Kirkland (w/enc.)
Dan Casson (w/enc.)
Duke Energy (w/enc.)
Rich Norton (w/enc.)
Service Department of Moraine, Ohio (w/enc.)

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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of the Norfolk Southern Railway to Install Active Grade Crossing Warning Devices in Montgomery and Warren Counties.

Case No. 10-222-RR-FED

REQUEST FOR EXTENSION OF CONSTRUCTION DEADLINE

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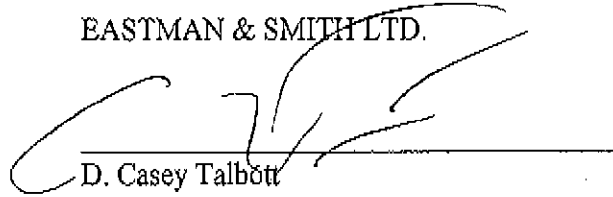
Attorneys for Norfolk Southern Railway Company

Norfolk Southern Railway Company ("Norfolk Southern") respectfully requests that the deadline for the construction project at the South Alex Road grade crossing (524-644B) in West Carrollton, Montgomery County be extended thirty (30) days, through October 3, 2011.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.



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Attorneys for Norfolk Southern
Railway Company

MEMORANDUM IN SUPPORT

By Entry of April 14, 2010, the Commission authorized Norfolk Southern to perform a signal preemption project at the South Alex Road grade crossing (524-644B) in West Carrollton, Montgomery County. Per Commission Staff's request, this project was included in the instant case, together with five projects previously authorized by the Commission, with an assigned project completion deadline of September 3, 2011.

Substantial progress has been made, in that four of the five originally-ordered projects (specifically, those at Alex Bell Road and Elm Street in West Carrollton, and those at Fairview and Lower Carlisle Roads in Carlisle) are completed and in service, and subject to the Commission's approval, the fifth originally-ordered project – that at Sellars Road in Moraine – is on target to be completed by September 17, 2011.

The sixth project at issue (again, that at South Alex Road in West Carrollton) has been delayed, since – apparently due to funding complications at the local level – the ORDC has not yet authorized construction. The parties have maintained constructive dialogue throughout

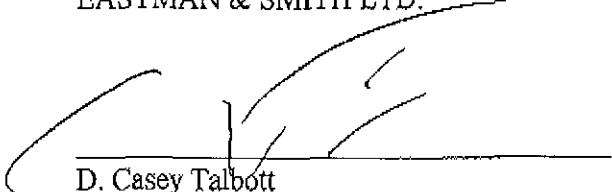
this process, but at least to date, these funding complications have not been resolved, and Norfolk Southern has not been authorized to proceed.

Accordingly, Norfolk Southern respectfully requests that the completion deadline for the South Alex Road grade crossing project be extended thirty (30) days, through October 3, 2011.

In the meantime, Norfolk Southern will continue to follow with the ORDC and the Commission Staff, toward determining the ORDC's intent here, and will then follow formally – by way of Status Report – with the Commission.

Respectfully submitted,

EASTMAN & SMITH LTD.

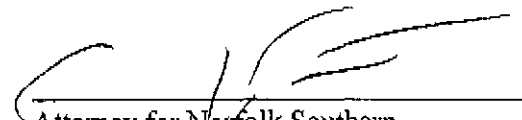


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Attorneys for Norfolk Southern
Railway Company

PROOF OF SERVICE

A copy of the foregoing *Request for Extension of Construction Deadline* was e-mailed this 26 day of August, 2011, to: **Leah Thomas-Dalton**, Chief, PUCO Rail Division, Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215; and **Susan J. Kirkland**, Manager, Safety Programs, c/o Ohio Rail Development Commission, 1980 West Broad Street, 2nd Floor, Columbus, Ohio 43223; and mailed to: **Dan Casson**, Service Department, 474 Fairview Drive, Carlisle, Ohio 45005; **Duke Energy**, 1000 East Main Street, Mail Drop WP 890, Plainfield, Indiana, 46168; **Rich Norton**, Service Department, 300 East Central Avenue, West Carrollton, Ohio 45449; and **Service Department of Moraine, Ohio**, 2250 Sandridge Road, Moraine, Ohio 45439.



Attorney for Norfolk Southern
Railway Company