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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In The Matter of the Petition of	:	Case No. 12-2145-RR-UNC
Norfolk Southern Railway Company	:	
to Close to Vehicular Traffic the	:	<u>CONSENT REQUEST TO</u>
Stores Road/Township Road 159	:	<u>CONTINUE EVIDENTIARY</u>
Grade Crossing (DOT No. 472543T),	:	<u>HEARING</u>
Located in Brown Township,	:	
Paulding County, Ohio.	:	D. Casey Talbott (0046767)
	:	(Counsel of Record)
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	:	
	:	Attorneys for Norfolk Southern
	:	Railway Company

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With the consent of Brown Township, Norfolk Southern Railway Company respectfully requests that the Commission continue the evidentiary hearing currently scheduled for 1:00 p.m. on January 23, 2014 – more specifically, that the hearing be rescheduled for Thursday, March 6, 2014, which is convenient for the interested parties.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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MEMORANDUM IN SUPPORT

The parties remain engaged in constructive discussions, toward determining whether a mutually-satisfactory agreement can be reached with respect to the requested closure of the Township Road 159 grade crossing or, absent same, then toward streamlining the issues for hearing. Accordingly, the interests of the parties would be best-served to continue the evidentiary hearing currently scheduled for 1:00 p.m. on January 23, 2014.

For the foregoing reasons, and with the consent of the township, Norfolk Southern respectfully requests that the evidentiary hearing in this matter be continued – specifically, that it be rescheduled for Thursday, March 6, 2014.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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PROOF OF SERVICE

A copy of the foregoing *Consent Request to Continue Evidentiary Hearing* was filed with the Commission electronically this 14th day of January, 2014. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ D. Casey Talbott

Attorney for Norfolk Southern
Railway Company

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

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in

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

Summary: Request Consent Request to Continue Evidentiary Hearing electronically filed by Mr. D. Casey Talbott on behalf of Norfolk Southern Railway Company