

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

THE BURLINGTON NORTHERN AND SANTA FE)
RAILWAY COMPANY and VILLAGE OF VERMONT,)
FULTON COUNTY, ILLINOIS,)

Petitioners,)

v.)

DEPARTMENT OF TRANSPORTATION, STATE OF)
ILLINOIS,)

Respondent.)

T04-0055

RECEIVED
JUN 18 2007

Illinois Commerce Commission
RAIL SAFETY SECTION

Petition for an order authorizing the permanent closure and)
elimination of the public at grade crossings located at the)
tracks of The Burlington Northern and Santa Fe Railway)
Company ("BNSF") and Fourth Street, DOT No. 078471H,)
Milepost 140.88; Fifth Street, DOT No. 078473W, Milepost)
140.82; Seventh Street, DOT No. 078577D, Milepost 140.69)
and Eighth Street, DOT No. 078578K, Milepost 140.64; for)
an order further authorizing the replacement of the existing)
highway overpass at the intersection of Alley Street and)
the tracks of BNSF, DOT No. 078457M, Milepost 141.15;)
an order of the existing highway overpass at the intersection)
of Alley Street and the tracks of NSF, DOT No. 078457M,)
Milepost 141.15; an order further authorizing the installation)
of automatic warning devices consisting of automatic)
flashing light signals and gates at the grade crossings)
located at the tracks of BNSF and Sixth Street, DOT No.)
078576W, Milepost 140.76 and East Street, DOT No.)
063752X, Milepost 94.14; an order authorizing the)
construction of a connecting road located east of and parallel)
to BNSF's trackage which would serve to connect Alley)
Street at the North and East Street at the South; and for an)
order dividing the costs among the parties as required by)
law and requiring a substantial portion of the aforementioned)
project costs to be borne by the Grade Crossing Protection)
Fund of the Motor Fuel Tax Law.)

MOTION FOR LEAVE TO SUBSTITUTE COUNSEL

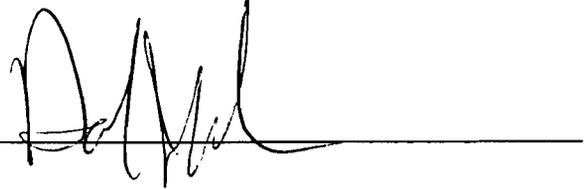
Now come Daley & Mohan, P.C., attorneys at law, and represent to the Illinois
Commerce Commission that they have been requested by Petitioner BNSF Railway

DOCKETED

JUN 19 2007

Company, formerly known as The Burlington Northern and Santa Fe Railway Company to appear in this cause in its behalf effective July 1, 2007, and in the place of and instead of Kenneth J. Wysoglad & Associates, attorneys who have heretofore appeared for Petitioner, and move for an order of Illinois Commerce Commission allowing Daley & Mohan, P.C. to enter their appearance in place of and as substitutes for Kenneth J. Wysoglad & Associates in accordance with the attached substitution of attorneys.

By: _____

A handwritten signature in black ink, appearing to be 'D.M.', is written over a horizontal line. The signature is stylized and cursive.

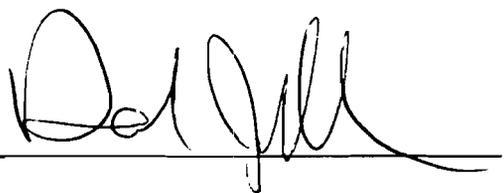
DALEY & MOHAN, P.C.
150 N. Wacker Drive
Suite 1550
Chicago, IL 60606
(312) 422-9999

KENNETH J. WYSOGLAD & ASSOCIATES


Michael L. Sazdanoff

Daley & Mohan, P.C. hereby enter our appearance for the petitioner, BNSF Railway Company, a corporation, formerly known as The Burlington Northern and Santa Fe Railway Company in the above-entitled cause.

DALEY & MOHAN, P.C.

By: 

Daley & Mohan, P.C.
150 N. Wacker Drive, Suite 1550
Chicago, IL 60606
(312) 422-9999

PROOF OF SERVICE

Robert J. Prendergast, being first duly sworn on oath, deposes and says that on the 15 day of JUNE, 2007, he caused to be served, a true and correct copy of **MOTION FOR LEAVE TO SUBSTITUTE COUNSEL** upon:

Mr. Robert Young
Village President, Village of Vermont
P.O. Box 200
Vermont, IL 61484

Mr. Milton Sees, P.E.
Director of Highways, IDOT
Attn: Jeff Harpring, Rm. 205
2300 S. Dirksen Parkway
Springfield, IL 62764

Office of Chief Counsel
Illinois Department of Transportation
2300 S. Dirksen Pkwy., Suite 300
Springfield, IL 62764

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

