

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

CITY OF SPRINGFIELD, ILLINOIS,)
a municipal corporation,)
)
Petitioner,)

No. T05-0034

v.)

ILLINOIS CENTRAL RAILROAD COMPANY, STATE OF)
ILLINOIS DEPARTMENT OF TRANSPORTATION,)
DIVISION OF HIGHWAYS, NORFOLK SOUTHERN)
RAILWAY COMPANY,)
)
Respondents.)

ILLINOIS COMMERCE COMMISSION
2007 AUG 21 P 3:34
TRANSPORTATION DIV.

PETITION FOR SUPPLEMENTAL ORDER

TO THE ILLINOIS COMMERCE COMMISSION:

Now comes the Petitioner, the City of Springfield, Illinois, a municipal corporation with its principal office at 800 East Monroe, Springfield, Illinois 62701, (the "City"), by and through its attorneys Jenifer Johnson, Corporation Counsel, and Tracy Johansson, Assistant Corporation Counsel, and respectfully petitions the Illinois Commerce Commission, (the "Commission") for a supplemental order for the purpose of final compliance with the mandates of the Commission, stating as follows:

1. On March 8, 2006, the Commission issued an order ("Order") in the above referenced docket, requiring the City to construct a new grade crossing at 10th Street just south of Stanford Avenue in Springfield, Illinois, and to close and abolish the existing grade crossing at Yale Boulevard in Springfield, Illinois.
2. The Order required completion of the work to be within eighteen (18) months after issuance of the Order.

DOCKETED

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3. On May 25, 2007, a Project Status Report was filed by Jason Jacobs on behalf of the City, indicating that no further work can be done by the City until the Railroad Company installs the surface, signals and gates.
4. On August 17, 2007, Illinois Central Railroad Company, ("ICRC"), filed a petition for extension of time to complete its work.
5. The City has no objection to the petition for extension filed by ICRC.
6. The City cannot complete its work until after ICRC has completed its work.
7. ICRC has requested an extension be granted until December 8, 2007.
8. After ICRC completes their work, the City will need to pour approximately 100.00 lineal feet of curb and gutter, and lay approximately 100.00 lineal feet of asphalt, followed by a surface coat on the asphalt.
9. The work to be completed by the City will take approximately one (1) week after the ICRC has completed its work.
10. The air temperatures in December are not conducive to pouring concrete and asphalt, and the asphalt plants will be closed.
11. In the event ICRC has not finished its work by November 2007, the City will not be able to safely complete its work until the spring construction season of May 2008.
12. The City has contacted Joe Von De Bur, Railroad Safety Specialist for the Commission prior to submitting this Petition.
13. The City's Petition is made in good faith and not for the purposes of delay, as evidenced by the substantial completion of the City's work prior to this date, and the inability to control ICRC's work and the weather.

WHEREFORE, the City respectfully requests that the Commission:

- A. Enter a supplemental order extending the City's completion date in the Order to May 1, 2008.
- B. Provide such other and further relief as the Commission deems just and appropriate.

Dated the 21 day of August, 2007.

CITY OF SPRINGFIELD, ILLINOIS,
a municipal corporation

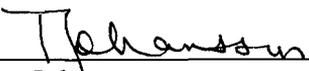
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