

**ORIGINAL**

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

County of St. Clair, Illinois,  
Petitioner

Vs.

Kansas City Southern Railway Company, Union Pacific Railroad  
Company and the Illinois Department of Transportation,  
Respondents

**RECEIVED**

**MAY 27 2008**

**Illinois Commerce Commission  
RAIL SAFETY SECTION**

T03-0059

In RE the Matter of the Petition of the County of St. Clair for an Order compelling the building of a bridge carrying Mousette Lane, County Highway 19 over the triple tracks of Kansas City Southern Railway Company and the Union Pacific Railroad Company and that such Order prescribe the manner in which the expenses to build said bridge shall be divided among the parties and that said Order direct the Illinois Department of Transportation to pay a substantial part of the expenses for building said bridge from the Illinois Grade Crossing Protection Fund.

TO ALL PARTIES OF RECORD:

**RESPONSE TO PETITION FOR  
VACATION OF ORDER**

NOW COMES the Illinois Department of Transportation ("Department") by and through its attorney Lawrence D. Parrish, and in response to the St. Clair County's petition states as follows:

Due to this project's funding shortfalls and inability to obtain right of way, the Department has no objection to the County's request to withdraw.

Respectfully submitted,  
ILLINOIS DEPARTMENT OF TRANSPORTATION



Lawrence D. Parrish  
Special Assistant Attorney General  
300 W. Adams – 2<sup>nd</sup> floor  
Chicago, Illinois 60606  
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**DOCKETED**

**MAY 28 2008**

JV DJ

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Railway Company and the Union Pacific Railroad Company and  
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build said bridge shall be divided among the parties and that said  
Order direct the Illinois Department of Transportation to pay a  
substantial part of the expenses for building said bridge from the  
Illinois Grade Crossing Protection Fund.

**CERTIFICATE OF SERVICE**

I, Lawrence Parrish, an attorney, certify that I served a true and correct copy of  
the foregoing Response to Petition for Vacation of Order upon the parties to this  
proceeding via first class mail, postage prepaid, and depositing the same in the United  
States mail, Chicago, Illinois, this 20<sup>th</sup> day of May, 2008 addressed as follows:

(See attached Service List)

Respectfully submitted,  
ILLINOIS DEPARTMENT OF TRANSPORTATION



Lawrence D. Parrish  
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