

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of the)
Ashtabula, Carson, & Jefferson Railroad to) Case No. 14-1403-RR-FED
Install Active Grade Crossing Warning)
Devices in Ashtabula County.)

ENTRY

The Attorney Examiner finds:

- (1) Pursuant to R.C. 4905.04, the Commission has statutory authority to regulate and promote the welfare and safety of railroad employees and the traveling public.
- (2) On September 10, 2014, the Commission issued a Finding and Order requiring the Ashtabula, Carson, & Jefferson Railroad (ACJR) to install mast-mounted flashing lights and roadway gates in Ashtabula County, Village of Jefferson, East Beech Street/State Route 167, DOT#502-569F, on or before June 10, 2015. ACJR is a railroad, as defined in R.C. 4907.02, and subject to the jurisdiction of the Commission under R.C. 4905.04.
- (3) On June 4, 2015, ACJR filed a request for an additional 30 days to complete the project. In the request, ACJR explains that the signal equipment has just been delivered, creating a conflict for the signal contractor, who had scheduled to make the installation at an earlier date. Because of this, ACJR contends that it may not be able to comply with the June 10, 2015 deadline.
- (4) On June 4, 2015, Staff filed a memorandum concerning ACJR's request for an extension of time. Staff notes the contents of ACJR's request and adds that ACJR had notified Staff on May 7, 2015, of the need to extend the deadline because of the foregoing reasons. Staff recommends approval of the request.
- (5) 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.

- (6) Upon review of ACJR's request and Staff's comments, the attorney examiner finds reasonable ACJR's request for an extension of time to complete the project. Therefore, ACJR's request for a 30-day extension of time, should be granted and ACJR should complete the project by July 10, 2015. ACJR should expedite work on this project and follow all standard railroad crossing safety protocol to ensure the protection of the traveling public at this crossing. In addition, Staff should monitor the work at the project to ensure completion within the newly ordered timeframe.

It is, therefore,

ORDERED, That ACJR's request for additional time to complete the project is granted in accordance with finding (6). It is, further,

ORDERED, That ACJR complete the project by July 10, 2015. It is, further,

ORDERED, That, when Staff or ORDC makes its final inspection and finds that the project is completed, Staff will file a memorandum in this docket indicating that the project is completed. It is, further,

ORDERED, That copies of this Entry be served upon ACJR, the Ohio Rail Development Commission, Ohio Department of Transportation District 4, Administrator for the village of Jefferson, the Cleveland Electric Illuminating Company, any other interested person of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

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in

Case No(s). 14-1403-RR-FED

Summary: Attorney Examiner Entry granting ACJR's request for additional time to complete the project in accordance with Finding (6). - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio