

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Request by Norfolk)
Southern Railway to Modify Warning)
Devices at the West Mill Street Grade) Case No. 14-790-RR-RCP
Crossing, DOT#481-419L, City of)
Circleville, Pickaway County.)

FINDING AND ORDER

The Commission finds:

- (1) On April 28, 2014, Norfolk Southern Railway (NS) filed a request to downgrade the warning devices at the West Mill Street grade crossing (DOT#481-419L) in the city of Circleville, Pickaway County, Ohio. The West Mill Street crossing is a public crossing over NS's double mainline tracks that is protected by two mast-mounted crossbuck and flashing light assemblies. In addition, there is a third mast-mounted crossbuck and flashing light assembly at a spur track which NS owns and leases to Cargill. NS states that Cargill is making improvements to its facility that include removal of the spur track crossing and crossing surface, making the crossbuck and flashing light assembly at the spur track unnecessary and appropriate for removal. NS also seeks removal of the sign reading "3 tracks" on the mast protecting westbound traffic at the double mainline tracks, to be replaced by a sign indicating "2 tracks."
- (2) By Entry issued May 1, 2014, interested parties were given until May 30, 2014, to file comments on NS's request.
- (3) On May 9, 2014, Cargill filed a letter stating that the spur track crossing is being removed to install ladder tracks on its property. Cargill asserts that this will improve safety throughout Circleville, because its present yard is almost two miles away from its loading facility, and

Cargill must cross most grade crossings in Circleville to load a train. Cargill emphasizes that the Mill Street crossing is presently blocked by concrete barriers. Cargill favors removal of the mast-mounted crossbuck and flashing light assembly at the spur track so that it can complete the ladder track project.

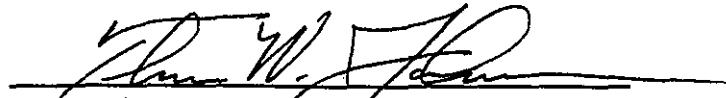
- (4) Also on May 9, 2014, the Director of Public Service for the city of Circleville filed a letter approving NS's proposal to remove the mast-mounted crossbuck and flashing light assembly at the spur track. The Director states that NS's proposal is "in conjunction with other improvements in this area."
- (5) On May 28, 2014, Staff filed its report of investigation concerning NS's request. Staff notes that it inspected the crossing and found that the crossing surface into/serving Cargill at the West Mill Street location has been removed and that concrete barriers have been installed. Staff adds that new ladder tracks are being installed on Cargill's property, and that because the mast-mounted flashing light assembly is now located behind the concrete barricades, it no longer serves a purpose. Staff recommends that the Commission grant NS's request.
- (6) Upon review, we find that NS's request to downgrade should be approved. Accordingly, NS is authorized to remove the third crossbuck and flashing light assembly and the "3 tracks" sign at West Mill Street, and NS should install a new "2 tracks" sign that meets the standards in the Manual of Uniform Traffic Control Devices. Staff should monitor the work at the crossing and file a notice in this docket when the project is complete.

It is, therefore,

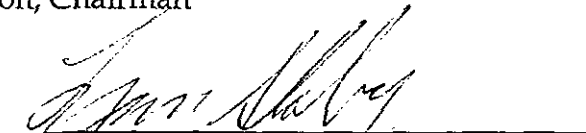
ORDERED, That NS's request to downgrade is approved. It is, further,

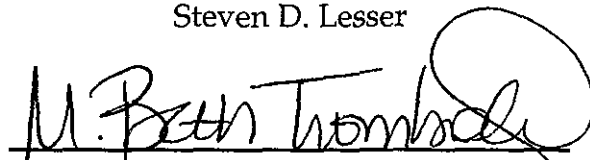
ORDERED, That a copy of this Finding and Order be served on NS, the city of Circleville, Cargill, and all interested persons of record.

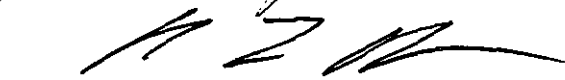
THE PUBLIC UTILITIES COMMISSION OF OHIO


Thomas W. Johnson, Chairman


Steven D. Lesser


Lynn Slaby

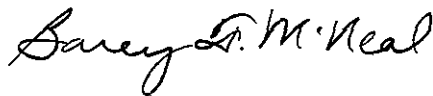

M. Beth Trombold


Asim Z. Haque

JML/sc

Entered in the Journal

JUL 02 2014



Barcy F. McNeal
Secretary