

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of the )  
Chicago, Ft. Wayne & Eastern Railway to ) Case No. 10-2309-RR-FED  
Install Active Grade Crossing Warning )  
Devices in Van Wert County. )

ENTRY

The attorney examiner finds:

- (1) By entry of October 22, 2010, the Commission ordered the Chicago, Ft. Wayne & Eastern Railway (CFE) to install mast-mounted flashing lights and roadway gates at the Shannon Street/State Route 118 grade crossing, (523-451Y), located in the city of Van Wert, Van Wert County, on or before October 22, 2011. This project was ordered in conjunction with a road widening project of the Ohio Department of Transportation (ODOT) and, rather than relocate the existing flashing lights, new devices were recommended, including roadway gates.
- (2) On various dates, CFE has been granted extensions of time to complete the project. Most recently, CFE was granted an extension until April 23, 2012.
- (3) On April 17, 2012, as amended on April 20, 2012, CFE filed a request for an extension of time until May 23, 2012, to complete the project. CFE stated that the project has been delayed due to an obstructed view of new flashers, as a result of the relocation of one of American Electric Power's utility poles into the line of sight. CFE notes that, while this problem has been resolved, there are additional funding and approval requests currently underway and slight material lead time that will likely prohibit crossing construction from being completed by the April 23, 2012, completion date.
- (4) On April 20, 2012, Staff filed a memorandum recommending that the extension request until May 23, 2012, be granted. Staff noted that substantial work has been done including gate masts are set, the signal house is placed, boring work has been done and conduit is on site.

- (5) The attorney examiner finds good cause to grant the requested extension. Accordingly, the deadline for completion of the project should be extended to May 23, 2012. CFE is directed to follow all standard railroad crossing safety protocol so as to ensure the protection of the traveling public at this crossing. In addition, Staff should continue to monitor the project to ensure it is completed within the newly ordered time frame.

It is, therefore,

ORDERED, That CFE be granted an extension of time until May 23, 2012, to complete the project. It is, further,

ORDERED, That copies of this entry be served upon CFE, ORDC, Van Wert Engineer, Ohio Department of Transportation District 1, AEP, and any other interested person of record.

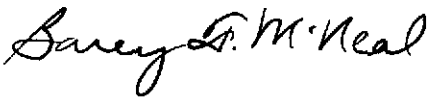
THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Scott Farkas  
Attorney Examiner

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APR 23 2012



Barcy F. McNeal  
Secretary