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March 12, 2004

Administrative Law Judge Joseph H. O'Brien
Illinois Commerce Commission
527 East Capitol Avenue
P. O. Box 19280
Springfield, Illinois 62794-9280

RECEIVED
MAR 15 2004

Illinois Commerce Commission
RAIL SAFETY SECTION

CORRESPONDENCE

Re: Village of Tilton, Petitioner
(Illinois Commerce Commission No. T00-0103)

Dear Judge O'Brien:

Earlier this week, I also received written notice that this docket has now been scheduled for March 24, 2004 at 10:00 a.m. (previously scheduled for March 17, 2004 at 10:00 a.m.)

Last week, I spoke by telephone with Dan Schuering, counsel for the Village of Tilton. During that call, Mr. Schuering updated me as to the latest developments in relation to this case and further informed me that construction plans for the project, the project cost estimate and the proposed cost division are all in the process of being revised by the Village.

On behalf of CSX Transportation, Inc., I have requested but have not been served with any of the revised documentation being prepared by the Village. Further, CSX's previous discovery requests served upon the Village have not been responded to or complied with.

At this time, CSX Transportation, Inc. is not requesting a continuance. However, prior to producing necessary and appropriate CSX personnel and witnesses for the March 24, 2004, hearing (who will necessarily have to travel from Jacksonville, Florida) I am requesting that the parties be advised as to your intentions and directions regarding the nature and scope of the March 24, 2004, hearing scheduled in this case. I also have two serious conflicts on my schedule for March 24th that I am still trying to work out. The U.S. District Court for the Southern District of Illinois has scheduled a settlement conference the morning of March 24th in Benton, Illinois, that I have been directed to attend. That afternoon, I am scheduled to attend a hearing in Belleville, Illinois in a case involving a number of attorneys who will be traveling from Chicago. I have been asked to advise both courts and opposing counsel as soon as possible if I will be available for those hearings.

DOCKETED

MAR 15 2004

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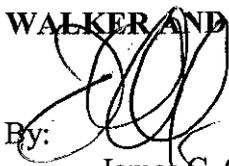
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A copy of this letter is being served upon all parties of record.

Your attention to this matter is sincerely appreciated.

Very truly yours,

WALKER AND WILLIAMS, P.C.

By: 

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Ext. 115 or 112

JCC:rjl

cc: Robert Berry
Victor Modeer, P.E.
Neil F. Flynn
Daniel P. Schuering

Erin O'Brien
Paul Carine
Stacey Hollo
David Lazarides