

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE JOINT PETITION  
OF NORFOLK SOUTHERN RAILWAY  
COMPANY AND CSX TRANSPORTATION,  
INC. TO CLOSE THE FRANKLIN STREET  
CROSSINGS (DOT NOS. 481482D AND  
518257V) IN ORANGE TOWNSHIP,  
DELAWARE COUNTY, OHIO.

CASE NO. 19-180-RR-UNC

### ENTRY

Entered in the Journal on December 2, 2021

{¶ 1} On January 28, 2019, Norfolk Southern Railway Company (NSRC) and CSX Transportation, Inc. (CSXT) (collectively, the Railroads) filed a joint petition to close the Franklin Street grade crossings (DOT Nos. 481482D and 518257V), located in Orange Township, Delaware County, Ohio. The Railroads state that Franklin Street is intersected by NSRC's Lake Division double main line and CSXT's Great Lakes Division Columbus single main line.

{¶ 2} On June 8, 2020, the attorney examiner scheduled an evidentiary hearing to convene on August 3, 2020. Since that time, the attorney examiner has granted several joint requests from NSRC, CSXT, the Delaware County Board of Commissioners, and Orange Township to continue the evidentiary hearing.

{¶ 3} By Entry filed on September 9, 2021, the attorney examiner set the deadline for testimony as October 5, 2021, and set the date of the evidentiary hearing as October 12, 2021, to occur remotely via Webex. The evidentiary hearing occurred as scheduled on October 12, 2021. At the hearing, the attorney examiner established the deadlines for briefs in the case as December 3, 2021, for initial briefs, and December 17, 2021, for reply briefs.

{¶ 4} On November 30, 2021, NSRC filed a motion, which it notes is with the consent of all parties, to continue the briefing deadlines to December 10, 2021, for initial briefs, and January 7, 2022, for reply briefs. NSRC notes in its motion the reply brief date is in

consideration of the holidays in December and states that its legal counsel has good cause to request the extension, owing to its offices being relocated.

{¶ 5} Paying the unopposed motion due consideration, the attorney examiner finds it is reasonable and, therefore, should be granted. As such, briefs in the case shall be due in the docket on December 10, 2021, for all parties' initial briefs, and on January 7, 2022, for all parties' reply briefs.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That NSRC's motion to continue the briefing deadlines be granted and the deadlines for briefs and reply briefs now be in accordance with Paragraph 5. It is, further,

{¶ 8} ORDERED, That a copy of this Entry be served on Delaware County, Orange Township, the Ohio Rail Development Commission, NSRC and CSXT, and any other parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Jesse M. Davis

By: Jesse M. Davis  
Attorney Examiner

SJP/kck

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

**Case No(s). 19-0180-RR-UNC**

Summary: Attorney Examiner Entry granting NSRC's motion to continue the briefing deadlines and the deadlines for briefs and reply briefs now be in accordance with Paragraph 5. electronically filed by Kelli C. King on behalf of Jesse M. Davis, Attorney Examiner, Public Utilities Commission of Ohio