

# **|| 40 SERVICES LLC**

**PO Box 3108**

**Westerville, OH 43082**

**February 1, 2023**

**Ms. Jill Henry**

**Rail Division Chief**

**State Program Manager**

**Public Utilities Commission of Ohio**

**RE: Case No. 21-276-RR-FED 4-MONTH EXTENSION REQUEST**

Dear Ms. Henry:

As designated representative for the Cincinnati Eastern Railroad for the Tri County Highway warning device project, I am seeking an Extension in the matter of the referenced Case.

On May 5, 2021, the Cincinnati Eastern Railroad was Ordered to install warning devices at the Tri County Highway grade crossing. Sufficient electric power is not currently available at the crossing to power the proposed warning devices. All previous efforts to bring electric power to the grade crossing over private property or public right of way, has been fruitless. The Ohio Rail Development Commission has approved the railroad's plan to bring electric power to the signals by installing wires from an adjacent crossing. This work has begun but is on hold pending material deliveries.

A previously requested 4-month extension set a deadline of February 5, 2023. The Cincinnati Eastern Railroad formally requests another 4-month extension to allowing the construction to be completed once materials are received to bring electric power to the grade crossing. The Cincinnati Eastern Railroad could then activate the new warning devices. If granted the deadline would become June 5, 2023.

Michael D. Forte'  
Project Manager  
40 Services LLC

cc: C. Whitley, CCET

**This foregoing document was electronically filed with the Public Utilities  
Commission of Ohio Docketing Information System on**

**2/2/2023 8:36:51 AM**

**in**

**Case No(s). 21-0276-RR-FED**

Summary: Letter of Notification Extension Request electronically filed by Mr.  
Michael Forte on behalf of AEP and CCET and Ohio Rail Development  
Commission and Brown County Engineer