

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE AUTHORIZATION
OF CSX TRANSPORTATION FOR
UPGRADES TO ACTIVE WARNING
DEVICES AT A GRADE CROSSING IN THE
CITY OF OXFORD, IN BUTLER COUNTY.

CASE NO. 17-1983-RR-FED

ENTRY

Entered in the Journal on October 23, 2018

{¶ 1} On October 20, 2017, the Commission issued a Finding and Order authorizing CSX Transportation (CSX) to upgrade active warning devices at the Chestnut Street (DOT#154079C) grade crossing in the city of Oxford, Butler County. The Commission ordered completion of the project by July 18, 2018.

{¶ 2} On July 10, 2018, CSX filed a letter requesting 90 more days to complete the project because project materials had been stolen from a storage container. Staff filed a memorandum on July 31, 2018, recommending approval of CSX's request. By attorney examiner Entry issued on August 1, 2018, and Commission Entry issued August 22, 2018, the project completion date was extended to August 18, 2018, and subsequently to October 18, 2018.

{¶ 3} On October 12, 2018, CSX filed a request for 30 additional days, until November 18, 2018, to complete the project. CSX explains that it has ordered the missing materials and is waiting for delivery. Upon arrival of the material, CSX adds, the project will be completed within two or three working days.

{¶ 4} Staff filed a memorandum on October 18, 2018, indicating that the Ohio Rail Development Commission (ORDC) supports the extension request. According to Staff, ORDC explained that there was a delay in CSX ordering the replacement materials because ORDC had to determine if the replacement materials would be funded. Staff recommends that the Commission grant the request.

{¶ 5} 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.

{¶ 6} Upon review of CSX's request and Staff's recommendation, the attorney examiner finds that a 30-day extension of time should be granted. Unless otherwise authorized, CSX should complete the project as soon as possible, but no later than November 18, 2018. In addition, Duke Energy Ohio, Inc. (Duke) should advise Staff once utility service is active at the crossing.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That CSX be granted a 30-day extension of time to finish the project. It is, further,

{¶ 9} ORDERED, That, unless otherwise authorized, CSX complete the project as soon as possible, but no later than November 18, 2018. It is, further,

{¶ 10} ORDERED, That Duke Energy Ohio, Inc. advise Staff once utility service is active at the crossing. It is, further,

{¶ 11} ORDERED, That when Staff or ORDC 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,

{¶ 12} ORDERED, That a copy of this Entry be served upon ORDC, CSX, Engineer for the city of Oxford, Duke, and any interested person of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/James M. Lynn

By: James M. Lynn
Attorney Examiner

JRJ/hac

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Case No(s). 17-1983-RR-FED

Summary: Attorney Examiner Entry granting extension of time to finish project electronically filed by Heather A Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission