

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

CITY OF SANDWICH, DEKALB COUNTY,)
ILLINOIS,)

Petitioner,)

v.)

Case No. T 05-0005

BURLINGTON NORTHERN SANTA FE)
RAILWAY (BNSF) COMPANY; STATE OF)
ILLINOIS DEPARTMENT OF TRANSPOR-)
TATION, AND SANDWICH TOWNSHIP,)
DEKALB COUNTY, ILLINOIS,)

Respondents.)

RECEIVED

JUN 22 2007

Illinois Commerce Commission
RAIL SAFETY SECTION

Petition for an order of the Illinois)
Commerce Commission Authorizing the)
establishment of a new grade crossing at)
Fairwind Boulevard immediately north of)
US Route 34 with the track of Burlington)
Northern Santa Fe Railway (BNSF) Company)
in the City of Sandwich, DeKalb County,)
Illinois, directing thereon the installation of)
automatic protection devices and)
construction of the crossing proper and)
dividing the cost among the parties, and)
directing the closure of the existing grade)
crossing at Gletty Road with the track of the)
Burlington Northern Santa Fe Railway)
(BNSF) Company immediately north of US)
Route 34 in the City of Sandwich, and)
Sandwich Township, DeKalb County, Illinois)
at-grade crossing in the City of Sandwich,)
DeKalb County.)

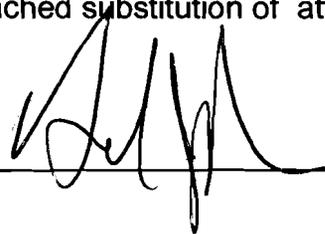
MOTION FOR LEAVE TO SUBSTITUTE COUNSEL

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, 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
Respondent, and move for an order of Illinois Commerce Commission allowing Daley &

DOCKETED

JUN 22 2007

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

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RAIL SAFETY SECTION

SUBSTITUTION OF ATTORNEYS

Kenneth J. Wysoglad & Associates hereby withdraw our appearance for respondent BNSF Railway Company, a corporation, formerly known as The Burlington Northern and Santa Fe Railway Company in the above-entitled cause.

KENNETH J. WYSOGLAD & ASSOCIATES


Michael L. Sazdanoff

Daley & Mohan, P.C. hereby enter our appearance for the respondent, 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 20 day of JUNE, 2007, he caused to be served, a true and correct copy of **MOTION FOR LEAVE TO SUBSTITUTE COUNSEL** upon:

Mr. Bernard Z. Paul
231 S. Fourth Street
DeKalb, IL 60115-3732

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

Mr. Brian Vercruysse, P.E.
Illinois Commerce Commission
Railroad Staff
527 E. Capitol Avenue
Springfield, IL 62701

Mr. Thomas Benson
Special Assistant Attorney General
Illinois Department of Transportation
2300 S. Dirksen Pkwy., Rm. 311
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.