

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of)
Norfolk Southern Railway to Install Active) Case No. 15-1151-RR-FED
Grade Crossing Warning Devices in)
Ashtabula and Stark Counties.)

ENTRY

The attorney examiner finds:

- (1) On July 22, 2015, the Commission issued a Finding and Order authorizing Norfolk Southern Railway (NS) to install mast-mounted flashing lights and roadway gates at two locations, specifically, Ashtabula County, Denmark Township, Netcher Road/Township Road 292 (DOT#503115K), and Stark County, Washington Township, Parks Avenue/Township Road 96 (DOT#502740S). The Commission ordered completion of the project by April 22, 2016.
- (2) On April 15, 2016, NS filed a request to extend the construction deadline to May 22, 2016. NS explains that it has installed gates and lights at the Netcher Road crossing, and is waiting for the scheduled relocation of a utility pole on April 25, 2016, after which NS will place the signals into service.

NS further notes that it has installed lights and gates at the Parks Avenue crossing, and has worked with the power company to run a pole line to the crossing. NS adds that it is preparing to place the signals into service on or near the initially scheduled April 22, 2016 deadline, but would appreciate approval of more time just in case it is necessary.
- (3) On April 18, 2016, Staff filed a memorandum concerning NS's request. The memorandum notes that Staff was instrumental in facilitating utility contacts for NS that were necessary for both projects. Staff recommends that the attorney examiner grant NS's request.
- (4) Pursuant to the Commission's September 19, 1996 Entry in *In re 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.

- (5) Upon review of NS's request and Staff's recommendation, the attorney examiner finds reasonable the need for more time to complete the projects. Therefore, NS's request for a 30-day extension of time is granted, with the projects to be completed no later than May 22, 2016. NS should expedite work on the projects and follow all standard railroad crossing safety protocol to ensure the protection of the traveling public at the crossings. Further, Staff should monitor the work at the projects to ensure completion within the newly ordered timeframe.
- (6) NS should notify Staff, the Ohio Rail Development Commission (ORDC), Washington Township Trustees, and Denmark Township Trustees upon the completion of the projects. At the time the Commission or ORDC makes its final inspections and finds that installations are completed, Staff should file a memorandum in this docket indicating that the projects are completed.

It is, therefore,

ORDERED, That NS's request for additional time to complete the projects, no later than May 22, 2016, is granted in accordance with finding (5). It is, further,

ORDERED, That, when Staff or ORDC makes its final inspections and finds that the projects are completed in accordance with the agreement, Staff will file a memorandum in this docket indicating that the projects are completed. It is, further,

ORDERED, That a copy of this Entry be served upon ORDC, NS, Washington Township Trustees, Denmark Township Trustees, Ohio Power Company, Cleveland Electric Illuminating Company, and any other interested person of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ James M. Lynn

By: James M. Lynn
Attorney Examiner

jrj/vrm

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in

Case No(s). 15-1151-RR-FED

Summary: Attorney Examiner Entry granting request for additional time to complete the projects; electronically filed by Vesta R Miller on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission of Ohio