

FILE

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Established 1844

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July 30, 2012

VIA HAND-DELIVERY

The Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, Ohio 43215-3793

Re: In the Matter of the Request of Norfolk Southern Railway Company
to Downgrade the Existing Warning Devices at the Mill Street Grade
Crossing (502-857A) in Salem, Columbiana County
PUCO Case No.
Our File No: N1432/176814

Dear Docketing Clerk:

Enclosed for filing are an original and seven (7) copies of a Request to Downgrade
Warning Devices. Please file this pleading and then return a date-stamped copy to me via the enclosed,
stamped envelope.

Please call me – at (419) 241-6000 – if you have any questions or concerns.

Thank you.

Very truly yours,

EASTMAN & SMITH LTD.

Casey Talbott

DCT/kml
Enclosures

cc: Leah Thomas Dalton (via e-mail)
Susan J. Kirkland (via e-mail)
Cayela Wimberly (via e-mail)
Ken Kenst (via mail)

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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Request of
Norfolk Southern Railway Company
to Downgrade the Existing Warning
Devices at the Mill Street Grade
Crossing (502-857A) in Salem,
Columbiana County.

: Case No.
:
: **REQUEST TO DOWNGRADE**
: **WARNING DEVICES**
:
: D. Casey Talbott (0046767)
: (Counsel of Record)
: Mark W. Sandretto (0079536)
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:
: Attorneys for Norfolk Southern
: Railway Company

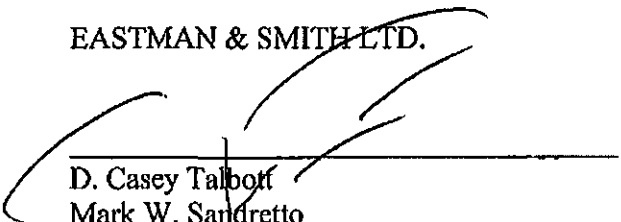
[illegible]

Norfolk Southern Railway Company ("Norfolk Southern") respectfully requests that the Commission convene a diagnostic review at the Mill Street aka Mullins Street aka State Route 9 grade crossing (502-857A) in Salem, Columbiana County, and assuming MUTCD-compliant, that it issue an Order authorizing Norfolk Southern to permanently remove an existing cantilever from the northwest quadrant of the crossing.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.



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Attorneys for Norfolk Southern
Railway Company

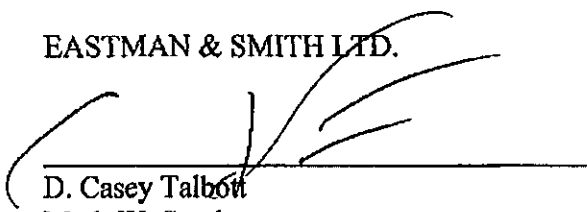
MEMORANDUM IN SUPPORT

A PUCO Staff representative recently conducted an investigation of the Mill Street grade crossing and expressed concern regarding the location of the cantilever placement in the northwest quadrant of the crossing – specifically, that the cantilever may be too close to the track and roadway, and thus not MUTCD-compliant. To the undersigned's understanding, the Staff representative suggested that the cantilever may be unnecessary and thus appropriate for removal, but that this would require Commission approval.

Toward that end, Norfolk Southern respectfully requests that the Commission convene a diagnostic review at this crossing, toward determining whether the cantilever in the northwest quadrant is in fact mandated, and assuming it is not, that the Commission issue an Order authorizing Norfolk Southern to remove the cantilever.

Respectfully submitted,

EASTMAN & SMITH LTD.



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Attorneys for Norfolk Southern
Railway Company

PROOF OF SERVICE

A copy of the foregoing *Request to Downgrade Warning Devices* was e-mailed this 30 day of July, 2012, to: **Leah Thomas-Dalton**, Chief, PUCO Rail Division, Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215; **Susan J. Kirkland**, Manager, Safety Programs, c/o Ohio Rail Development Commission, 1980 West Broad Street, 2nd Floor, Columbus, Ohio 43223; and **Cayela Wimberly**, Norfolk Southern Corporation, 1200 Peachtree St., NE, P.O. Box 123, Atlanta, Georgia 30309; and mailed to **Ken Kenst**, Service and Safety Director, City of Salem, c/o Salem City Hall, 231 South Broadway Avenue, Salem, Ohio 44460.



Attorneys for Norfolk Southern
Railway Company