

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION



August 20, 2003

THE VILLAGE OF SHERMAN, A MUNICIPAL CORPORATION, SANGAMON :
COUNTY, ILLINOIS :

-VS- :

SPCSL Corp. (Successor in Interest to the Chicago, Missouri and Western :
Railway Company) and the Illinois Department of Transportation :

T89-0028

In the matter of the Petition for an Order of the Illinois Commerce Commission :
directing the construction of a new grade crossing with the tracks of the :
Chicago, Missouri and Western Railway Company within the corporate limits of :
the Village of Sherman, directing thereon the installation of automatic :
protection devices and the construction of the crossing proper. :

TO ALL PARTIES OF RECORD:

ADMINISTRATIVE LAW JUDGE'S RULING

The Petitioner has filed herein a *Motion to Sever the Issue of Allocation of Utility Relocation Cost*.

The stated purpose of Petitioner's Motion, if severance were granted, is to "allow the project to proceed through the bidding and construction process while the issue of allocation of cost for fiber optic relocation is settled between the parties or ruled on by the Commission."

The Illinois Department of Transportation will not permit the bid process to take place until there is a final order issued by the Commission concerning all issues before the Commission, including the cost for fiber optic relocation and allocation of said cost, which remain at issue in this case.

For this reason the aforementioned Motion to Sever is hereby **DENIED**.

ENTERED:

A handwritten signature in black ink, appearing to read "Rick Korte".

Rick Korte
Chief Administrative Law Judge
Review & Examination Program

RK:rsc

Railroad Staff: Mr. Drewes
Mr. Berry