

FILE

**Public Utilities
Commission of Ohio**

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Memo

To: Docketing Division
From: George Martin, Grade Crossing Planner, Rail Division
Re: PUCO Case No. 14-2035-RR-RCP
Date: January 2, 2015

[Signature] 1/2/2015

Please docket the attached Staff Report in the above referenced case.

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PUCO

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**A report by the Staff of the
Public Utilities Commission of Ohio**

PUCO Case No 14-2035-RR-RCP

**In the Matter of a Request of Indiana Eastern Railroad, LLC dba Ohio South
Central Railroad for a Downgrade of Warning Devices at SR 93, Near Oak Hill,
Jackson County, Ohio**

January 2, 2015

INTRODUCTION

Rail Division

The Public Utilities Commission of Ohio (PUCO) works with local highway authorities and communities to provide safety for the citizens of Ohio at highway-railroad grade crossings.

The PUCO has the statutory authority to regulate and promote the welfare and safety of railroad employees and the traveling public pursuant to Ohio Revised Code Section 4905.471; and

The PUCO has the authority to close public at grade crossings pursuant to Ohio Revised Code Sections 4907.474 and 4907.475. The sections set forth a variety of factors to be considered by the Commission in determining whether there is a demonstrable need for any public grade crossing to exist and whether any such crossing could be closed to vehicular traffic, pedestrian traffic, or both and the travel over the grade crossing diverted to other grade crossings.

The PUCO is responsible for evaluating public highway-railroad grade crossings to determine the need for upgrading the warning devices and apportioning the cost thereof pursuant to Ohio Revised Code Section 4907.471.

The PUCO has the authority under Ohio Revised Code Section 4511.63 (B) to declare a grade crossing exempt, whereby vehicles normally required to stop at a grade crossing under that title and Code of Federal Regulations Title 49, 392.10 would be able to proceed through the crossing without stopping.

The PUCO enforces all aspects of the Federal Railroad Administration regulations through inspections and evaluations of Ohio's public highway-railroad grade crossings.

I. DESCRIPTION OF APPLICANT

Indiana Eastern Railroad, LLC dba Ohio South Central Railroad (OSCR) recently acquired the trackage rights of the former US Rail Corp in Jackson, Vinton, and Ross Counties. Indiana Eastern Railroad (IERR) also operates in Butler and Hamilton Counties.

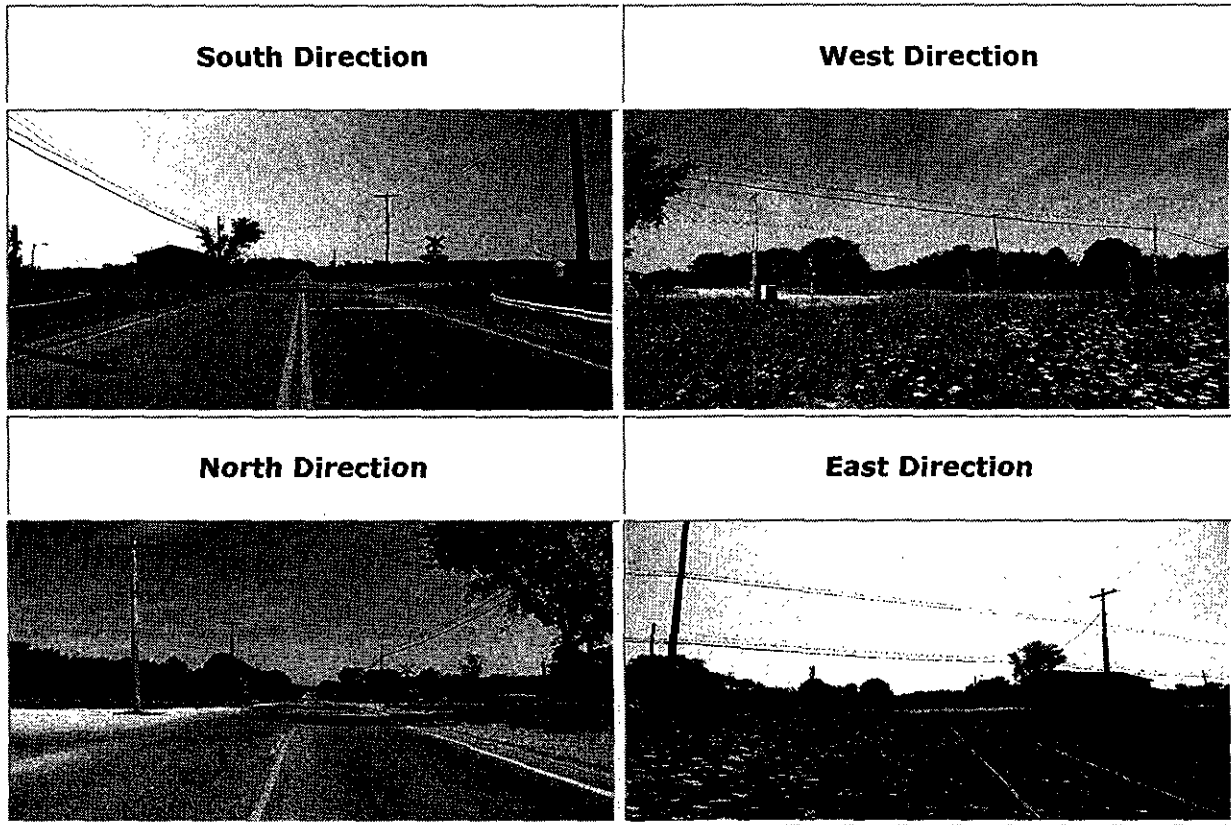
II. PROJECT DESCRIPTION

On November 13, 2014, under PUCO Case No. 14-2035-RR-RCP, the Ohio South Central Railroad (OSCR) filed a request to downgrade the existing warning devices at the SR 93 grade crossing, DOT# 151479K, near the Village of Oak Hill, Jackson County. This crossing is currently exempt under Case No. 11-5675-RR-RCP. The downgrade would involve the removal of the mast mounted flashing lights and the installation of standard crossbucks while the rail line remains out of service. Upon the rehabilitation of the line, and the acquiring of customers along the line, new lights and gates will be installed at the crossing.

III. Database photos



Public Utilities Commission of Ohio



Site Information	
AARDOT:	151479K
AARDOT Source:	Database
Adj. AARDOT:	
Adj. AARDOT Source:	Field
Survey Site ID:	
Init. Agency for Change:	State
Reason for Change:	Updated Record
Effective Date:	Dec 18 2014 12:00AM

Railroad Information	
Operating RR:	Ohio South Central Railroad
Division:	OH
Sub-Division:	PORT
Branch/Line Name:	
Milepost:	23.1
Railroad ID:	6042
Nearest Time Table Station:	CLAY
Parent RR Company:	
Crossing Owner:	
Location and Classification Information	
County:	JACKSON
(Nearest) City:	OAK HILL
Street:	SR 93
Highway and SLM:	SR93-6.69
High Speed Corridor:	
County Map Ref. Number:	
ODOT NLF ID:	
Latitude:	38.93100
Longitude:	-82.56599
Elevation (ft):	
Crossing Type:	Public
Position:	At-Grade
Emergency Contact:	
Railroad Contact:	
State Contact:	
LHA:	STATE OF OHIO
LHA2:	
Dev. Type:	Industrial
Crossing Angle:	60-90 Degrees

Main Tracks:	1
Other Tracks:	1
Lanes:	2

Warning Devices

Crossbucks, Standard:	2
Crossbucks, Buckeye:	
Lights, Mast Mounted:	
Lights, Cantilevered:	0
Lights, Other:	
Gates:	0

Traffic Information

Day Thru Trains:	0
Day Switching Trains:	0
Night Thru Trains:	0
Night Switch Trains:	0
Date of Train Count:	Feb 9 2012 12:00AM
Highway AADT:	5210
Date of AADT:	2010

Highway Information

Distance to Nearest Intersection:	
Type of Intersection:	Not Surveyed
Number of HW-HW Intersections:	

Site Comments

Request for Exemption granted under 11-5675-RR-RCP 3/7/12. ltd

Staff Report of: **PUBLIC UTILITIES COMMISSION OF OHIO**
TRANSPORTATION DEPARTMENT
RAIL DIVISION

Date of Assignment: December 22, 2014

Date of Investigation: December 31, 2014

Subject: Case No. 14-2045-RR-RCP In the matter of a request of Indiana Eastern Railroad LLC dba Ohio South Central Railroad for a downgrade of warning devices at SR 93, near Oak Hill, Jackson County

Findings

On November 13, 2014, Ohio South Central Railroad (OSCR) filed a request in this docket to remove the mast-mounted flashing lights at SR 93, DOT# 151479K, and replace them with standard crossbucks. Upon reactivation of the line, OSCR would install new mast-mounted flashing lights, along with roadway gates, which would be an upgrade.

SR 93 is currently an exempt crossing under PUCO Case No. 11-5675-RR-RCP, and further the track is out of service at this location. Until significant work is done on the rail, active grade crossing warning devices such as flashing will not work as intended, as the rail cannot conduct the electric current required for the devices to work.

There are currently no train moves on this line.

Recommendations

In light of the foregoing, staff recommends that the Commission grant Ohio South Central Railroad's request.

George Martin
Grade Crossing Planner
Rail Division
Transportation Department

Ohio's Rail Grade Crossing Programs

Ohio is a national leader in terms of railroad operations. Ohio is home to nearly 40 railroads that operate thousands of trains in Ohio every day over approximately 5,200 miles of track and 5,900 public grade crossings. The Public Utilities Commission of Ohio (PUCO) is the state agency with regulatory authority over railroads operating in Ohio. The Commission works in partnership with the Federal Railroad Administration to ensure that rail operations and infrastructure are safe and in compliance with federal and state regulations.

In addition to central office planners and other support staff, the PUCO employs federally certified railroad inspectors throughout Ohio. These inspectors respond to inquiries and complaints and conduct specialized inspections of railroad tracks and equipment, rail operations, hazardous material transportation, and grade crossing signal circuitry. The inspectors also monitor railroad rights-of-way and grade crossings for surface conditions, view obstruction, fencing and drainage concerns, conditions on railroad equipment and at rail yards and other facilities, and related safety concerns of both the PUCO and railroad employees.

PUCO inspectors investigate all grade crossing and railroad employee fatalities and monitor company inspections of rail bridges throughout the state.

Safety is our highest priority

Grade crossing safety is one of the PUCO's highest priorities, and we are proud of our accomplishments. Since 1990, motor vehicle/train crashes at grade crossings in Ohio have declined by 66 percent and the number of fatalities has dropped by 77 percent. This dramatic improvement has been achieved during a period of steady increase in the amount of train traffic and in the number of registered motor vehicles and licensed drivers in Ohio. Over the past 10 years, the PUCO has participated in the installation of lights and gates at more than 1,000 grade crossings across Ohio. We look forward to working with your community to help make grade crossings as safe as possible.

Questions or Concerns?

Call the Ohio Rail Hotline at (866) 814-RAIL or log on to www.OhioRail.ohio.gov for answers to all of your railroad crossing needs.

The Public Utilities Commission of Ohio
John R. Kasich, Governor
Thomas W. Johnson, Chairman

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