

ORIGINAL

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

VILLAGE OF BURR RIDGE, )  
Petitioner, )  
v. )  
THE BNSF RAILWAY COMPANY; STATE OF )  
ILLINOIS, DEPARTMENT OF TRANSPORTATION; )  
DOWNS GROVE TOWNSHIP, ILLINOIS, )  
Respondents. )

T07-0043

Petition seeking an order from the Illinois  
Commerce Commission authorizing the install- )  
ation of a wayside horn system (WHS) that )  
silences BNSF Railway locomotive horns within )  
the municipal limit of the Village of Burr Ridge, )  
Illinois (Village). This Petition also requests that )  
this Commission order that the initial costs of the )  
WHS be born by the Village, but that a certain )  
portion of the annual maintenance costs are )  
to be borne by Downers Grove Township. This )  
Petition also requests that the Illinois Department )  
of Transportation, permit the reconstruction of )  
certain curb and gutter work to be performed at )  
the intersection of 97<sup>th</sup> Street and Madison Street )  
in Burr Ridge, Illinois. )

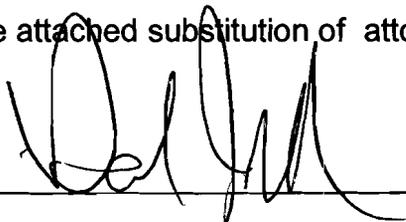
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JUN 1 8 2007

Illinois Commerce Commission  
RAIL SAFETY SECTION

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 Respondent BNSF 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 Respondent, 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: 

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

DOCKETED

JUN 1 9 2007

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

<b>VILLAGE OF BURR RIDGE,</b>	)	
<b>Petitioner,</b>	)	
<b>v.</b>	)	<b>T07-0043</b>
<b>THE BNSF RAILWAY COMPANY; STATE OF</b>	)	
<b>ILLINOIS, DEPARTMENT OF TRANSPORTATION;</b>	)	
<b>DOWNERS GROVE TOWNSHIP, ILLINOIS,</b>	)	
<b>Respondents.</b>	)	
<b>Petition seeking an order from the Illinois</b>	)	
<b>Commerce Commission authorizing the install-</b>	)	
<b>ation of a wayside horn system (WHS) that</b>	)	
<b>silences BNSF Railway locomotive horns within</b>	)	
<b>the municipal limit of the Village of Burr Ridge,</b>	)	
<b>Illinois (Village). This Petition also requests that</b>	)	
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<b>WHS be born by the Village, but that a certain</b>	)	
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<b>Petition also requests that the Illinois Department</b>	)	
<b>of Transportation, permit the reconstruction of</b>	)	
<b>certain curb and gutter work to be performed at</b>	)	
<b>the intersection of 97<sup>th</sup> Street and Madison Street</b>	)	
<b>in Burr Ridge, Illinois.</b>	)	

**SUBSTITUTION OF ATTORNEYS**

Kenneth J. Wysoglad & Associates hereby withdraw our appearance for Respondent BNSF Railway Company in the above-entitled cause.

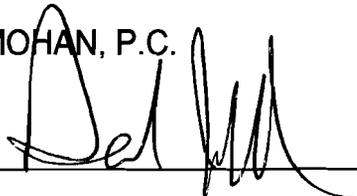
KENNETH J. WYSOGLAD & ASSOCIATES

  
\_\_\_\_\_  
Michael L. Sazdanoff

Michael L. Sazdanoff  
Kenneth J. Wysoglad & Associates  
118 S. Clinton Street, Suite 700  
Chicago, IL 60661  
(312) 441-0333

Daley & Mohan, P.C. hereby enter our appearance for the respondent, BNSF 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:

Lance C. Molina  
Jacob Karaca  
Klein, Thorpe and Jenkins, Ltd.  
20 N. Wacker Drive, Suite 1660  
Chicago, IL 60606-2903

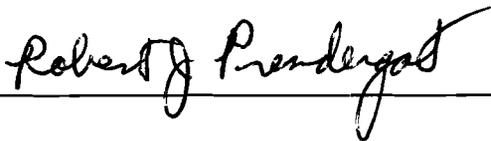
Alan Alongi  
Attorney for Downers Grove Township  
19 N. Grant Street  
Hinsdale, IL 60521

Lisa Madigan  
Attorney General  
Attorney for Illinois Department of  
Transportation  
100 W. Randolph Street  
Chicago, IL 60601

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

Ms. Ellen J. Schanzle-Haskins  
Chief Counsel - IDOT  
2300 S. Dirksen Pkwy, Rm. 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.

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