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MAY 25 2006

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission
RAIL SAFETY SECTION

COUNTY OF ST. CLAIR)
St. Clair County, Illinois,)

Petitioner)

VS.)

KANSAS CITY SOUTHERN RAILWAY)
COMPANY, UNION PACIFIC RAILROAD)
COMPANY and the ILLINOIS DEPARTMENT)
OF TRANSPORTATION,)

Respondents)

T03-0059

In RE the Matter of the Petition of the County of St.)
Clair for an Order compelling the building of a)
bridge carrying Mousette Lane, County Highway 19)
over the triple tracks of Kansas City Southern)
Railway Company and the Union Pacific Railroad)
Company and that such Order prescribe the manner)
in which the expenses to build said bridge shall be)
divided among the parties and that said Order direct)
the Illinois Department of Transportation to pay a)
substantial part of the expenses for building said)
bridge from the Illinois Grade Crossing Protection)
Fund)

SUPPLEMENTAL PETITION

TO THE ILLINOIS COMMERCE COMMISSION

The petitioner, COUNTY OF ST. CLAIR, respectfully represents to the Commission the following:

1. The Illinois Commerce Commission has issued Order T03-0059 that authorized assistance not to exceed \$1,990,800 for construction of a grade separation structure, of which \$995,400 was authorized with the order.
2. The order also stated that a Supplemental Petition shall be filed requesting the remainder of the funds.

DOCKETED

MAY 25 2006

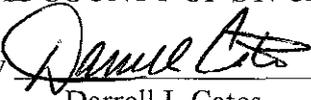
3. A copy of the expenses incurred by St. Clair County to date and pending expenses is attached hereto as Exhibit "A" to demonstrate the need for the additional funding from the Commission.

WHEREFORE, Petitioner prays that the Illinois Commission hold a hearing to the extent and by the method as may be necessary and proper and amend Order T03-0059 to obligate the remainder of the funding to the Petitioner.

The Petitioner further specifically requests that all necessary steps be taken by the Illinois Commerce Commission to expedite, accelerate and advance on its docket for immediate consideration the matter of this amended petition.

Respectfully submitted

THE COUNTY OF ST. CLAIR, ILLINOIS

By 
Darrell I. Cates
County Engineer

PROOF OF SERVICE

STATE OF ILLINOIS)
)
COUNTY OF ST. CLAIR)

I, Darrell Cates, on oath state that on behalf of the Petitioner I served the foregoing Petition upon the respondents made parties to this proceeding, by enclosing copies of the Petition in envelopes plainly addressed to the following parties, with postage full prepaid, and depositing the envelopes in the United States Post Office at Belleville, Illinois on May 22, 2006.

Mr. Milton R. Sees
Director of Highways-IDOT
ATTN: Jeff Harpring, Room 205
2300 South Dirksen Parkway
Springfield, IL 62764

Mr. Bill Burger
Kansas City Southern Railway Company
4501 Kansas Avenue
Kansas City, KS 66106

Mr. Thomas J. Healey
Kansas City Southern Railway Company
427 W. 12th Street
P.O. Box 219335
Kansas City, MO 64121-9335

CT Corporation System
Kansas City Southern Railway Company
208 S. LaSalle Street
Chicago, IL 60604

Mr. Dave McKernan
Union Pacific Railroad Company
100 N. Broadway, #1500
St. Louis, MO 63102

Mr. Mack Shumate, Jr.
Union Pacific Railroad Company
101 N. Wacker Dr., Ste. 1920
Chicago, IL 60606

CT Corporation System
Union Pacific Railroad Company
208 S. LaSalle Street
Chicago, IL 60604

Mr. Darrell Cates
St. Clair County Highway Engineer
1415 N. Belt West
Belleville, IL 62226

Ms. Diana Collins
ICC – Office of General Counsel
160 N. LaSalle, Ste. C-800
Chicago, IL 60601

Mr. Paul M. Brown
Thompson Coburn LLP
One US Bank Plaza
St. Louis, MO 63101

Mr. Roy P. Farwell
Union Pacific Railroad Company
100 N. Broadway #1500
St. Louis, MO 63102-2709

Mr. Leonard E. Cleary, Jr.
Assistant States Attorney
St. Clair County
10 Public Square, 2nd Floor
Belleville, IL 62220-1623

Mr. Thomas Benson
Special Assistant Attorney General
Illinois Department of Transportation
2300 South Dirksen Parkway, Room 311
Springfield, IL 62764

Respectfully,

St. Clair County
Department of Roads & Bridges

By 
Darrell Cates

24403 Supplemental Petition



ST. CLAIR COUNTY
 Department of Roads & Bridges
 1415 North Belt West
 Belleville, IL 62226-5999

(618) 233-1392
 FAX No. (618) 233-0996

Darrell I. Cates, P.E.
 County Engineer

File: ICC Order T03-0059 SUPPLEMENT
 EXHIBIT A

Grade Separation structure on
 Mousette Lane, C.H. 19 over the
 tracks of the Kansas City Southern
 Railway Co. and Union Pacific Railroad Co.
 Section 94-00244-03-GS
 St. Clair County, IL

May 22, 2006

The Illinois Commerce Commission
 527 East Capitol Avenue
 Springfield, IL 62701-1827

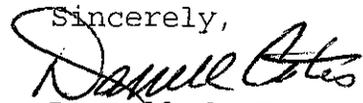
The proposed grade separation carrying C.H. 19, Mousette Lane over Kansas City Southern Railway Company and the Union Pacific Railroad Company in St. Clair County is in the final stages of Design. The County has already incurred the following expenses:

1. Preliminary Engineering	\$292,000
2. R.O.W. Appraisals	<u>7,000</u>
	\$299,000

Pending expenses in the future are:

1. R.O.W. Acquisition	\$ 464,000
2. R.O.W. Negotiations	15,000
3. Construction	3,318,000
4. Construction Engineering	<u>199,000</u>
	\$3,996,000

St. Clair County anticipates having a letting for this project in January 2007. Obligating the remaining Grade Crossing Protection Funds for the grade separation would be greatly appreciated.

Sincerely,

 Darrell I. Cates, P.E.
 St. Clair County Engineer

24403 Expenses, I.C.C.