

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Request of )  
Norfolk Southern Railway Company to )  
Downgrade the Existing Warning Devices ) Case No. 12-2198-RR-RCP  
at the State Avenue Grade Crossing )  
(473-711A), Fremont, Sandusky County. )

ENTRY

The Commission finds:

- (1) On July 30, 2012, as amended on August 28, 2012, Norfolk Southern Railway Company (NS) filed a request for a temporary downgrade of the existing warning devices at the State Avenue grade crossing (473-711A), in the city of Fremont (City), Sandusky County. According to NS, a motor vehicle struck and irreparably damaged the foundation/cantilever assembly in the northeast quadrant of the grade crossing. NS indicated that it entered into a plan with the Ohio Rail Development Commission (ORDC) for new warning devices at the crossing interconnected with highway traffic signals. NS requested the Commission authorize it to defer the replacement of the cantilever for 18 months and to maintain, in its place, a mast-mounted flasher with gate, and high flashers mounted on a standoff bracket until the installation of new warning devices is completed.
- (2) On August 29, 2012, Staff filed a memorandum in support of NS's downgrade request. On September 25, 2012, the City filed a letter accepting NS's downgrade request.
- (3) By Entry of October 3, 2012, the Commission approved NS's request for a temporary downgrade, until April 3, 2014.
- (4) On March 20, 2014, NS filed a consent request for an additional 12 months through April 3, 2015, to complete this project. NS notes that ORDC, the contractor for the signal preemption work, and the City have not finalized the scope of the project and have not agreed on a site design. As such, NS states that authorization to proceed with a plan and estimate for the project has not been granted and the parties will meet by the end of the month towards finalizing issues regarding the project. NS notes that the City and ORDC consent to its request.

- (5) On March 24, 2014, Staff filed a memorandum indicating that it has been aware of the recent issues between the parties in conjunction with the design standards for traffic preemption, and that these issues impacted the project. Staff recommends the Commission grant NS's request.
- (6) Upon review, the Commission finds that NS's request for an extension of the temporary downgrade, through April 3, 2015, to complete the project is reasonable and should be granted. During the temporary downgrade, NS should work with Staff, ORDC, and the City in order to develop a comprehensive improvement project for this grade crossing, as well as follow all standard railroad grade crossing safety protocol to ensure the protection of the traveling public at this crossing. Staff should continue to monitor work on this project.


It is, therefore,

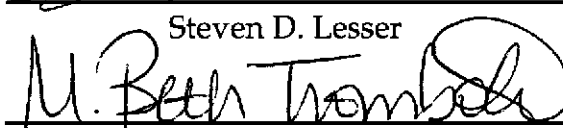
ORDERED, That NS's request for an extension of the temporary downgrade until April 3, 2015, of the State Avenue grade crossing (473-711A) be granted in accordance with this Entry. It is, further,


ORDERED, That a copy of this Entry be served on NS, ORDC, the city of Fremont Engineer, and all other parties of record.


THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Todd A. Snitchler, Chairman

  
Steven D. Lesser

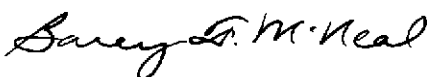
  
M. Beth Trombold

  
Lynn Slaby

  
Asim Z. Haque

SEF/sc

Entered in the Journal **APR 02 2014**

  
Barcy F. McNeal  
Secretary