

Memo

To: Docketing Division

From: Jill Henry, Rail Specialist, Rail Division

Cc: PUCO Legal Department

Date: 3/30/17

Re: PUCO Case No. 16-1413-RR-FED- In the Matter of the Authorization of Norfolk Southern Railway to Install Active Warning Devices at a Grade Crossing in Fulton County.

On January 25, 2013, the Ohio Rail Development Commission (ORDC) authorized funding for Norfolk Southern Railway (NS) to install lights and gates at the W. Barre Street, DOT#509-522J, grade crossing in Archbold, Fulton County, Ohio. The crossing was surveyed, on September 18, 2012, and was found to warrant the upgrade.

There were significant delays with the engineering of this project due multiple utility conflicts. ORDC granted construction authorization for this project on June 14, 2016.

On July 6, 2016, the Commission issued a Finding and Order approving the project and ordering project completion by April 6, 2017.

Since construction began, there have been additional utility conflicts found on site and resolution of them has been ongoing. Staff has participated in multiple on site meetings and conference calls, but the construction of the warning devices in the Northeast quadrant remains unresolved.

On March 23, 2017, NS filed a 30 day extension request for the project construction deadline. (see attached documentation). Due to the project delays, Staff supports the NS request for a 30 day extension.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Authorization of
Norfolk Southern Railway To Install
Active Warning Devices at a Grade
Crossing in Fulton County.

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Case No. 16-1413-RR-FED

**REQUEST FOR EXTENSION OF
PROJECT DEADLINE**

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(Counsel of Record)
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Attorneys for Norfolk Southern
Railway Company

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Norfolk Southern Railway Company ("NSRC") respectfully requests an interim extension of thirty (30) days – through May 6, 2017 – of the involved construction deadline.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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MEMORANDUM IN SUPPORT

A number of concerns have arisen since the original diagnostic – most notably, additional utility concerns have become evident, which may preclude the placement of the cantilever assembly as designed.

In light of same, NSRC respectfully requests an interim extension of thirty (30) days – through May 6, 2017 – during which it will confer further with the other interested parties, toward determining an appropriate course moving forward, which will most likely include a proposed modification to the current warning device configuration.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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PROOF OF SERVICE

A copy of the foregoing **Request for Extension of Project Deadline** was filed electronically with the Commission this 23rd day of March, 2017. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ D. Casey Talbott

Attorney for Norfolk Southern
Railway Company

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in

Case No(s). 16-1413-RR-FED

Summary: Request Request for Extension of Project Deadline electronically filed by Mr. D. Casey Talbott on behalf of Norfolk Southern Railway Company

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in

Case No(s). 16-1413-RR-FED

Summary: Memorandum In the Matter of an extension for Norfolk Southern Railway to Install Active Warning Devices at a Grade Crossing in Fulton County. electronically filed by Mrs. Jill A Henry on behalf of PUCO/Rail Division