

# Memo

To: Docketing Division  
From: Jill Henry, Rail Specialist, Rail Division  
Cc: PUCO Legal Department  
Date: 12/20/2018

Re: PUCO Case No. 17-2372-RR-FED- In the Matter of an Extension Request for the Installation of New Active Warning Devices at the Norfolk Southern Railway Crossing, Market Street/SR 226 DOT#503-082A, in Holmes County, Ohio.

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On April 19 2017, the Ohio Rail Development Commission (ORDC) authorized funding for Norfolk Southern Railway to install lights and gates at the Market Street/SR 226 DOT#503-082A, in Holmes County, Ohio. The crossing was surveyed, on March 16, 2017, and found to warrant the upgrade.

On December 13, 2017, the Commission approved the project and ordered completion by September 13, 2018.

On August 29, 2018, NS filed a request for an extension until December 12, 2018. In the request, NS states that they are working to complete PTC (Positive Train Control) projects and their resources are being used to meet the federal mandate of December 31, 2018 for PTC.

On December 3, 2018, NS filed a request for an extension until January 31, 2019. In the request, NS states that the power company (AEP-Ohio) closed their work request without completing the work and the new power service has not been installed. NS has had to initiate a new request.

ORDC has indicated to Staff that they not opposed to the extension request.

Staff recommends that the Commission grant the extension request.

[illegible]

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

[illegible]

In the Matter of the Authorization of  
Norfolk Southern Railway to Install  
New Active Warning Devices in  
Holmes County.

: Case No. 17-2372-RR-FED

: **REQUEST TO EXTEND**

: **CONSTRUCTION DEADLINE**

:

: D. Casey Talbott (0046767)

: (Counsel of Record)

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: Attorneys for Norfolk Southern

: Railway Company

[illegible]

Norfolk Southern Railway Company ("NSRC") respectfully requests an additional extension of time – through January 31, 2019 – within which to complete the involved construction project at the Market Street/State Route 226 grade crossing (DOT# 503082A) in Holmes County.

A memorandum in support is attached.

Respectfully submitted,  
EASTMAN & SMITH LTD.

/s/ D. Casey Talbott  
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Attorneys for Norfolk Southern  
Railway Company

### **MEMORANDUM IN SUPPORT**

NSRC understood that it was on-track to complete construction of the instant project on or before December 12, 2018 – the deadline supported by PUCO Staff, in its Memo of September 7, 2018. Unfortunately, a utility problem has arisen – specifically, to NSRC’s understanding, the involved power company inadvertently “closed” its work request, and therefore had to initiate a new request; this has delayed installation of power, and thus cut-in.

In light of same, NSRC respectfully requests that the instant project completion deadline be extended through January 31, 2019.

Respectfully submitted,  
EASTMAN & SMITH LTD.

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### **PROOF OF SERVICE**

A copy of the foregoing **Request to Extend Construction Deadline** was filed electronically with the Commission this 3<sup>rd</sup> day of December, 2018. 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**

**Commission of Ohio Docketing Information System on**

**12/3/2018 4:27:36 PM**

**in**

**Case No(s). 17-2372-RR-FED**

**Summary: Request Request to Extended Construction Deadline electronically filed by Mr. D. Casey Talbott on behalf of Norfolk Southern Railway Company**

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**12/21/2018 3:15:00 PM**

**in**

**Case No(s). 17-2372-RR-FED**

Summary: Response In the Matter of an Extension Request for the Installation of New Active Warning Devices at the Norfolk Southern Railway Crossing, Market Street/SR 226 DOT#503-082A, in Holmes County, Ohio. electronically filed by Mrs. Jill A Henry on behalf of PUCO/Rail Division