



November 10, 2004
Job No. 406365.3

Mr. Dave Lazarides
Director of Processing and Information
Illinois Commerce Commission
527 East Capitol Avenue
P.O. Box 19280
Springfield, IL 62794-9280

Re: ICC Order No. ~~T97-0050~~ (Dec. 17, 1997)
Supplemental Order (March 7, 2001)
City of Alton
Indiana Avenue Extension
Second Supplemental Petition

Dear Mr. Lazarides:

Enclosed are two original signed documents entitled "Second Supplemental Petition."
This petition is submitted on behalf of the City of Alton for consideration by the Illinois
Commerce Commission.

If you have any questions, please contact me at (618) 462-9755 or e-mail at
dgodar@smsengineers.com.

Sincerely,

SHEPPARD, MORGAN & SCHWAAB, INC.

David Godar, P.E.

DG/tjt
Enclosures

cc: Vic Modeer, IDOT
Richard E. Boyle, N.S. Railway Co.
Thomas W. Amber, N.S. Railway Co.
Neil F. Flynn, Attorney
Jennifer Obertino, IDOT District 8 BLR
Bob Berry, I.C.C.
Jim Hernandez, Alton Public Works Director
Phil Roggio, Alton Director of Development and Housing

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

November 9, 2004

THE CITY OF ALTON, ILLINOIS BY ITS)
MAYOR, DONALD E. SANDIDGE,)
Petitioner)

VS.)

NORFOLK SOUTHERN CORPORATION AND)
DEPARTMENT OF TRANSPORTATION OF)
OF THE STATE OF ILLINOIS)
Respondents)

T97-0050

Petition for permission to construct an overhead)
grade crossing of Indiana Avenue, MFT Section)
#97-00208-01-GS, Structure #060-6110, over the)
tracks of the Norfolk Southern Corporation at a)
location approximately 1/3 mile north of Illinois)
Route 143, Madison County, Illinois.)

SECOND SUPPLEMENTAL PETITION

TO: The Illinois Commerce Commission

The City of Alton, respectfully requests that the original Order T97-0050 be amended to extend the time for completion and to release the balance of funds to the previously approved maximum amount of \$4,583,569.00:

1. Request for Time Extension – The Supplemental Order, dated March 7, 2001, granted an extension of time to and including December 31, 2004, within which to complete the project. The granted time extension was based on the assumption that construction would begin by November, 2001. Due to environmental issues including testing and remediation of contaminated soils and mitigation of wetland impacts the actual start of Phase I construction was delayed until spring of 2003. A second and final phase of construction is expected to begin in the summer of 2005 and is expected to be completed on or before June 30, 2007. Completion of Phase

DOCKETED

NOV 30 2004

T91-0050

It will be controlled by embankment settlement which is difficult to predict. The actual completion date may be sooner, however the City of Alton requests a time extension to June 30, 2007 for completion of the project.

2. Request Release of Funds – The Supplemental Order, dated March 7, 2001, states the following: “the amount to be paid by the Fund shall not exceed \$2,162,435 until further Order of the Commission; it is the intent of the Commission to issue further Order(s) increasing the maximum amount to be paid by the Fund to \$4,583,569 by the end of the project.”

The amount of GCP funds spent to date is approaching the initial limit of \$2,162,435, therefore the City of Alton requests the Commission to release the balance of the funds.

CITY OF ALTON

BY Donald E. Sandidge
Donald E. Sandidge
Mayor

ATTEST:

Mary T. Boulds
Mary T. Boulds
City Clerk

T97-0050

State of Illinois)
) T97-0050
County of Madison)

SHEPPARD, MORGAN AND SCHWAAB, INC., being first duly sworn on oath deposed and says that on the 10 day of November, 2004, I have served the within document by placing true and correct copies thereof in envelopes properly stamped and addressed to the following:

1. Mr. Dave Lazarides (two originals)
Director of Processing and Information
Transportation Division
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62794
2. Mr. Vic Modeer (one copy)
Director, Division of Highways
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, Illinois 62764
3. Mr. Richard E. Boyle (one copy)
Norfolk Southern Railway Company
5000 West Main Street
Box 899
Belleville, Illinois 62223
4. Mr. Thomas W. Ambler (one copy)
Norfolk Southern Railway Company
Three Commercial Place
Norfolk, Virginia 23510-2191
5. Mr. Neil F. Flynn (one copy)
Attorney at Law
1035 South Second Street
P.O. Box 37
Springfield, Illinois 62705

David E. Godar
David E. Godar, P.E.
Serving Agent

Subscribed and sworn to
before me this 10th day
of November, 2004

Tamara J. Taul My Commission Expires 8/4/05
Notary Public

