

Memo

To: Docketing Division
From: Jill Henry, Rail Specialist, Rail Division
Cc: PUCO Legal Department
Date: 1/14/2019

Re: PUCO Case No. 17-1965-RR-FED- In the Matter of an Extension Request for the Installation of New Active Warning Devices at the Norfolk Southern Railway Crossing, 66th Street DOT#524-734A, in Hamilton County, Ohio.

On August 7, 2017, the Ohio Rail Development Commission (ORDC) authorized funding for Norfolk Southern Railway to install lights and gates at 66th Street DOT#524-734A, in Hamilton County, Ohio. The crossing was surveyed on 9/27/13 and found to warrant the upgrades. The electric utility provider for this crossing is Duke Energy.

On October 20, 2017, the Commission approved the project and ordered completion by January 18, 2019.

On January 4, 2019, NS filed for a 4 month extension until May 18, 2019. In the request, NS states that they are working with Duke Energy to resolve an overhead utility conflict and that another potential underground conflict is being evaluated. No additional details about the conflict or a proposed timeline for removal of the utility conflicts were given. Staff has been cc'd on e-mails for this project and it appears that utility conflicts are being resolved.

Staff recommends that NS be granted a 30 day extension until February 18, 2019 for the project. Additionally, Staff recommends that NS provide more details on the following: what are the utility conflicts, why these issues were not addressed prior to construction, and a timeframe for removal of the conflicts.

A memorandum in support is attached.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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MEMORANDUM IN SUPPORT

By Finding and Order of October 20, 2017, NSRC was authorized to install lights and gates at the 66th Street grade crossing in Cincinnati, Hamilton County.

Utility concerns have delayed installation and cut-in. Specifically, NSRC has worked with Duke Energy to resolve an overhead conflict, but remains in the process of evaluating/resolving a potential underground conflict, involving Qwest; once resolved, NSRC will need an estimated 32 gang-days to complete installation and cut-in.

For the foregoing reasons, NSRC respectfully requests that the project completion deadline for this crossing be extended through May 18, 2019.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ D. Casey Talbott

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PROOF OF SERVICE

A copy of the foregoing *Request to Extend Construction Deadline* was filed electronically with the Commission this 4th day of January, 2019. 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

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in

Case No(s). 17-1965-RR-FED

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

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in

Case No(s). 17-1965-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, 66th Street DOT#524-734A, in Hamilton County, Ohio. electronically filed by Mrs. Jill A Henry on behalf of PUCO/Rail Division