

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF A REQUEST FOR A
DOWNGRADE AT TWO CLEVELAND
COMMERCIAL RAILROAD GRADE
CROSSINGS IN THE CITY OF CLEVELAND,
IN CUYAHOGA COUNTY.

CASE NO. 18-1117-RR-RCP

ENTRY

Entered in the Journal on December 17, 2018

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

{¶ 2} R.C. 4901.52 provides that when a railroad and street or highway cross at grade, if, in the opinion of the Commission, public safety requires protection, the Commission may make an order requiring the railroad to install such devices as, in the opinion of the Commission, will properly protect such crossing.

{¶ 3} Cleveland Commercial Railroad (CCR) is a railroad as defined in R.C. 4907.02 and subject to the jurisdiction of the Commission under R.C. 4905.04.

{¶ 4} On July 12, 2018, CCR filed a letter concerning grade crossings at E. 93rd Street (DOT#262418B) and E. 65th Street (DOT#262413S). Regarding the E. 93rd Street grade crossing (DOT#262418B), CCR explains that pedestrian gates were damaged from an automobile accident and were stolen. CCR requests that the Commission downgrade the crossing for removal of the pedestrian gates. CCR also requests a downgrade of the E. 65th Street grade crossing (DOT#262413S) for removal of the pedestrian gates. CCR notes that one of the two tracks at each crossing has been removed, and the track speed has been reduced from 50 miles per hour to 10 miles per hour, with an average of only three to four round trip trains using each crossing per week.

{¶ 5} The attorney examiner finds that Staff should file a report of investigation regarding CCR's request by January 25, 2019.

{¶ 6} Further, in order that any interested parties have the opportunity to file comments on CCR's request, the attorney examiner finds that interested parties have until the close of business on January 25, 2019, to file comments in the docket.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That Staff file a report of investigation no later than January 25, 2019. It is, further,

{¶ 9} ORDERED, That interested parties shall file comments no later than January 25, 2019. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon CCR, Norfolk Southern Railway, Director of Public Works Department for the city of Cleveland, and any other 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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in

Case No(s). 18-1117-RR-RCP

Summary: Attorney Examiner Entry scheduling deadline for filing of staff report and comments electronically filed by Heather A Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission