



FILE: NDWR.477683M

DATE: 01/23/2024

**Subject: NDWR - MICHIGAN SOUTHERN RAILROAD COMPANY (dba NAPOLEON
DEFIANCE AND WESTERN RAILWAY)
DEFIANCE, (Defiance), OH
GRADE CROSSING MATTERS
HIGH STREET - DOT#: 477683M - RR MP.: 50.36
PUCO#: 22-1045-RR-STP – 8 Month Extension Request**

Jill Henry
Chief, Rail Division, Transportation Department
State Program Manager
Public Utilities Commission of Ohio
180 E Broad Street, 4th Floor
Columbus, Ohio 43215

Tom Persinger
Rail Project Specialist
Transportation Department
Public Utilities Commission of Ohio
180 E Broad Street, 4th Floor
Columbus, Ohio 43215

Dear Ms. Henry / Mr. Persinger:

This letter is intended as a formal **Request for Extension of the project due date.**

This request for extension of the scheduled due date ordered for this project.

This request for extension is based on the Patriot Rail acquisition of the former Pioneer Lines Railroad Properties, including the Michigan Southern Railroad Company (dba Napoleon, Defiance and Western Railway) (NDWR). The NDWR and Patriot Rail are still transitioning project information, and processes attributed to this acquisition, but are committed to the working partnership with PUCO.

The original PUCO order for this project was issued dated December 14, 2022, with a completion due date of December 14, 2023. While during this time the NDWR and PUCO corresponded on the exact scope and configuration determination for the project, which has now been resolved. The NDWR is requesting this extension to allow for the immediate assignment to our Contractor and the re-design of the circuit plans per the revised scope and material requisition and installation.

The NDWR realizes that the PUCO ordered due date of 12/14/2023 has expired, and we confirm receipt of the PUCO letter advising NDWR of “*Failure to Complete Project as Ordered by project deadline*” dated 01/17/2024. This response letter is intended to rectify the NDWR failure to request this extension in a timely manner.

The NDWR is respectfully requesting an 8 month extension of the due date to **August 31, 2024** to allow NDWR to complete the ordered work. It is expected that this requested extension due date will provide sufficient time for the awarded Contractor to requisition and obtain materials to complete the project as ordered by PUCO.



Thank you for your continued cooperation and should you have any questions or comments, I can be reached at 904-265-6130.

Sincerely,

A handwritten signature in black ink, appearing to read "Derek Metts", is placed over a light gray rectangular background.

Derek Metts | Public Projects Engineer
Patriot Rail Company
Office: 904-265-6130
Mobile: 912-237-1928
E-Mail: Derek.Metts@patriotrail.com



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

Case No(s). 22-1045-RR-STP

Summary: Request Michigan Southern Railroad Company (dba Napoleon, Defiance and Western Railway) request for extension of project due date of PUCO project# 22-1045-RR-STP electronically filed by Mr. Derek Metts on behalf of Michigan Southern Railroad Company (dba Napoleon, Defiance and Western Railway) and Metts, Derek Mr..