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April 28, 2014

14-0790-RR-RCP

VIA HAND-DELIVERY

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

Re: In the Matter of the Consent Request of Norfolk Southern Railway
Company to Modify Warning Devices at the West Mill Street
Grade Crossing (481419L) in Pickaway County, Ohio
Our File No: N1432/176814

To Docketing Clerk:

Enclosed for filing are an original and seven (7) copies of a Consent Request to Modify
Warning Devices. Please file the Request and then return a date-stamped copy to me via the enclosed,
self-addressed 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 (ccw)
Casey Talbott

DCT/kml
Enclosures

cc: Randall Schumacher (via email)
Catherine Stout (via email)
Delin Johnson (via email)
John R. Ankrom (via email)

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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

[illegible]

In the Matter of the Consent Request of Norfolk Southern Railway Company to Modify Warning Devices at the West Mill Street Grade Crossing (481419L) in Pickaway County, Ohio	:	Case No.
	:	<u>CONSENT REQUEST TO MODIFY WARNING DEVICES</u>
	:	D. Casey Talbott (0046767)
	:	(Counsel of Record)
	:	EASTMAN & SMITH LTD.
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	:	
	:	Attorneys for Norfolk Southern Railway Company

[illegible]

At the request of Cargill, Norfolk Southern Railway Company ("Norfolk Southern") respectfully requests the Commission's authority to remove one of three mast-mounted crossbuck and flashing light assemblies which are adjacent to the West Mill Street grade crossing (481419L) in Pickaway County, Ohio.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.

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Attorneys for Norfolk Southern
Railway Company

MEMORANDUM IN SUPPORT

West Mill Street is a public crossing over Norfolk Southern's double mainline tracks, protected by two mast-mounted crossbuck and flashing light assemblies. A third mast-mounted crossbuck and flashing light assembly exists as well, and protects a spur track which is understood to be owned by Norfolk Southern but leased to Cargill.

Only the third mast (circled in the attached picture) is the subject of the instant request.

Cargill is making various improvements to its facility, including the installation of ladder tracks and the removal of the crossing at the existing spur track. So this crossing will no longer service/enter the Cargill facility; rather, the crossing surface is to be removed, and barricades have already been placed in the vicinity of the spur track. In light of the removal of the crossing at the spur track, the third mast is no longer necessary, and should be removed.

For the foregoing reasons, and at Cargill's request, Norfolk Southern respectfully requests the Commission's authority to remove the referenced mast-mounted crossbuck and flashing light assembly.

Also, with respect to the mast protecting westbound traffic at the double mainline tracks (so the mast at the far right of the attached photograph), Norfolk Southern requests authority to replace the "3 TRACKS" placard with a "2 TRACKS" placard.

The City has been advised of and consents to this request.

Respectfully submitted,

EASTMAN & SMITH LTD.

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Attorneys for Norfolk Southern
Railway Company

PROOF OF SERVICE

A copy of the foregoing *Consent Request to Modify Warning Devices* was e-mailed this 28th day of April, 2014 to: **Randall Schumacher**, Supervisor, Rail Division, Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215; **Catherine Stout**, Manager, Safety Programs, Ohio Rail Development Commission, 1980 W. Broad Street, Mail Stop 3140, Columbus, Ohio 43223; **Delin Johnson**, Plant Manager, Cargill, 309 W. Main Street, Circleville, Ohio 43113; and **John R. Ankrom**, Director of Public Service, City of Circleville, 108 E. Franklin Street, Circleville, Ohio 43113.

D. Casey Talbott (C.S.D.)
Attorney for Norfolk Southern
Railway Company

