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**Public Utilities  
Commission of Ohio**

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PUCO

**Memo**

**To:** Docketing Division  
**From:** Jill Henry, Rail Specialist, Rail Division  
**Cc:** PUCO Legal Department  
**Date:** 11/7/11

**Re:** PUCO Case No. 10-907-RR-STP- In the matter of a request for CSX Transportation, Inc. to install active grade crossing warning devices in Darke County, Village of Ansonia at Jackson Street (DOT#538-806S).

On May 20, 2010, Commission Staff, The Ohio Rail Development Commission (ORDC), CSX Transportation, Inc.(CSX), and the Village of Ansonia, Darke County, Ohio entered into an agreement whereby active grade crossing warning devices would be installed in Darke County, Village of Ansonia at Jackson Street (DOT#538-806S).

On June 18, 2010, The Ohio Rail Development Commission authorized funding for the project.

On July 14, 2010, the Commission issued a Finding and Order approving the project and requiring the submission of plans and estimates by October 12, 2010.

On September 14, 2010, Staff held a phone conference with CSX and noted that the plans were not complete. In Staff e-mail communications with CSX during October, CSX indicated that the plans still had not been completed. On November 10, 2010 Staff held a phone conference with CSX and determined the plans still had not been completed.

On November 18, 2010, CSX filed a letter requesting an extension of the October 12, 2010 deadline until December 16, 2010. CSX cited the need for an extension due to the complexity of the design for the project. This crossing is located in the middle of a railroad interlocking and requires a very complex warning system design.

CSX filed a complete set of plans and estimates on December 15, 2010. The project estimate increased significantly from the initial estimate utilized for the project. Due to this large increase in project cost, Staff sent a request for CSX for clarification. On February 7, 2011, CSX provided the additional information requested by Staff and provided a revised estimate.

After additional review and discussion, Staff recommended that the project move forward. A contract amendment was made in August 2011 and sent to all parties for approval. In September 2011, CSX signed the amended contract and provided a new revised estimate. Staff had additional discussions regarding the estimate and has now decided to move forward with the project.

The plans and estimates submitted by CSX have been reviewed and authorization for the Jackson Street project by the PUCO and ORDC is recommended.

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# Public Utilities Commission

John R. Kasich, Governor  
Todd A. Snitchler, Chairman

## Commissioners

Paul A. Centolella  
Cheryl Roberto  
Steven D. Lesser  
Andre T. Porter

November 7, 2011

Ms. Karen Murphy  
Project Manager  
CSX Transportation, Inc.  
500 Water Street-J301  
Jacksonville, FL 32202

Re: CSX Grade Crossing, Jackson Street  
DOT#538-806S, Village of Ansonia, Darke  
County

Ms. Murphy:

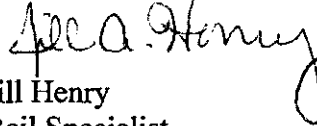
CSX is now authorized to proceed with field construction for the above referenced project. This authorization is contingent upon accepting the following:

- 1) CSX will make the adjustments to the plans noted in the field report docketed November 7, 2011. (Attached).
- 2) CSX will furnish prior e-mailed, faxed or phone notification five (5) working days prior to the start of field construction to Jill Henry, PUCO, at E-MAIL [jill.henry@puc.state.oh.us](mailto:jill.henry@puc.state.oh.us), or FAX 614-995-5535 and Tim Perkins, ORDC, at E-MAIL [Tim.Perkins@dot.state.oh.us](mailto:Tim.Perkins@dot.state.oh.us), or PHONE 614-580-7749.
- 3) CSX's project foreman will also notify the PUCO and ORDC of any stops and re-starts of the work activity and of the date work was completed for the project.
- 4) 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.
- 5) CSX's project foreman will notify the PUCO Railroad Inspector and ORDC's Tim Perkins 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.
- 6) CSX will furnish three (3) copies of each partial bill to the PUCO and ORDC.
- 7) CSX will furnish three (3) copies of the final-inclusive bill to PUCO and ORDC stating that exact dates of starting and completing work, the initial and final dates of construction and location where the accounts may be audited.

- 8) CSX will furnish as-built detailed circuit plans directly to PUCO and ORDC.
- 9) CSX is to schedule and complete the subject project by April 10, 2012. If any extraordinary circumstances unique to this project occur, please notify the Commission's rail staff and the ORDC immediately.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Henry", written in a cursive style.

Jill Henry  
Rail Specialist  
PUCO Rail Division

Enclosure

cc: LHA; ORDC; File

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

**Date of Assignment:** December 15, 2010

**Date of Inspection:** January 7, 2011, February 8, 2011, July 19, 2011, & October 6, 2011

**Subject:** Plans and estimates review for active warning devices at rail grade crossing Jackson Street (DOT# 538-806S), CSX Transportation, Inc. (CSX), Darke County

**DOT #: 538-806S**

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**FINDINGS**

**Jackson Street**

Jackson Street is a 2-lane roadway traveling North/South and intersecting 4 tracks of CSX traveling East/West across Jackson Street. Existing warning devices consist of advanced warnings signs, pavement markings, and crossbucks.

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Darke County  
Jackson Street  
CSX Transportation, Inc.

## **SUMMARY AND CONCLUSIONS**

The plans and estimates for the proposed project have been reviewed.  
Construction authorization should be granted for this project.

Jill Henry  
PUCO Rail Specialist  
Date: November 4, 2011