BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of the)
Columbus & Ohio River Railroad to Install)
New Active Grade Crossing Warning)   Case No. 10-2787-RR-RCP
Devices in the City of Newark, Licking)
County.)

ENTRY

The attorney examiner finds:

(1)   By entry of December 8, 2010, the Commission ordered the Columbus & Ohio River Railroad (CUOH) to replace the existing mast-mounted flashing lights and roadway gates at the Cedar Street/State Route 79 grade crossing (517-478U), located in the city of Newark, Licking County, with a new traffic signal assembly. The project was to be completed by September 8, 2011.

(2)   On September 2, 2011, CUOH filed a request for a 30-day extension of time to complete the project. CUOH stated that the Ohio Department of Transportation has not set a date that roadway construction is to be completed; and therefore, it is not able to start the relocation of the flasher/gate or the addition of a third flasher/gate.

(3)   On September 6, 2011, staff filed a memorandum recommending that the extension request be granted. Staff notes that delays in projects of this type are not unusual because of the nature of the projects and the requisite roadway work. The attorney examiner finds good cause to grant the 30-day extension request. Accordingly, the deadline for completion of the project should be extended and CUOH should complete this project by October 10, 2011. Staff should monitor the work at this crossing to ensure that the project is completed with as little delay as possible.

It is, therefore,

ORDERED, That CUOH's request for an extension be granted and that CUOH complete the project by October 10, 2011. It is, further,

ORDERED, That copies of this entry be served upon CUOH, ORDC, Newark city Engineer, American Electric Power, any other interested person of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By: Scott Farkas
        Attorney Examiner

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Entered in the Journal

SEP 0 7 2011

Betty McCauley
Secretary