

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF A REQUEST FOR THE
INSTALLATION OF ACTIVE WARNING
DEVICES AT THE COLUMBUS & OHIO RIVER
RAIL ROAD COMPANY GRADE CROSSING AT
CHURCH STREET IN UTICA, LICKING
COUNTY.

CASE NO. 16-540-RR-STP

ENTRY

Entered in the Journal on June 21, 2017

{¶ 1} Pursuant to R.C. 4905.04, the Commission has statutory authority to regulate and promote the welfare and safety of railroad employees and the traveling public.

{¶ 2} Pursuant to R.C. 4907.471, the Commission is responsible for evaluating public grade crossings to determine the need for installing active warning devices and apportioning the cost thereof.

{¶ 3} R.C. 4907.471 also provides that the Commission is responsible for the administration and implementation of the State Grade Crossing Protection Fund, established to help defray a portion of the public's share of the cost of upgrading warning devices at Ohio's highway-railroad grade crossings.

{¶ 4} Pursuant to Ohio Adm.Code 4901-1-30, any two or more parties may enter into a written stipulation concerning issues of fact.

{¶ 5} The Columbus & Ohio River Rail Road Company (CUOH) is a railroad as defined in R.C. 4907.02 and subject to the jurisdiction of the Commission under R.C. 4905.04.

{¶ 6} On April 14, 2016, the Commission issued a Finding and Order directing CUOH to install active warning devices at the Church Street grade crossing (DOT#152045B) in the village of Utica, Licking County. The Commission ordered completion of the project by April 14, 2017. Subsequent requests by CUOH for additional time were granted, extending the completion deadline to July 14, 2017.

{¶ 7} CUOH filed a letter on June 7, 2017, explaining that circuits at the Church Street crossing overlap with circuits at three other crossings. CUOH has ordered material for circuit upgrades at the other crossings, but a construction crew to install the additional material is not available until July 12, 2017. CUOH requests an additional 30 days to allow time to upgrade circuitry at the other crossings.

{¶ 8} Staff filed a memorandum on June 8, 2017, concerning CUOH's request. Staff recommends granting the request to allow CUOH time to receive, install, and test circuit upgrade materials at the other three crossings.

{¶ 9} 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.

{¶ 10} Upon review of CUOH's request and Staff's recommendation, the attorney examiner finds that a 30-day extension of time should be granted to allow CUOH time to complete the project. Unless otherwise authorized, CUOH should complete the project by August 14, 2017.

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That CUOH be granted a 30-day extension of time to complete the project. It is, further,

{¶ 13} ORDERED, That, unless otherwise authorized, CUOH complete the project by August 14, 2017. It is, further,

{¶ 14} ORDERED, That when Staff or Ohio Rail Development Commission makes its final inspection and finds that the project is completed, Staff file a memorandum in this docket indicating that the project is completed. It is, further,

{¶ 15} ORDERED, That a copy of this Entry be served upon CUOH, Ohio Rail Development Commission, village of Utica, Ohio Power Company, and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

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in

Case No(s). 16-0540-RR-STP

Summary: Attorney Examiner Entry granting CUOH a 30-day extension of time to complete the project by 08/14/2017. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio