

Memo

To: Docketing Division

From: Jill Henry, Rail Specialist, Rail Division

Cc: PUCO Legal Department

Date: 6/8/17

Re: PUCO Case No. 16-787-RR-FED- In the Matter of the Authorization of Norfolk Southern Railway to Install Active Grade Crossing Warning Devices and Traffic Preemption in the City of Fremont, Sandusky County (DOT#473-711A).

In April 2016, the Ohio Rail Development Commission (ORDC) authorized construction for Norfolk Southern Railway (NS) to install mast mounted and cantilevered flashing lights, roadway gates, and simultaneous preemption at the State Street Grade Crossing (DOT# 473-711A) in Fremont, Sandusky County, Ohio.

On May 18, 2016, the Commission issued a Finding and Order approving the project and ordering completion by May 18, 2017.

NS completed the warning device installation and the crossing was put in service on December 19, 2016. The ORDC continues to work with the City of Fremont to finalize the design for the traffic preemption. Once the traffic preemption devices are installed, NS is requesting 120 days to tie-in to the circuitry and conduct final testing to confirm that the signals are interconnecting as designed.

On May 4, 2017, NS filed a request for the project to be put into abeyance pending completion of the City's traffic signal preemption aspect of the project (See Attached).

Staff has consulted with ORDC and they support the project being put into abeyance. Staff recommends the following:

- 1) The project be put in abeyance.
- 2) That the City of Fremont notify the PUCO and NS once the traffic preemption has been installed.
- 3) That NS have 120 days from the date of notification to complete their remaining work on the project and perform final testing.

[illegible]

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

[illegible]

**In the Matter of the Authorization of
Norfolk Southern Railway Company
to Install Active Grade Crossing
Warning Devices and Traffic
Preemption in the City of Fremont,
Sandusky County (DOT# 473-711A).**

Case No. 16-787-RR-FED

EXTENSION/ABEYANCE
REQUEST

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Attorneys for Norfolk Southern
Railway Company

[illegible]

Norfolk Southern Railway Company (“NSRC”) respectfully requests that the Commission hold this project in “abeyance,” pending the City’s completion of the traffic signal preemption aspect of the project.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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MEMORANDUM IN SUPPORT

Via Finding and Order of May 18, 2016, the Commission authorized NSRC to install new mast-mounted and cantilevered flashing lights with roadway gates at the State Street grade crossing (473-711A) in Fremont, Sandusky County, Ohio, and preemption with traffic lights at the intersection of State Street and North Front Street.

NSRC has completed the installation of the mast-mounted and cantilevered lights with roadway gates, with same being placed into service as of December 19, 2016, so well-ahead of the assigned project completion deadline of May 18, 2017.

To NSRC's understanding, the City continues to work with the ORDC with respect to the design of the authorized traffic signal preemption. Once the design is completed and approved, then the City will install same for tie-in to the rail circuitry; once tied-in, NSRC will need to perform appropriate/final testing, to confirm that the signals are interconnecting as designed.

In light of the above, NSRC respectfully suggests that this project be held in "abeyance," and that once the City notifies NSRC that it has completed the installation of the traffic signal preemption, that NSRC be given 120 days from the date of notification within which to perform/complete final testing.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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PROOF OF SERVICE

A copy of the foregoing **Extension/Abeyance Request** was filed electronically with the Commission this 4th day of May, 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

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 16-0787-RR-FED

**Summary: Request Extension/Abeyance Request electronically filed by Mr. D. Casey Talbott
on behalf of Norfolk Southern Railway Company**

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in

Case No(s). 16-0787-RR-FED

Summary: Memorandum In the Matter of an Extension Request for Norfolk Southern Railway to Install Active Grade Crossing Warning Devices and Traffic Preemption in the City of Fremont, Sandusky County (DOT#473-711A). electronically filed by Mrs. Jill A Henry on behalf of PUCO/Rail Division