

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of)
Norfolk Southern Railway Company to)
Close to Vehicular Traffic the Stores) Case No. 12-2145-RR-UNC
Road/Township Road 159 Grade Crossing)
(DOT No. 472543T), Located in Brown)
Township, Paulding County, Ohio.)

ENTRY

The attorney examiner finds:

- (1) On August 12, 2013, the attorney examiner issued an entry scheduling an October 30, 2013, evidentiary hearing in this case.
- (2) On October 23, 2013, counsel for Norfolk Southern Railway Company (NS) filed a consent request to continue the evidentiary hearing to January 23, 2014. The request states that constructive settlement discussions are ongoing and that, furthermore, the primary witness for NS recently underwent major surgery, making doubtful his ability to attend the October 30, 2013, evidentiary hearing. With these factors in mind, NS adds, the parties seek a continuance of the evidentiary hearing to January 23, 2014.
- (3) The attorney examiner finds that NS's request for a continuance is reasonable and should be granted. Accordingly, the evidentiary hearing is continued to January 23, 2014, at 1:00 p.m. at the Commission offices, 180 East Broad Street, Hearing Room 11-D, Columbus, Ohio 43215-3793.

It is, therefore,

ORDERED, That the evidentiary hearing be continued to January 23, 2014, at 1:00 p.m. in Hearing Room 11-D at the Commission Offices, 180 East Broad Street, Columbus, Ohio 43215-3793. It is, further,

ORDERED, That a copy of this entry be served upon ORDC, NS and its counsel, the Brown Township Trustees, the Paulding County Prosecuting Attorney, and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

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in

Case No(s). 12-2145-RR-UNC

Summary: Attorney Examiner Entry ordered the evidentiary hearing continued to 01/23/2014 at 1:00 p.m. in Rm. 11-D at the Commission Offices, 180 E. Broad St., 11th Flr., Columbus, Ohio. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio