

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION



May 9, 2007

**RECEIVED**

MAY 16 2007

Illinois Commerce Commission  
RAIL SAFETY SECTION

Peoria County, Illinois, Petitioner,

Vs

The Burlington Northern and Santa Fe Railway  
Company, and State of Illinois, Department of  
Transportation, Respondents.

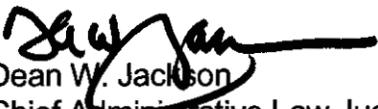
Petition seeking an order of the Commission  
authorizing the replacement and/or reconstruction of  
the highway underpass at the intersection of the  
tracks of the railroad and Peoria County Highway 40  
and requesting use of the Grade Crossing Protection  
Fund for a portion of the cost.

T04-0056

**NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING**

On October 20, 2004, the Illinois Commerce Commission entered an Order in the above Docket, which authorized an expenditure from the Grade Crossing Protection Fund ("GCPF"). Authority for reimbursement from the GCPF expired on April 20, 2007, by terms of the Order. Therefore, the amount of \$195,927.52, remaining in IDOT Obligation XP05016, has been de-obligated.

Entered May 10, 2007

  
Dean W. Jackson  
Chief Administrative Law Judge  
Transportation Division

**DOCKETED**

Parties of Record	Date Added	Date Removed
Mr. Milton R. Sees Director of Highways - IDOT ATTN: JEFF HARPRING, ROOM 205 2300 South Dirksen Parkway Springfield, IL 62764		
Burlington Northern and Santa Fe Railway Company CT Corporation System 208 S. LaSalle Street Chicago, IL 60604		
Mr. W. Douglas Werner Burlington Northern and Santa Fe Railway Company P.O. Box 961039 Fort Worth, TX 76161-0039		
Mr. Thomas J. McFarland Peoria County Highway Engineer 6915 West Plank Road Peoria, IL 61604		
Mr. Mark Leemon BNSF Railway Company 80 44 <sup>th</sup> Avenue NE Minneapolis, MN 55421		