

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE AUTHORIZATION
OF CSX TRANSPORTATION TO UPGRADE
ACTIVE WARNING DEVICES IN THE
VILLAGE OF VAN BUREN, HANCOCK
COUNTY.

CASE NO. 17-2415-RR-FED

ENTRY

Entered in the Journal on February 28, 2019

{¶ 1} On January 3, 2018, the Commission issued a Finding and Order approving CSX Transportation (CSX) to upgrade the flashing lights to lights and gates at the Main Street/State Route 613 (DOT#513680R) grade crossing in the village of Van Buren, Hancock County. The Commission ordered completion of the project by October 3, 2018.

{¶ 2} 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.

{¶ 3} On September 25, 2018, Staff filed a memorandum stating that, while the Ohio Rail Development Commission (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.

{¶ 4} 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.

{¶ 5} In a November 28, 2018 Entry, the Commission granted CSX's September 4, 2018 request to extend the project completion date to January 3, 2019.

{¶ 6} 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. Staff stated that ORDC did not oppose extending the project deadline. However, Staff asserted,

the project already had one 90-day extension. Staff recommended that the Commission grant only a 45-day time extension.

{¶ 7} In a January 3, 2019, Entry, the Commission granted additional time, until February 18, 2019, for CSX to finish the project.

{¶ 8} On January 18, 2019, CSX filed a request for 30 more days to complete the project. CSX explains that it has worked diligently to complete projects that were delayed because of PTC and anticipates a start date of March 9, 2019, for the project in Van Buren. CSX requests 60 more days to complete the project.

{¶ 9} Staff filed a memorandum on February 20, 2019, stating that CSX has provided a comprehensive construction schedule. On February 12, 2019, Staff adds, CSX indicated that construction would begin on February 24, 2019. Staff noted that ORDC does not oppose CSX's request. Staff recommends approval of an additional 30 days.

{¶ 10} 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.

{¶ 11} 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 March 20, 2019.

{¶ 12} CSX should notify Staff, ORDC, mayor of the village of Van Buren, and AEP-Ohio (AEP) 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.

{¶ 13} It is, therefore,

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

{¶ 15} ORDERED, That unless otherwise authorized, CSX complete the project as soon as possible, but no later than March 20, 2019. It is, further,

{¶ 16} ORDERED, That Staff and CSX comply with the provisions of Paragraph 12. 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 a copy of this Entry be served upon ORDC, CSX, mayor of the village of Van Buren, AEP, 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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Case No(s). 17-2415-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