

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE AUTHORIZATION OF
NORFOLK SOUTHERN RAILWAY TO INSTALL
ACTIVE GRADE CROSSING WARNING DEVICES
IN PERRY COUNTY.

CASE NO. 15-1494-RR-FED

ENTRY

Entered in the Journal on June 29, 2016

{¶ 1} On September 30, 2015, the Commission issued a Finding and Order approving the installation by Norfolk Southern Railway (NS) of mast-mounted flashing lights and roadway gates at the Clay Road/Township Road 185 grade crossing (DOT#513-448N), in Jackson Township, Perry County. The Commission ordered completion of the project by June 30, 2016.

{¶ 2} On June 16, 2016, NS filed a letter requesting an additional 90 days to complete the project. NS explains that, effective March 21, 2016, a significant portion of the rail line that includes the Clay Road grade crossing was taken out of service with the expectation that the project would be cancelled. NS also notes that, just recently and subject to the approval of the Surface Transportation Board, NS has entered into an agreement with the Kanawha River Railroad to lease a significant portion of the involved line, including that portion that travels over the Clay Road/Township Road 185 grade crossing. Therefore, NS requests that the completion deadline for the project be extended 90 days, during which time, NS will confer with interested parties and follow up with the Commission as to an appropriate future course.

{¶ 3} Staff filed a memorandum on June 29, 2016, recommending that the extension request be granted.

{¶ 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} The attorney examiner finds that a 30-day extension of time should be granted to NS to complete the project and to allow the Commission additional time to consider NS's request for a 90-day extension. Unless otherwise authorized, NS should complete the project by July 30, 2016.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That NS be granted a 30-day extension of time to complete the project and to allow the Commission additional time to consider NS's request for a 90-day extension. It is, further,

{¶ 8} ORDERED, That, unless otherwise authorized, NS complete the project by July 30, 2016. It is, further,

{¶ 9} ORDERED, That a copy of this Entry be served upon NS, ORDC, Jackson Township Trustees, South Central Power Company, and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Scott E. Farkas

By: Scott E. Farkas
Attorney Examiner

JRJ/dah

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in

Case No(s). 15-1494-RR-FED

Summary: Attorney Examiner Entry orders NS be granted a 30-day extension of time to complete the project and to allow the Commission additional time to consider NS's request for a 90-day extension; and that, unless otherwise authorized, NS complete the project by July 30, 2016. Entry electronically filed by Debra Hight on behalf of Scott E. Farkas, Attorney Examiner.