

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS, DEPARTMENT OF)
TRANSPORTATION,)

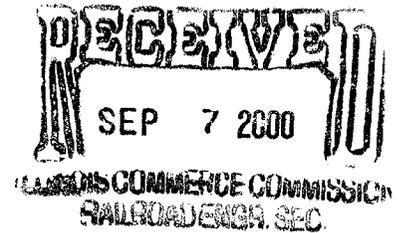
Petitioner,)

v.)

BURLINGTON NORTHERN SANTA FE CO. (BNSF))
and the VILLAGE OF SUGAR GROVE,)
Respondents.)

Case No. T00-0083

Petition (1) to install a pre-signal on)
the northbound approach of Dugan Road)
south of the at-grade crossing of)
BNSF's single main line track, (2) to)
interconnect newly installed traffic)
signals at the intersection of Dugan)
Road and U.S. Route 30 with the railroad)
warning devices at the Dugan Road at-)
grade crossing of the BNSF single main)
line track and (3) to establish the)
amount of minimum preemption time)
provided by BNSF to the Department for)
the traffic signal preemption sequence)
at said intersection, located in the)
Village of Sugar Grove, Illinois.)



ANSWER

Now comes respondent, The Burlington Northern and Santa Fe Railway Company, by its attorneys, Kenneth J. Wysoglad & Associates, and for its answer to the petition states as follows:

1. Respondent admits that it is a rail carrier operating its lines of railroad, inter alia, in the State of Illinois. Further answering, respondent states that it maintains certain offices at 1670 S. Henderson Street, Galesburg, Illinois, 61401. Further answering, respondent admits that it operates a certain single main line track passing through the Village of Sugar Grove, Illinois. Respondent denies the remaining allegations contained in paragraph 1 of the petition.

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2. Respondent admits the matter contained in paragraph 2 of the petition.

3. Respondent does not have information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the petition.

4. Respondent admits that U.S.Route 30 is under the jurisdiction of petitioner. Respondent does not have sufficient knowledge to form a belief as to the truth of the remaining allegations contained in paragraph 4 of the petition.

5. Respondent admits that the Dugan Road at grade crossing is equipped with certain automatic warning devices including cantilevered flashing lights signals and gates.

6. Respondent does not have knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 6 of the petition.

7. Respondent does not have knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 7 of the petition.

8. Respondent does not have knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 8 of the petition.

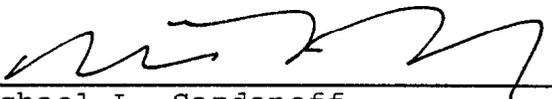
9. Respondent does not have knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 9 of the petition.

10. Respondent admits the existence of the statutory enactment and regulations referred to in paragraph 10 of the

petition. Respondent further states that such statute and regulations speak for themselves.

Wherefore, respondent, The Burlington Northern and Santa Fe Railway Company prays that should the Illinois Commerce Commission grant the relief requested by Illinois Department of Transportation in its petition, the Illinois Commerce Commission should further direct that the Illinois Department of Transportation be solely liable and responsible to pay all costs associated with the requested changes.

KENNETH J. WYSOGLAD & ASSOCIATES



Michael L. Sazdanoff

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PROOF OF SERVICE

Michael L. Sazdanoff, an attorney, deposes and says that on the 1st day of SEPTEMBER, 2000, he caused to be served, a true and correct copy of **ANSWER** upon:

Ms. Stacey C. Hollo
Special Assistant Attorney General
Illinois Department of Transportation
2300 S. Dirksen Pkwy.
Room 311
Springfield, Illinois 62764

by depositing same in the U.S. Mail depository located at Adams and Clinton Streets, Chicago, Illinois in an envelope(s) with first-class postage, prepaid.



A handwritten signature in black ink, appearing to read 'Michael L. Sazdanoff', is written over a solid horizontal line.