

Memo

To: Docketing Division

From: Jill Henry, Rail Specialist, Rail Division

Date: 4/26/17

Re: PUCO Case No. 16-1608-RR-RCP- In the Matter of A Request for an Exemption by the Ohio Department of Transportation from Stopping for School Buses and Hazardous Materials Vehicles at a Toledo Lake Erie & Western Railroad (TLEW) Crossing in Lucas County, Ohio.

BACKGROUND

On July 25, 2016, the Ohio Department of Transportation (ODOT) District #2 filed a request for exemption from stopping for school buses and hazardous material vehicles at SR 295/Berkey Southern Road (DOT#475-261M) a Toledo Lake Erie & Western Railroad Crossing in Lucas County, Ohio.

On August 16, 2016, Staff filed an investigative report that recommended the exemption be granted. On September 1, 2016, a local public hearing was held on the matter. Representatives from ODOT District #2 and Otsego Local Schools testified in support of the exemption. Representatives from TLEW testified against the exemption. On November 30, 2016, the Commission granted the exemption request. The Commission further ordered ODOT District #2 to place exempt signage at the crossing and that TLEW notify the Commission, Providence Township and Otsego Local Schools if rail traffic resumes at the crossing.

FINDINGS

PUCO Rail Inspector Nathan Niner visited the crossing. According to Mr. Niner, the exemption signage is in place (see attached pictures).

SUMMARY AND CONCLUSIONS

ODOT District #2 has complied with the Commission Order by installing the exemption signage at the crossing. Accordingly, the case should be closed.

**Berkey Southern Road/SR 295 (DOT# 475-261M)
Lucas County, Ohio**

Looking South from the North side of the crossing.



Looking North from the South side of the crossing.



This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/27/2017 2:46:30 PM

in

Case No(s). 16-1608-RR-RCP

Summary: Memo Closing Case In the Matter of A Request for an Exemption by the Ohio Department of Transportation from Stopping for School Buses and Hazardous Materials Vehicles at a Toledo Lake Erie & Western Railroad (TLEW) Crossing in Lucas County, Ohio. electronically filed by Mrs. Jill A Henry on behalf of PUCO/Rail Division