

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of the)	
Ohio State Legislative Board, United)	
Transportation Union,)	
)	
Complainant,)	
)	Case No. 11-5238-RR-CSS
v.)	
)	
CSX Transportation,)	
)	
Respondent.)	

ENTRY

The Commission finds:

- (1) On September 22, 2011, the Ohio State Legislative Board, United Transportation Union (UTU) filed a complaint against CSX Transportation (CSX) alleging that CSX permitted unsafe and hazardous walking and tripping conditions to exist at one of its facilities.
- (2) On September 28, 2011, CSX filed an answer to the complaint.¹
- (3) On December 6, 2011, Commission Staff (Staff) filed an investigative report on the complaint recommending a follow-up inspection in the spring of 2012.
- (4) On February 13, 2012, Staff filed a second investigative report on the complaint indicating CSX had taken corrective action to resolve the complaint. Staff also noted that it had also conducted a follow-up meeting with representatives of CSX and the UTU and determined that the conditions giving rise to the complaint had been eliminated. As a result, Staff recommended that the complaint be dismissed.

¹ Commission Staff attached a cover memo to the complaint that inadvertently indicated the complaint was filed against CSX and Norfolk Southern Railway Company (NS) and a copy of the complaint was served on NS. As a result, NS filed an answer and motion to dismiss the complaint. As the UTU never identified NS as a party against which the complaint was filed, NS is not a party to the case.

- (5) As the conditions giving rise to the complaint have been eliminated, the complaint should be dismissed.

It is, therefore,

ORDERED, That the complaint is dismissed. It is, further,

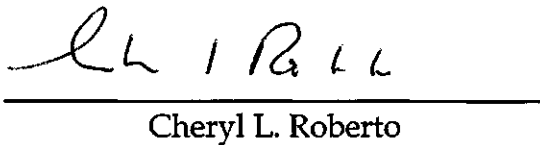
ORDERED, That a copy of this entry be served on all parties of record.

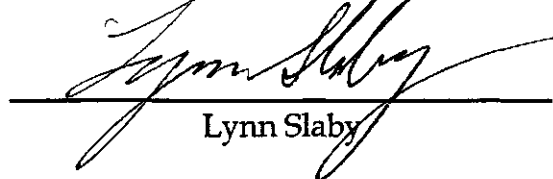
THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Steven D. Lesser


Andre T. Porter

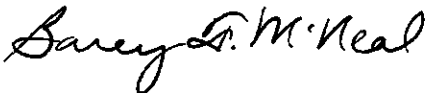

Cheryl L. Roberto


Lynn Slaby

SEF/sc

Entered in the Journal

JUN 13 2012


Barcy F. McNeal

Barcy F. McNeal
Secretary