

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

UNION PACIFIC RAILROAD COMPANY,)
and the State of Illinois,)
Department of Transportation)
)
Stipulated Agreement regarding)
renewal of the existing crossbuck)
signs and installation of YIELD)
signs at locations where there are) T04-0047
no STOP signs, and renewal of the)
existing crossbuck signs at)
locations where there are STOP)
signs at the Union Pacific Railroad)
Company's single track public)
highway-rail grade crossings in)
Illinois)

RECEIVED

DEC 20 2006

Illinois Commerce Commission
RAIL SAFETY SECTION

TO ALL PARTIES OF RECORD:

PETITION TO AMEND ORDER

NOW COMES the Union Pacific Railroad Company, a Delaware corporation, engaged in interstate commerce by railroad (hereinafter referred to as the "UPRR"), by and through its attorney, Mack H. Shumate, Jr., and as such hereby files this Petition seeking an Amended Order to the Illinois Commerce Commission (the "Commission") to amend the Commission's original Order ("Order") entered in this matter on May 26, 2004 concerning the renewal of crossbuck signs and the installation of YIELD signs where STOP signs did not already exist to improve public safety at single track public highway-railroad grade crossings of UPRR located in the state of Illinois.

On February 20, 2004, the Commission's Transportation Bureau, Railroad Section, initiated the Stipulated Agreement

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DEC 20 2006

procedure to improve public safety at single track public highway-railroad grade crossings of UPRR located in Illinois, by the renewal of crossbuck signs and the installation of YIELD signs, (the "Project").

On April 20, 2004, April 30, 2004 and May 11, 2004, the staff of the Commission, the UPRR and the Illinois Department of Transportation, (the "Department"), respectively, executed Stipulated Agreement No. 1083 according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law concerning the Project, (the "Stipulated Agreement").

A list of UPRR's four hundred sixteen (416) single-track public highway-railroad grade crossings with crossbuck signs and no STOP signs, which are the subject of this proceeding, is attached as Exhibit "A" to the Stipulated Agreement. A list of the UPRR's twenty-one (21) single-track public highway-railroad grade crossings with crossbuck signs and STOP signs, which are the subject of this proceeding, is attached as Exhibit "B" to the Stipulated Agreement.

UPRR completed the renewal of crossbuck signs and the installation of the YIELD signs and STOP signs where applicable on all of the applicable crossings as listed on the Exhibits to the Stipulated Agreement on or before October 27, 2005. However, during performance of the Project, UPRR noted several instances where (1) additional crossings needed to be added to

the list; or (2) formerly existing crossings needed to be subtracted from the list because of crossing closures, rail line abandonments or upgrading of such crossings with flashing lights and gates. In addition, certain crossings should have been removed from the Exhibit lists due to multi-track location, inclusion by error and failure to qualify as public crossings.

Therefore, it is necessary to replace Exhibit "A" and Exhibit "B" to the Stipulated Agreement with the thirteen (13) page, color-coded document attached hereto as Exhibit "X", which is hereby made a part hereof.

Exhibit "X" is entitled "State of Illinois/Union Pacific Railroad Public Single Track Passive Crossings, Yield/Stop Signs Installed as of October 27, 2005 by Railroad Subdivision, (last revised May 1, 2006)". Exhibit "X" is color-coded. Red entries indicate crossings where crossbuck and STOP signs were installed. Yellow entries indicate crossings where crossbucks and YIELD signs were installed. Green entries indicate crossings which need to be added to the list. Pink entries indicate crossings that should be removed from the list as being either multi-track crossings, private crossings, closed crossings, out-of-service crossings, crossings over which the track has been sold and removed or those crossings which have been upgraded with flashing lights and gates.

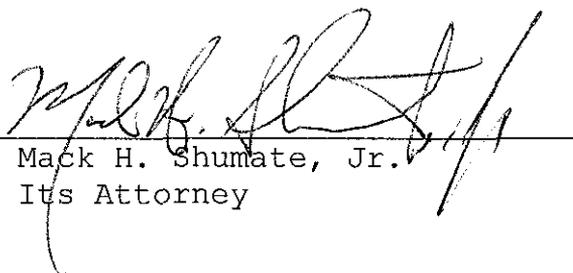
As verified herein by Henry J. Freise, Jr., Project Coordinator I in the Engineering Department for the UPRR,

Exhibit "X" is respectfully submitted by the UPRR to document the Public Single Track Passive Crossings on the Union Pacific Railroad Company which have had renewal of crossbuck signs and the installation of YIELD signs where STOP signs do not already exist as of October 27, 2005. The work detailed on Exhibit "X" fulfills the initial installation obligation of UPRR under the Commission's original Order in T04-0047.

The UPRR respectfully requests, without hearing, that the Commission amend and supplement its original Order in this matter by adopting and substituting Exhibit "X" for Exhibits "A" and "B" to the Stipulated Agreement.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

By: 
Mack H. Shumate, Jr.
Its Attorney

Mack H. Shumate, Jr.
Attorney
Union Pacific Railroad Company
101 North Wacker Dr., Room 1920
Chicago, IL 60606
312/777-2055
312/777-2065 (Facsimile)

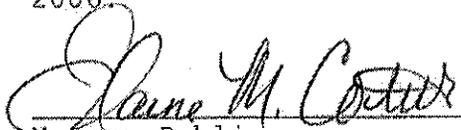
VERIFICATION

Henry J. Freise, Jr., being first duly sworn on oath, deposes and states that he is the Project Coordinator I, Engineering Department, for Union Pacific Railroad Company, in the foregoing cause; that he has read the foregoing Petition for Amended Order and that the facts contained therein are true and correct to the best of his knowledge, information and belief.



Henry J. Freise, Jr.
Project Coordinator I
Union Pacific Railroad Company

Subscribed and sworn to
before me this 18th
day of December,
2006.



Notary Public



STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

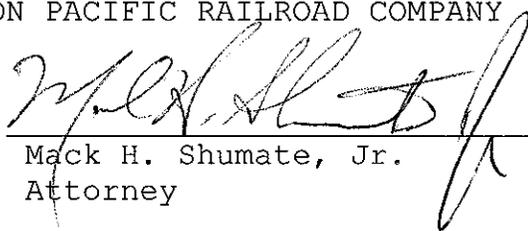
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NOTICE OF FILING

TO: Dean Jackson, Chief Administrative Law Judge
Michael E. Stead, Railroad Safety Program Administrator

PLEASE TAKE NOTICE that I have this 18th day of
December, 2006, forwarded to Mr. David Lazarides,
Director of Processing, Transportation Division, of the Illinois
Commerce Commission, Springfield, Illinois, for filing in the
above matter, a **PETITION TO AMEND ORDER**, a copy of which is
attached hereto and hereby served upon you.

UNION PACIFIC RAILROAD COMPANY

By: 

Mack H. Shumate, Jr.
Attorney

Mack H. Shumate, Jr.
Attorney
Union Pacific Railroad Company
101 North Wacker Drive, Room #1920
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312/777-2055
312/777-2065 (Facsimile)

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T04-0047\NOF.doc

CERTIFICATE OF SERVICE

The undersigned certifies that on December 18, 2006, a copy of the foregoing instrument was served upon the following parties by depositing said instrument in the U.S. Mail, with postage thereon fully prepaid, at 101 North Wacker Drive, Chicago, Illinois 60606, addressed as follows:

THE HONORABLE DEAN JACKSON

Chief Administrative Law Judge
Illinois Commerce Commission
527 East Capitol Avenue
P.O. Box 19280
Springfield, IL 62794-9280

MICHAEL E. STEAD

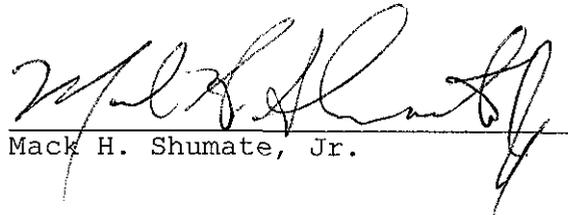
Railroad Safety Program Administrator
Illinois Commerce Commission
527 East Capitol Avenue, 2nd Floor
Springfield, IL 62794

DAN DREWES

Railroad Safety Staff
Illinois Commerce Commission
527 East Capitol Avenue, 2nd Floor
Springfield, IL 62794

CHARLES J. INGERSOLL, P.E.

Engineer of Local Roads & Streets
Attn: Jeff Harpring
Department of Transportation
2300 South Dirksen Parkway, Room #205
Springfield, IL 62764


Mack H. Shumate, Jr.