

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE PETITION OF  
NORFOLK SOUTHERN RAILWAY  
COMPANY TO CLOSE TO VEHICULAR  
TRAFFIC THE ESTERLY DRIVE/TR1704  
GRADE CROSSING (DOT No. 502-903Y),  
LOCATED IN FAIRFIELD TOWNSHIP,  
COLUMBIANA COUNTY, OHIO.

CASE No. 15-508-RR-UNC

### ENTRY

Entered in the Journal on April 3, 2020

{¶ 1} On March 12, 2015, Norfolk Southern Railway Company (NS) filed a petition to close the Esterly Drive/TR1704 grade crossing (DOT No. 509-903Y), located in Fairfield Township, Columbiana County, Ohio.

{¶ 2} By Entry of May 19, 2016, the Fairfield Township Board of Trustees' (Fairfield) motion to intervene was granted and a local public hearing was scheduled for June 22, 2015. On June 22, 2015, in accordance with R.C. 4907.475, a public hearing was held in Columbiana County, Ohio. Since the date of the public hearing, the parties have been in discussions regarding the grade crossing.

{¶ 3} On May 10, 2016, NS and Fairfield jointly filed a request to defer the scheduling of the evidentiary hearing. Initially, the parties stated the area north of the crossing is subject to an annexation petition with a decision expected in September 2016. The attorney examiner granted the motion to defer and directed the parties to file a status update in October 2016. On October 31, 2016, the parties filed a status update requesting a conference call be scheduled in order to establish a procedural schedule, as there is no current annexation petition pending. Thereafter, the attorney examiner granted the parties request to continue proceedings and have additional conference calls with status updates.

{¶ 4} Since the last formally scheduled conference call, the parties continue to have ongoing settlement discussions. The parties have consistently provided the attorney

examiner with status updates through quarterly conference calls. At this time, the parties indicate that the matter should be set for hearing.

{¶ 5} Accordingly, the attorney examiner finds that an evidentiary hearing should be held on July 21, 2020, at 10 a.m. in Hearing Room 11-D, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793. Parties should register at the lobby desk and then proceed to the 11th Floor to participate in the hearing.

{¶ 6} Any party intending to present direct testimony should comply with Ohio Adm.Code 4901-1-29(A)(1)(h), which requires that all such testimony be filed and served upon all parties no later than seven days prior to the commencement of the hearing.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That a hearing be scheduled in accordance with paragraph 5. It is, further,

{¶ 9} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Nicholas J. Walstra

By: Nicholas J. Walstra  
Attorney Examiner

MJA/hac

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

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Summary: Attorney Examiner Entry scheduling hearing electronically filed by Heather A Chilcote on behalf of Nicholas Walstra, Attorney Examiner, Public Utilities Commission