

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Authorization of )  
Columbus & Ohio River Railroad to )  
Construct Two Active Grade Crossing ) Case No. 05-619-RR-FED  
Warning Devices in Knox and Licking )  
Counties. )

ENTRY

The Commission finds:

- (1) On May 10, 2005, the Commission's railroad staff filed a memorandum stating that The Ohio Rail Development Commission (ORDC) has authorized Columbus & Ohio River Railroad (C&OR) to construct two active grade crossing warning devices in Knox County near Mt. Vernon, SR 13 (DOT #152-0593) and in Licking County near Pataskala, CR 40/Outville Road (DOT #151-809N). Further, staff stated that both crossings were equipped with antiquated lights and gates and that ORDC determined that both crossings should be upgraded.
- (2) Staff has recommended authorization for preliminary engineering within 90 days and a construction deadline of one year for the project.
- (3) C&OR should submit to the Commission and ORDC by August 16, 2005, site plans and cost estimates for the project. Within seven days thereafter, C&OR should file a letter in this docket advising that the site plans and costs estimates have been submitted to the Commission and ORDC. Following submission and approval of the site plans and cost estimates by ORDC, and, unless otherwise directed, C&OR is hereby authorized to acquire project materials and to commence construction as detailed in the letter of construction authorization. The Commission will issue no further construction authorization. Further, construction on the project should be completed by May 18, 2006.
- (4) In order to expedite the activation of the warning devices, the Commission no longer requires railroad companies to delay such activation pending final inspection by staff. However, the railroad should notify staff and ORDC 30 days before the

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projected date of completion. At the time the Commission or ORDC staff makes its final inspection of the device and if it finds that the installation is completed and has been put in service, staff should file a memorandum in this docket directing the docketing division to close this case of record.

- (5) With the intention of promoting increased public safety during the pendency of the project, the Commission urges the appropriate local government agencies to make an immediate assessment of interim physical improvements, which would enhance driver awareness at the project crossing. The Commission may provide assistance in funding improvements such as rumble strips, illumination, signs, or other safety enhancements at the project location. Applications for such funding should be made to the Commission's Transportation Department, Rail Division, which shall review all proposals. In the event the department finds the improvements appropriate, the department director is hereby authorized to execute a contract with the local government agency, and obligate up to \$3,000 from the State Grade Crossing Safety Fund for such improvements. However, the local government agency should not initiate any improvements until a contract has been executed.

It is, therefore,

ORDERED, That C&OR submit to the Commission and ORDC site plans and cost estimates for the project by August 16, 2005. It is, further,

ORDERED, That, by August 23, 2005, C&OR file a letter in this docket advising that it has submitted site plans and cost estimates to the Commission and ORDC. It is, further,

ORDERED, That, following approval of site plans and cost estimates by ORDC, C&OR proceed with construction of the project, with construction to be completed by May 18, 2006. It is, further,

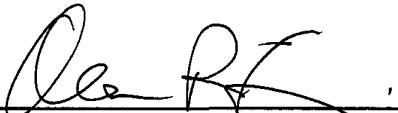
ORDERED, That C&OR follow the detailed instructions as outlined in the ORDC letter of construction authorization. It is, further,

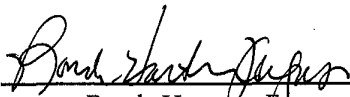
ORDERED, That C&OR notify the Commission and ORDC 30 days before the projected date of completion. It is, further,

ORDERED, That, at the time staff or ORDC makes its final inspection and if it finds that the installation is completed and has been put in service, staff will file a memorandum in this docket directing the docketing division to close this case of record. It is, further,

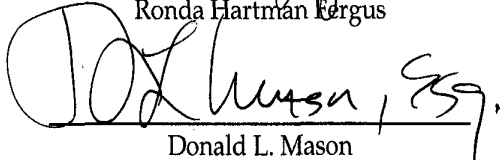
ORDERED, That copies of this entry be served upon C&OR and its counsel, Knox County Commission, Licking County Commission, ORDC, and all interested persons of record.

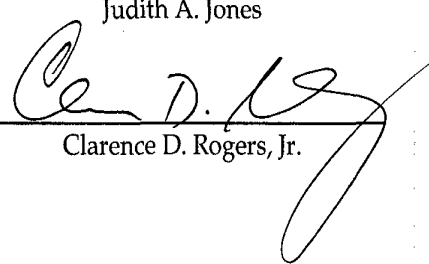
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Alan R. Schriber, Chairman

  
Ronda Hartman Fergus

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Judith A. Jones

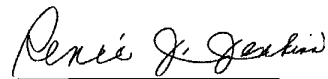
  
Donald L. Mason

  
Clarence D. Rogers, Jr.

KKS/vrm

Entered in the Journal

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Renee J. Jenkins

Renee J. Jenkins  
Secretary