

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE AUTHORIZATION
OF CSX TRANSPORTATION TO UPGRADE
ACTIVE WARNING DEVICES ON U.S.
ROUTE 6 IN WOOD COUNTY.

CASE No. 17-2414-RR-FED

ENTRY

Entered in the Journal on January 3, 2019

I. SUMMARY

{¶ 1} The Commission grants additional time, until February 18, 2019, for CSX Transportation to upgrade active warning devices at the U.S. Route 6 grade crossing in Wood County, subject to the Commission's ongoing jurisdiction and oversight.

II. DISCUSSION

{¶ 2} 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.

{¶ 3} R.C. 4907.471 provides that the Commission shall survey all grade crossings and establish a priority list to determine which grade crossings are in need of additional protective devices.

{¶ 4} R.C. 4907.476 provides that where the Ohio Department of Transportation (ODOT) enters into contracts and agreements for grade crossing protective device projects, the Commission shall work with and through the department. Federal funding for such projects is provided through the Ohio Rail Development Commission (ORDC), which is an independent agency of the state within ODOT, established in accordance with R.C. 4981.02.

{¶ 5} CSX Transportation Inc. (CSX) 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 January 3, 2018, the Commission issued a Finding and Order approving CSX's upgrade of active warning devices to cantilevers and LED flashing lights at the U.S.

Route 6 (DOT#228816S) grade crossing in Wood County. The Commission ordered completion of the project by October 3, 2018.

{¶ 7} On September 4, 2018, CSX filed a request for an additional 90 days to complete the project. CSX explained that its work crew availability is limited while it completes positive train control (PTC) projects.

{¶ 8} On September 25, 2018, Staff filed a memorandum responding to CSX's September 4, 2018 request. Staff stated that, while ORDC did not oppose the extension request, ORDC noted that this is a safety project. Staff recommended that the Commission grant CSX's request to extend the completion date for 90 days, to January 3, 2019.

{¶ 9} On November 12, 2018, CSX filed a second request for additional time. CSX reiterated the matter of limited crew availability because of PTC and asked that the project deadline be extended to April 3, 2019.

{¶ 10} In a November 28, 2018 Entry, the Commission granted CSX's September 4, 2018 request to extend the project completion date. The Commission approved extending the project deadline to January 3, 2019, and emphasized that CSX should expedite work on the project.

{¶ 11} On December 1, 2018, Staff filed a memorandum in response to CSX's November 12, 2018 request to extend the project completion date to April 3, 2019. According to Staff, ORDC is not opposed to extending the project deadline further. However, Staff asserted, this is a safety project that has already had one 90-day extension. Staff recommends that the Commission grant only a 45-day time extension.

{¶ 12} Upon review of CSX's request and Staff's recommendation, the Commission finds that CSX's request for additional time is warranted and will be granted, until February 18, 2019. CSX should expedite work on the project and follow all standard railroad crossing safety protocol to ensure the protection of the traveling public at this crossing. Further, Staff

should monitor work at the project to ensure completion within the newly ordered timeframe.

{¶ 13} CSX should notify Staff, ORDC, ODOT District 2, and Hancock Wood Electric Cooperative (HWEC) upon completion of the project. At the time Staff or ORDC makes its final inspection and finds that the installations are completed, Staff should file a memorandum in this docket indicating that the project is completed.

III. ORDER

{¶ 14} It is, therefore,

{¶ 15} ORDERED, That CSX's request for additional time to complete the project be granted in accordance with Paragraph 12. It is, further,

{¶ 16} ORDERED, That CSX complete the project no later than February 18, 2019. It is, further,

{¶ 17} ORDERED, That CSX follow all standard railroad crossing safety protocol to ensure the protection of the traveling public at the crossing. It is, further,

{¶ 18} ORDERED, That CSX notify Staff, ORDC, ODOT District 2, and HWEC upon the completion of the project. It is, further,

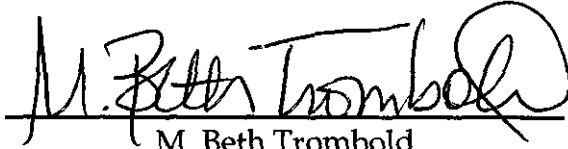
{¶ 19} ORDERED, That when Staff or ORDC makes its final inspection and finds that the project is completed, Staff file a memorandum in this docket indicating that the project is completed. It is, further,

{¶ 20} ORDERED, That a copy of this Entry be served upon CSX, ORDC, ODOT District 2, HWEC, and any other interested person of record.

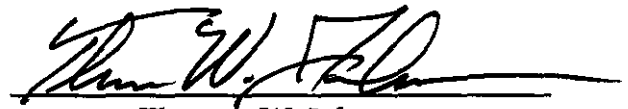
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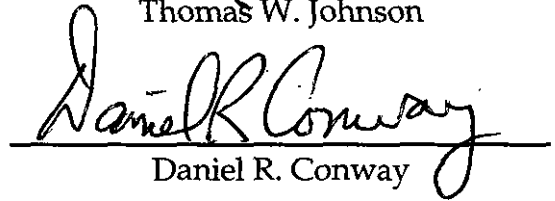
Asim Z. Haque, Chairman



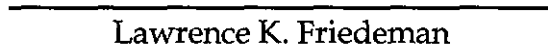
M. Beth Trombold



Thomas W. Johnson



Daniel R. Conway



Lawrence K. Friedeman

JML/hac

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JAN - 3 2019



Tanowa M. Troupe
Secretary