

ORIGINAL

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STAFF
Exhibit #1



MAR 15 2006

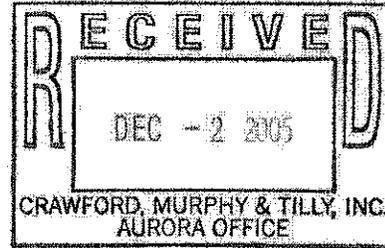
United States Region

John M. Henriksen
Manager Public Works

Illinois Commerce Commission
RAIL SAFETY SECTION

17641 South Ashland Avenue
Homewood, Illinois 60430-1345
T 708.332.3557
F 708.332.3514

November 29, 2005
31/3



Mr. Joel Koenig, P. E.
Senior Project Manager
Crawford, Murphy and Tilly
600 North Commerce Place, Suite 107
Aurora, Illinois 60504

SUBJECT: Grade Crossing Improvements at University Parkway
DOT# 289 680Y & 289 685HJ, RR Mile-post 31.40
University Park, Will County, Illinois

This is a follow up to our November 15, 2005 meeting concerning proposed improvements to the grade crossing at University Parkway.

Thank you taking the time to meet and discuss your proposed final plans for the grade crossing improvement. Since the inception of this project back in the late 1990's, it has changed several times and now, following our meeting, we are confident as to what improvements are on the table.

However, since our last meeting in March of 2004, the CN has experienced many changes in its operations. Because of these train operation changes, we cannot remove any mainline tracks through the crossing in University Parkway (Stunkel Road). Our business levels and operations with the EJ & E railroad have increased significantly. We now enjoy a major interchange with the EJ & J railroad and transfer many trains between our railroads daily. We achieve this by utilizing the main tracks through University Parkway and an interchange track whose switch is approximately 100 feet north of University Parkway. The interchange track we built for this transfer was constructed at the very minimum to hold a complete train without fouling the CN mainline or EJ & E operations. Because we need every inch of the interchange track, we cannot move the interchange track switch and reduce the length solely to remove our mainline track through University Parkway. Doing so will not allow us to park a complete train on the interchange track without breaking the train. Breaking the train defeats our original purpose to invest in and build the interchange track.

DOCKETED

MAR 15 2006

DP-DS

Mr. Joel Koenig, P. E.
November 29, 2005
Page 2 of 2

At this time, we can only support any improvement that does not reduce the length of our interchange track. Thus, we can agree to support the improvement of both mainline crossing surfaces, the signal and gate improvements along with the addition of the sidewalk/bike path as initially proposed, subject to the parties reaching agreement on cost allocation.

We look forward to working with you towards an amicable solution. If you need further assistance, please, feel free to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen M. Edwards". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Leka, Kathy

From: Powers, Daniel
Sent: Wednesday, March 15, 2006 2:19 PM
To: Leka, Kathy
Cc: Jackson, Dean; Benson, Thomas M
Subject: FW: University Parkway - T05-0055
Attachments: CN Crossing One Track Nov 29 2005.pdf

Hi Kathy:

Can you file/docket the attached as Staff Exhibit #1?

All parties of record attending the hearing at the Chicago office received copies of this.

Thanks,
Dan

From: Joel Koenig [mailto:jkoenig@cmtengr.com]
Sent: Thursday, December 15, 2005 3:29 PM
To: Powers, Daniel
Cc: f miles@mcdnsllaw.com; David Litton
Subject: University Parkway

Dan Powers
Illinois Commerce Commission

At your request, please see attached letter of Nov. 29, 2005 from the Illinois Central/Canadian National regarding the track crossing at University Parkway.

Joel Koenig

Crawford, Murphy & Tilly, Inc.
600 N. Commons Drive, Suite 107
Aurora, Illinois 60504
630.820.1022 Voice
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3/15/2006