

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of the)
Cleveland Commercial Railroad to Begin a) Case No. 10-821-RR-FED
Consolidation Project in the City of)
Bedford, Cuyahoga County.)

ENTRY

The attorney examiner finds:

- (1) By entry of June 30, 2010, the Commission approved a subsidy stipulation between the Commission Staff (Staff), the Ohio Rail Development Commission (ORDC), Cleveland Commercial Railroad (CCR), Wheeling & Lake Erie Railway, and the city of Bedford, under which CCR was ordered to close to vehicular and pedestrian traffic the grade crossings located at Monroe Street (475-968S) and South Park Street (475-969Y) and to upgrade, with new mast-mounted flashing lights and roadway gates, the grade crossings located at Powers Street (524-342Y), Willis Street (475-971A), and North Park Street (475-970T). CCR was ordered to complete these projects by June 30, 2011.
- (2) By previous entries, CCR was granted extensions to complete the projects. Most recently, CCR was granted an extension of time until May 30, 2012, to complete the projects due to a delay in the relocation of several utility wires that prevent the Powers Street gates from operating.
- (3) On May 25, 2012, CCR filed a request for an additional 30-day extension of the construction deadline. CCR states that the relocation of the utility lines by the city of Bedford has still not been accomplished. In addition, CCR notes that, even though the pre-emption components have been installed, the pre-emption circuitry needs to be programmed.
- (4) Staff filed a memorandum on May 25, 2012, recommending that the extension request be granted. Staff noted that it has reviewed the current status of the projects with all of the parties and is satisfied that CCR has made a good faith effort to complete the projects within the Commission-ordered time frame.

- (5) Upon review, good cause exists to grant an extension of the completion deadline. Accordingly, the deadline for completion of the projects is extended to July 2, 2012. CCR is directed to follow all standard railroad crossing safety protocol so as to ensure the protection of the traveling public at these crossings. In addition, Staff should continue to monitor the projects to ensure they are completed within the newly ordered time frame.

It is, therefore,

ORDERED, That CCR's request for an extension of time be granted and that CCR complete the projects by July 2, 2012. It is, further,

ORDERED, That copies of this entry be served upon CCR, W&LE, ORDC, Bedford City Manager, CEI, and any other interested person of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Scott Farkas
Attorney Examiner

gaf/sc

Entered in the Journal
MAY 30 2012



Barcy F. McNeal
Secretary