

ILLINOIS COMMERCE COMMISSION  
EXAMINER'S HEARING REPORT

T99-0116

Hearing Date 4-5-00

Case No. T99-0116 Type of Case Increase in preemption time

Petitioners ICC on its own Motion

Respondents UP, Springfield, IDOT

Transcript Taken?  yes  Continued To \_\_\_\_\_ or  Heard and Taken

Pleadings and Motions

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Exhibits Filed

*Staff Exhibits 1,2,3,4,5 admitted.*

Remarks

Send Notice

Hearing Examiner

(Examiner: No hearing is completed until you have filled out this form in full).



STATE OF ILLINOIS



ILLINOIS COMMERCE COMMISSION

May 15, 2000

Illinois Commerce Commission,  
On Its Own Motion;

vs.

Union Pacific Railroad Company; City of Springfield; State of Illinois;  
Department of Transportation

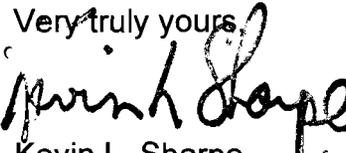
Citation with respect to improving public safety where a track of the  
Union Pacific Railroad Company crosses North Grand Avenue (DOT  
294 294Y) and 6<sup>th</sup> Street (DOT 294 295F) in the City of Springfield,  
Sangamon County by increasing the simultaneous preemption time  
provided by the automatic warning devices at said crossing, by  
adding pre-signals on the south approach to the 6<sup>th</sup> Street crossing  
for northbound motorists, by providing simultaneous activation and  
deactivation of the automatic flashing light signals and gates at said  
crossings, and by providing any further relief the Commission may  
deem necessary, dividing the cost amount the parties and the Grade  
Crossing Protection Fund.

T99-0116

TO ALL PARTIES OF RECORD:

Dear Sir/Madam:

Enclosed please find a copy of the Order entered by the Commission in the  
above entitled matter on May 10, 2000.

Very truly yours,  
  
Kevin L. Sharpe  
Director of Processing  
and Information

ss

Rick Korte, Hearing Examiner  
John Blair, Railroad Section Staff

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

OFFICIAL FILE

DOCKET NO. T99-0116

Staff

Illinois Commerce Commission,  
On Its Own Motion,

Witness

vs.

Union Pacific Railroad Company; City of Springfield; State of  
Illinois, Department of Transportation

Date 4-5-00

Reporter tyb

T99-0116

Citation with respect to improving public safety where a track of  
the Union Pacific Railroad Company crosses North Grand  
Avenue (DOT 294 294Y) and 6<sup>th</sup> Street (DOT 294 295F) in the  
City of Springfield, Sangamon County by increasing the  
simultaneous preemption time provided by the automatic warning  
devices at said crossings, by installing pre-signals on the south  
approach to the 6<sup>th</sup> Street crossing for northbound motorists, by  
providing simultaneous activation and deactivation of the  
automatic flashing light signals and gates at said crossings, and  
by providing any further relief the Commission may deem  
necessary, dividing the cost among the parties and the Grade  
Crossing Protection Fund.

DRAFT ORDER

By the Commission:

On November 17, 1999, the Illinois Commerce Commission ("Commission") entered its Citation in this proceeding requiring the parties to appear at a hearing at the Commission's offices in Springfield, Illinois on February 1, 2000, to show cause why an Order should not be entered requiring the parties to comply with the relief sought by the Commission.

On February 1, 2000 and April 5, 2000, pursuant to proper legal notice, hearings were held before a duly authorized Hearing Examiner at the Commission's Office in Springfield, Illinois. An appearance was entered by a member of the Commission's Railroad Section ("Staff") and counsel for the Union Pacific Railroad Company ("Railroad"). No appearances were entered at the hearings by the Respondents, Illinois Department of Transportation ("Department") or City of Springfield ("City").

At the April 5, 2000 Hearing, Staff submitted a recommended draft Order and letters from representatives for the Department, and City acknowledging their review and acceptance of the contents of the draft order. The Railroad's counsel stated at the hearing the Railroad has no objections to the contents of the draft order. The draft Order addresses all issues in the Citation including: increasing the minimum railroad simultaneous preemption

time to 47 seconds; installing pre-signals on the south approach to the 6<sup>th</sup> Street at-grade crossing for northbound traffic; modifying the railroad warning devices at the North Grand Avenue and 6<sup>th</sup> Street at-grade crossings to provide for simultaneous activation and deactivation of the automatic flashing light signals and gates; installing new traffic signal control equipment with re-service capabilities and continuous self checking of critical preemption timings for the traffic signals at the intersection of North Grand Avenue and 6<sup>th</sup> Street and the intersection of North Grand Avenue and Peoria Road; upgrading the railroad interconnect circuit to a supervisory design at the aforesaid crossings; requiring remote monitoring of the traffic signal controller for aforesaid intersections; installing a second left turn indication for eastbound traffic at the intersection of North Grand and Peoria Road; restricting right turn on red vehicular movements for southbound traffic on Peoria Road at North Grand; a division of cost among the parties and a completion date for the proposed warning system improvements. Staff submitted an Exhibit setting forth the recommended railroad preemption sequence for the highway traffic control devices at the intersections of North Grand Avenue with 6<sup>th</sup> Street and North Grand Avenue with Peoria Road. Staff also submitted as evidence, an estimate of cost to perform the proposed crossing warning system improvements and to perform the proposed highway traffic control improvements. Staff indicated the estimates of cost were satisfactory. The draft order, Exhibits and the estimates of cost were admitted as evidence and the record was marked "Heard and Taken".

The Commission, having given due consideration to the entire record in this matter, finds that:

- (1) the Commission has jurisdiction over the parties and the subject matter of this proceeding;
- (2) the recitals of fact as set forth in the prefatory portion of this Order are supported by the record and are hereby adopted as findings of fact;
- (3) Federal Railroad Administration Rule 49 CFR Part 234.225 and the Commission's 92 IL Adm. Code 1535.350 both require that a minimum of 20 seconds warning time be provided at-grade crossings equipped with automatic warning devices;
- (4) within the City a public highways known as 6<sup>th</sup> Street (DOT 294 294Y) and North Grand Avenue (DOT 294 295F) cross at-grade the Railroad's single mainline track; 6<sup>th</sup> Street and North Grand Avenue are under the jurisdiction of the City; the railroad warning devices at the 6<sup>th</sup> Street and North Grand Avenue at-grade crossings are interconnected with the highway traffic control signals where North Grand Avenue intersects with 6<sup>th</sup> Street and Peoria Road near the crossings; the highway traffic control signals are under the jurisdiction of the City;
- (5) the Commission finds that the at-grade crossing warning system improvements and the highway traffic control improvements set forth in the Citation and recommended by Staff at the aforesaid 6<sup>th</sup> Street and North Grand Avenue at-grade crossings are in the interest of public safety and should be approved; the Commission also finds that the cost division and the

completion date for the improvements as provided in the aforesaid draft order and as stated in the following table are fair and reasonable and should be approved:

Improvement	Est. Cost	GCPF	Railroad	City	Completion From Order Date
Upgrade existing control circuitry to provide for a minimum 47 seconds simultaneous preemption time and provide simultaneous activation and deactivation of the AFLS and gates at the 6 <sup>th</sup> Street (DOT 294 294Y) and North Grand Avenue (DOT 294 295F) at-grade crossings in Springfield, IL.	\$200,000	90 % (Not to exceed \$180,000)	Remainder (\$20,000)		18 Months
Install pre-signals on the south approach to the 6 <sup>th</sup> Street crossing for northbound traffic, install new traffic signal control equipment, upgrade interconnect circuit to supervisory design, establish remote monitoring capabilities for the traffic signal equipment, installing a second left turn indication for eastbound traffic at the intersection of North Grand and Peoria Road and install appropriate signing and pavement markings at the North Grand Avenue intersections with 6 <sup>th</sup> Street and Peoria Road in Springfield, IL.	\$57,412	90% (Not to exceed \$51,671)		Remainder (\$5,741)	12 Months
<b>TOTALS</b>	<b>\$257,412</b>	<b>\$231,671</b>	<b>\$20,000</b>	<b>\$5,741</b>	

*Handwritten notes:*  
 - ~~Traffic Signals~~  
 - 6th St is one way Gates cover both lanes - (ie) can't drive around gates - NO room!  
 - One Way  
 - Gates cover lanes  
 - the nature of lanes

IT IS THEREFORE ORDERED by the Commission that the Railroad shall perform the warning system improvements at the aforesaid 6<sup>th</sup> Street (DOT 294 294Y ) and North Grand Avenue (DOT 294 295F) at-grade crossings as set forth in Finding (5) herein and shall thereafter maintain same. After the warning system work has been completed, the Railroad shall not take any action which would result in a reduction of the minimum simultaneous preemption time without approval of the Commission.

IT IS FURTHER ORDERED that City shall perform the highway traffic control improvements at the intersections of North Grand Avenue with 6<sup>th</sup> Street and Peoria Road as set forth in Finding (5) herein and shall thereafter maintain same.

IT IS FURTHER ORDERED that the cost of the at-grade crossing warning system and traffic signal improvements herein required shall be allocated as set forth in Finding (5) herein.

IT IS FURTHER ORDERED that all bills for expenditures authorized to be reimbursed from the Grade Crossing Protection Fund shall be submitted to the Director of Processing and Information, Transportation Division of the Commission, and that the final bill for expenditures shall be clearly marked "Final Bill". In addition, authorization for reimbursement from the Grade

Crossing Protection Fund shall expire and the Department shall de-obligate all residual Grade Crossing Protection Fund money twelve (12) months after the completion date specified in the Order.

IT IS FURTHER ORDERED that the Railroad shall perform its work herein required within eighteen (18) months from the date of this Order.

IT IS FURTHER ORDERED that City shall perform its work herein required within twelve (12) months from the date of this Order.

IT IS FURTHER ORDERED that the Railroad shall post a readily visible notice inside its warning system cabinet(s) at the aforesaid at-grade crossings notifying its personnel not to take any action which would result in a reduction of the minimum railroad preemption time herein required without the approval of the Commission. An actual size copy of the notice shall be submitted to the Commission's Railroad Safety Program Administrator for approval.

IT IS FURTHER ORDERED that the proposed railroad preemption sequence set forth in Staff's Exhibit shall be utilized by the traffic control devices at the aforesaid highway intersections. The preemption sequence shall not be altered in a manner which would reduce the amount of time vehicles encroaching the track zone would have to clear the Railroad's tracks without the approval of the Commission.

IT IS FURTHER ORDERED that City shall post a readily visible notice inside its traffic signal cabinets at the aforesaid intersections notifying its personnel not to alter the railroad preemption sequence for the traffic signals interconnected with the railroad warning devices at the aforesaid at-grade crossings in a manner which would reduce the amount of time vehicles encroaching the track zone would have to clear the Railroad's tracks without the approval of the Commission. An actual size copy of the notice shall be submitted to the Commission's Railroad Safety Program Administrator for approval.

IT IS FURTHER ORDERED that City shall submit to the Commission a copy of the plans detailing the proposed highway traffic signal improvements at the intersections of North Grand Avenue with 6<sup>th</sup> Street and Peoria Road. City must receive an approval letter for the plans by the Commission prior to implementing the improvements.

IT IS FURTHER ORDERED that the Railroad shall within one hundred twenty (120) days from the date of this Order furnish the Department for its review two (2) copies of the general layout plans and detailed estimates of cost applying to the warning system work herein required.

IT IS FURTHER ORDERED that the Department shall, within thirty (30) days of its receipt of the aforesaid general layout plans, furnish to the Commission a statement of its approval or disapproval thereof, this for the information of the Commission when considering the application herein required to be filed in accordance with Form 3 of 92 Ill. Adm. Code 1535.

IT IS FURTHER ORDERED that the Railroad shall file a Form 3 application with the Commission, in accordance with 92 Ill. Adm. Code 1535, showing details of the control circuitry work herein required and shall receive approval thereof by X-Resolution of this Commission before commencing the work of installation.

IT IS FURTHER ORDERED that the Railroad and City shall file a written report within ninety (90) days from the date of this Order with the Director of Processing and Information, of the Commission's Transportation Division, stating the progress made toward completion of their work herein required. Said reports shall include the name, title, mailing address, phone number and facsimile number of the Railroad and City employees responsible for management of this project.

IT IS FURTHER ORDERED that the Railroad and City shall file a written report with the Director of Processing and Information within fifteen (15) days of the conclusion of each calendar quarter, stating the status of expenditures of their respective portion of the total project and percentage of completion of their respective portion of the project; if the project is behind schedule the report(s) must include a brief explanation of the reason(s) for the delay.

IT IS FURTHER ORDERED that the Railroad and City shall file a written notice of completion with the Director of Processing and Information, Transportation Division of the Commission within five (5) days of completion of their work herein required.

IT IS FURTHER ORDERED that subject to Section 18c-2201 and 18c-2206 of the Law, this is a final decision of the Commission subject to Administrative Review Law.

By Order of the Commission this \_\_\_\_ day of \_\_\_\_\_, 2000.

Chairman



**Illinois Department  
of Transportation**

**ESTIMATE OF COST**

Municipality	Springfield	<b>RECEIVED</b> APR 3 2000 ILLINOIS COMMERCE COMMISSION RAILROAD ENGR. SEC.
Road Dist.		
County	Sangamon	
Section	6th & North Grand	

Location (Sta. and land description of beginning; Sta. only for end for county and road district; street limits for municipality.)

a total distance of \_\_\_\_\_ feet, of which \_\_\_\_\_ feet ( \_\_\_\_\_ miles) are to be improved.  
 Station \_\_\_\_\_ is approximately \_\_\_\_\_ miles by road from the \_\_\_\_\_  
 railroad siding at \_\_\_\_\_  
 Type \_\_\_\_\_ Width \_\_\_\_\_ Thickness \_\_\_\_\_ Shoulders \_\_\_\_\_  
 Average Length of Haul \_\_\_\_\_

Item No.	Items	Unit	Quantity	Unit Price	Total
1.	7013700 TRF Cont Comp	L Sum	1	2000.00	2,000.00
2.	78000100 Th Pl Mk Ltr & Sym	Sq. Ft.	122.4	3.00	367.20
3.	78000400 Th Pl Pvt Mr Line 6	Ft.	1080	0.85	918.00
4.	78000650 Th Pl Pvt Mk Line 24	Ft.	90	6.00	540.00
5.	78300100 Paint Pavt Mk Remov	Sq. Ft.	305	2.00	610.00
6.	81012500 Con T 1 1/2 PVC	Ft.	30	5.00	150.00
7.	81012600 Con T 2 PVC	Ft.	6	6.00	36.00
8.	81021540 Con Augered 1 1/2 PVC	Ft.	48	20.00	960.00
9.	81306500 Rem Ex Junction Box	Each	1	200.00	200.00
10.	81400400 Conc Handhole	Each	1	1200.00	1200.00
11.	81500100 Gulfbox Junction	Each	1	320.00	320.00
12.	82202110 Ec C XLP Use 1c 10	Ft.	423	0.50	211.50
13.	82401250 ELCBL C Signal 14 7C	Ft.	205	1.50	307.50
14.	82401510 ELCBL C Lead 18 3 Pr	Ft.	252	1.00	252.00
15.	82401600 ELCBL C Comm 16 3 Pr	Ft.	80	1.20	96.00
16.	82401800 ELCBL C Serv 6 2c	Ft.	12	4.50	54.00
17.	83402900 Stl Comb MAA P 34	Each	1	3000.00	3000.00
<b>OFFICIAL FILE</b>					
Ill. C. C. PROJECT NO. <u>T99-0116</u>					
Total Estimated Cost					

Staff \_\_\_\_\_ 2

Made by \_\_\_\_\_ Date \_\_\_\_\_

Witness \_\_\_\_\_

Checked by \_\_\_\_\_ Date 4-5-00 Reporter ljb



**Railroad Preemption Sequence  
For  
North Grand at 6<sup>th</sup> Street  
Springfield, IL**

	Time Needed (sec)
Delay <sup>1</sup>	1
Minimum Green	1
Timed Overlap (NB 6 <sup>th</sup> .)	7
Yellow Interval <sup>2</sup> (NB 6 <sup>th</sup> .)	4.0
All Red Interval	1.0
Time Before N Grand(WB) Receives the Green Interval (sec) (subtotal)	14
N Grand(WB) Track Clearance <sup>3</sup>	10
Yellow Interval (N. Grand - WB)	4.0
All Red Interval	1.0
NB 6 <sup>th</sup> . Track Clearance <sup>3</sup>	18
<b>Min. RR Warning Time Required (sec)</b>	<b>47</b>

<sup>1</sup>One second programmed into RR preemptors to limit false calls and required for 3-wire supervisory interconnect operation.

<sup>2</sup>Includes four (4) seconds of flashing don't walk.

<sup>3</sup>The track clearance time includes a 9 second separation time.

OFFICIAL FILE

ILL. C. C. DOCKET NO. T99-0114

Staff                      REPORT No. 3

Witness                     

Date 4-5-00 Reporter tyb



OFFICE OF CORPORATION COUNSEL  
CITY OF SPRINGFIELD, ILLINOIS

ROBERT M. ROGERS  
CORPORATION COUNSEL

April 3, 2000

OFFICIAL FILE

ILL. C. C. DOCKET NO. T99-0116

Staff Exhibit No. 4

Witness \_\_\_\_\_

Date 4-5-00 Reporter lgb

John J. Blair  
Senior Railroad Safety Specialist  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62794-9280

**RE: ICC Docket T99-0116**

Dear Mr. Blair,

The City of Springfield's concurs with the draft order in the above referenced case.

It should be noted for the record that both the City of Springfield and the Railroad previously filed appearances in this case.

Yours Truly,

John Schmit  
Senior Assistant Corporation Counsel

JS/mlk

cc: Rich Berrning  
S:\WPDOCS\SCHMIT\LETTER\BLAIR.LTR



# Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

April 4, 2000

RE: Draft Order for ICC T99-0116  
City of Springfield, Sangamon County

Mr. Mike Stead  
Rail Safety Program Administrator  
Illinois Commerce Commission  
527 East Capitol  
Springfield, IL 62794-9280

Dear Mr. Stead:

We have received the draft order for the above referenced Illinois Commerce Commission order and have no objections on behalf of IDOT.

Sincerely,

Darrell W. McMurray, P. E.  
Engineer of Local Roads and Streets

By: Larry D. Houser  
Local Project Implementation Engineer

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OFFICIAL FILE

Ill. C. C. Order No. T99-0116  
Staff No. 5  
Date 4-5-00 Inspector tgw