

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Wheeling and Lake )  
Erie Railway Safety Corridor & Traffic ) Case No. 12-2205-RR-FED  
Signal Preemption Project in Stark County, )  
City of Canton. )

ENTRY

The attorney examiner finds:

- (1) By Finding and Order issued August 15, 2012, the Commission, in part, ordered Wheeling & Lake Erie Railway (WLE) to upgrade the circuitry and preemption at 14 grade crossings in the city of Canton (Canton), Stark County. The completion deadline of the project was February 17, 2014. By subsequent entries, the completion deadline was extended, most recently to October 31, 2014.
- (2) On October 27, 2014, WLE requested a 60-day extension of time to complete the project. WLE notes that it has completed all of the work that it can complete, with the exception of the preemption circuit at one of the crossings. WLE further explains that it is unable to complete its work until American Electric Power (AEP) completes an electric connection to the city traffic controller. According to WLE, once AEP completes its work, final testing on the traffic preemption circuit can be completed and the project can be closed.
- (3) On October 29, 2014, Staff filed a memorandum noting that this portion of the project is beyond the control of WLE and recommending that the extension request be granted.
- (4) Pursuant to the Commission's September 19, 1996 Entry in *In the Matter of the Implementation of the 1996 Federal Crossing Protection Program*, Case No. 96-676-RR-FED, the Commission authorized the attorney examiner assigned to the case to grant extensions for up to 30 days, and indicated that any request for an extension in excess of 30 days would be considered and decided by the Commission.
- (5) The attorney examiner finds that a 30-day extension of time should be granted to allow the Commission time to consider WLE's request for an extension. Accordingly, WLE should

complete the project by November 30, 2014. WLE is directed to follow all standard railroad crossing safety protocol to ensure the protection of the traveling public at this crossing. WLE is also directed to expedite the work at the crossing to timely complete the project. In addition, Staff should continue to monitor the work at the project to ensure completion within the newly-ordered timeframe.

It is, therefore,

ORDERED, That WLE's request for an extension of time to complete the project is granted in accordance with finding 5. It is, further,

ORDERED, That WLE complete the project by November 30, 2014. It is, further,

ORDERED, That copies of this Entry be served upon WLE, ORDC, city of Canton Engineer, Ohio Power Company, and any other interested person of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Scott E. Farkas

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By: Scott E. Farkas  
Attorney Examiner

JRJ/dah

**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). 12-2205-RR-FED**

Summary: Attorney Examiner Entry that WLE's request for an extension of time to complete the project is granted in accordance with finding 5; and that WLE complete the project by November 30, 2014; electronically filed by Debra Hight on behalf of Scott E. Farkas, Attorney Examiner.