

ORIGINAL

**NEIL F. FLYNN, ATTORNEY AT LAW**

1035 SOUTH SECOND STREET  
SPRINGFIELD, ILLINOIS 62704  
217-544-0261  
Fax: 217-544-0688

RECEIVED  
AUG 27 2008

Illinois Commerce Commission  
RAIL SAFETY SECTION

August 26, 2008

Judge Dean W. Jackson  
Chief Administrative Law Judge  
Illinois Commerce Commission  
527 E Capitol Ave  
Springfield, IL 62701-1827

REQUEST

**Re: T08-0114 City of Mount Carmel v. Norfolk Southern Railway Company**

Dear Judge Jackson:

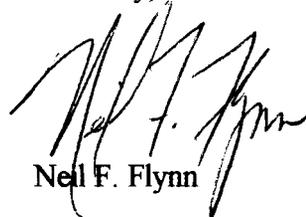
I have previously filed my Appearance as Attorney of Record in this docket for Respondent Norfolk Southern Railway Company.

Last Friday (August 22<sup>nd</sup>), I received in the mail the Commission's Notice of Hearing for September 23, 2008.

I am currently scheduled to be in Minneapolis, Minnesota on business on September 23-24. Accordingly, I will not be available to appear at the hearing scheduled for September 23, 2008. I have communicated my circumstances and unavailability to counsel for the City of Mount Carmel.

I respectfully request that a hearing date in this matter be rescheduled. I apologize for any inconvenience and I sincerely appreciate your consideration.

Sincerely,



Neil F. Flynn

NFF:cb

cc: All Parties of Record

DOCKETED

AUG 27 2008

RAD-AT - DJ

**CERTIFICATE OF SERVICE**

The undersigned certifies that copies of the foregoing instruments were served upon the addresses listed below by mailing true and correct copies via First Class U.S. Mail, postage thereon fully prepaid and depositing the same in the United States Mail, Springfield, Illinois, this 26 th day of August, 2008.

Mr. Lance T. Jones  
Deputy Chief Counsel  
Illinois Department of Transportation  
2300 S. Dirksen Pkwy  
Springfield, IL 62764

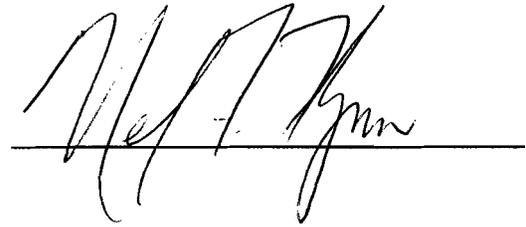
Thomas Meeks  
Mayor  
City of Mount Carmel  
219 North Market Street  
Mount Carmel, IL 62863-1698

Christine Reed  
Director of Highways - IDOT  
ATTN: Jeff Harpring, Room 205  
2300 South Dirksen Parkway  
Springfield, IL 62764

Thomas E. Price  
Attorney  
City of Mount Carmel  
801 West 9th, Suite 101  
Mt. Carmel, IL 62863

Ellen Schanzle-Haskins  
Chief Counsel - IDOT  
2300 South Dirksen Parkway, Room 300  
Springfield, IL 62764

Neil F. Flynn  
Attorney at Law  
1035 South Second Street  
P.O. Box 37  
Springfield, IL 62705-0037  
Telephone: 217-544-0261

A handwritten signature in black ink, appearing to read "Neil F. Flynn", is written over a solid horizontal line.