

**Public Utilities
Commission of
Ohio**

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2005 JAN 14 AM 8:00

PUCO

Memo

To: Docketing Division
From: Bonnie J Johrendt, Grade Crossing Planner
Date: January 14, 2005
RE: PUCO Case No. 04-1770-RR-RCP, Downgrade of warning devices at Harper Road, Village of Solon, Cuyahoga County, NS Grade Crossing

On November 23, 2004 the railroad staff received a request from the Village of Solon requesting the permanent downgrade of the warning devices at the above-mentioned grade crossing.

The inspection was assigned on November 23, 2004 and investigated on December 2, 2004; the Rail Staff concurs with the inspector's findings and recommends granting the Village's request.

Please docket and copy parties of record this report.

c: Scott Farkas, PUCO Legal Transportation

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Technician JH Date Processed JAN 14 2005

**Public Utilities Commission of Ohio
Transportation Dept.
Rail Division**

Date of Assignment: November 24, 2004

Date of Investigation: December 2, 2004, December 15, 2004

Subject: 04-1770-RR-RCP – Request for downgrade by City of Solon,
Harper Road, Solon, Cuyahoga County,
Norfolk Southern Railroad (NS)

AAR/DOT #: 262436Y

FINDINGS

The City of Solon, by letter dated October 18, 2004 and conversation on December 15, 2004 with David Hromco – Asst. Director of Public Works/City of Solon, is requesting permission to have the crossing gates removed at Harper Road. This request was primarily made as result of malfunction of the warning devices. They also have additional concern of the assemblies' foundations beginning to deteriorate.

I inspected the above on December 2, 2004.

I was accompanied during this inspection by Dennis Harrison – Asst. Gen. Sup. /NS, Dave McIntyre – Sig. Sup. /NS, and Greg Fleming – Sig. Maintainer /NS.

This inspection revealed Harper Road is a 4-lane roadway traveling North/South and intersecting a single track of the NS traveling East/West.

The crossing surface has been completely paved over by the City of Solon including the rails, all ties and timbers and approaches. This paving over occurred prior to October 2004.

This section of Industrial track is known as the Randall Secondary. The railroad continues to operate and service customers along this line adjacent to and west of Harper Road. Dennis Harrison stated the railroad has issued End of Track bulletins to all crews designating a milepost west of Harper Road as end of track. This track remains physically intact for approximately ½ mile east of Harper Road. I suggested and NS representatives present mutually agreed to remove a portion of rail west of Harper Road to prevent eastbound access by rail equipment across this paved over roadway.

Furthermore, ½ mile east of this location, most of the rail, connections and warning devices have been removed with some roadways paved over, thereby preventing westbound access by rail equipment across Harper Road.

Existing warning devices consist of two quadrant Standard Flasher/Gate assemblies. The Signal Maintainer, at prior Signal Supervisors request and as response to paving over of crossing, rendered these Flasher/Gate assemblies inoperative on September 14, 2004. This was accomplished by securing the hold clear mechanisms at both gate motors, bolting the gear mechanisms at both gate motors and completely disconnecting all flashing light and gate mechanism control cables.

SUMMARY

The Industrial track known as the Randall Secondary is defunct approximately ½ mile east of Harper Road. Dennis Harrison – Asst. Gen. Sup. /NS stated the railroad has issued End of Track Bulletins to all crews operating along this line. These bulletins designate a milepost west of Harper Road as end of track. Further, he is mutually agreed to remove a portion of rail west of Harper Road to prevent rail access across Harper Road.

Harper Road has been completely paved over by the City of Solon.

The primary concern of the City of Solon has been remedied by the railroads act of rendering the devices completely inoperable.

I take no exception to complete dismantling and removal of the devices at Harper Road.

The railroad should be directed to give the commission sufficient and reasonable notice before resuming operation through this crossing.

Robert J. Reustle
PUCO/FRA Inspector
January 4, 2005