

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Village of Franklin Park, Illinois,)
Petitioner)

vs.)

Indiana Harbor Belt Company, Soo Line)
Railroad Company, Wisconsin Central Ltd.,)
and State of Illinois, Department of)
Transportation)

T90-0022

Petition for an Order regarding a separation)
of grades and construction of a bridge)
carrying the tracks of the Indiana Harbor and)
Belt Company, Soo Line Railroad Company, and)
the Wisconsin Central Ltd. over an underpass)
at Grand Avenue, in the Village of Franklin)
Park, Cook County, Illinois, apportioning)
the costs thereof and directing an appropriate)
portion thereof be borne by the Grade Crossing)
Protection Fund.)

BRIEF ON EXCEPTIONS OF WISCONSIN CENTRAL LTD.
TO PROPOSED ORDER

On February 22, 1991, the Hearing Examiner issued a Proposed Order in the above-referenced matter. Pursuant to 83 Ill. Adm. Code Section 200.830, Wisconsin Central Ltd. hereby files the following exceptions to Appendix A of the Proposed Order as unsupported by the record and requests that Appendix A be corrected as noted:

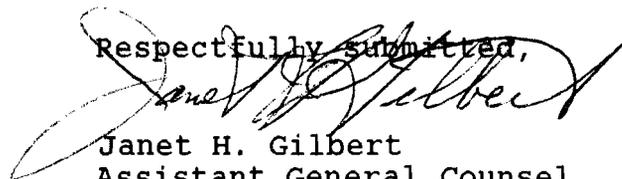
1. Appendix A currently states that "...the amount to be paid by the IHB toward the underpass structure should be 2.5% of the actual cost not to exceed \$424,275; the amount to be paid by the WC toward the underpass structure project should be 2.5% of the actual costs not to exceed \$424,275...."

Appendix A should be corrected to state "the amount to be paid by the IHB toward the underpass structure should be 58.33% of the actual cost not to exceed \$494,959; the amount to be paid by the WC toward the underpass structure project should be 41.67% of the actual costs not to exceed \$353,591...."

2. The last sentence of Appendix A states: "...; the cost of future maintenance and operation of the Chestnut Street grade crossing warning devices shall be borne by the WC."

The last sentence of Appendix A should be corrected to state: "...; the cost of future maintenance and operation of the Chestnut Street grade crossing warning devices shall be paid 58.33% by the IHB and 41.67% by the WC.

Respectfully submitted,



Janet H. Gilbert
Assistant General Counsel
Wisconsin Central Ltd.
6250 N. River Road Suite 9000
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Tel. 708/318-4691

Dated: March 8, 1991

PARTIES OF INTEREST

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March 8, 1991

Bernard L. Morris
Hearing Examiner
Illinois Commerce Commission
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Springfield, Illinois 62794-9280



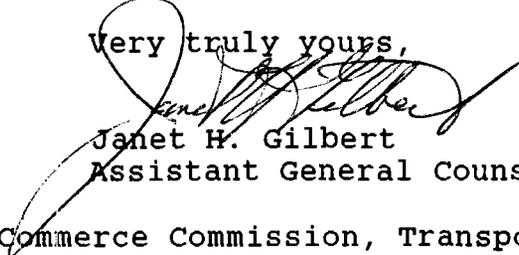
Re: Docket No. T90-0022

Petition for an Order regarding a separation of grades and construction of a bridge carrying the tracks of the Indiana Harbor and Belt Company, Soo Line Railroad Company, and the Wisconsin Central Ltd. over an underpass at Grand Avenue, in the Village of Franklin Park, Cook County, Illinois, apportioning the costs thereof and directing an appropriate portion thereof be borne by the Grade Crossing Protection Fund.

Dear Mr. Morris:

Enclosed please find the original and 11 copies of BRIEF ON EXCEPTIONS OF WISCONSIN CENTRAL LTD. TO PROPOSED ORDER filed by Wisconsin Central Ltd. in the above-referenced matter and served this day by first class mail on the attached Parties of Interest.

Very truly yours,


Janet H. Gilbert
Assistant General Counsel

cc: Ken Rusk, Illinois Commerce Commission, Transportation