

ORIGINAL

BEFORE THE ILLINOIS COMMERCE COMMISSION

ORIGINAL

Williamson County, Illinois; Williamson Energy LLC;
and Williamson Transportation LLC

Petitioners

RECEIVED

Docket T05-0058

DEC 19 2008

Vs.

Illinois Department of Transportation

Illinois Commerce Commission
RAIL SAFETY SECTION

Respondent

PETITION FOR THIRD SUPPLEMENTAL ORDER

Come now the Petitioners, Williamson County et al., and petition the Commission for the entry of a Third Supplemental Order allowing addition time to complete a portion of the work authorized in this proceeding.

By the Order entered March 22, 2006, the Commission authorized the construction of twelve new railroad-highway crossings in Williamson County on two coal-mine lead tracks, known as the west spur and the east spur. Four of the crossings are located on the east spur, and eight on the west spur.

The east spur track has been built, and the four crossings have been built pursuant to plans submitted to the Commission and covered by X-Resolutions. The east spur connects with the main line of Canadian National Railway. Most of the coal shipped moves to a barge terminal, where the coal is transferred to river barges for further movements to power plants.

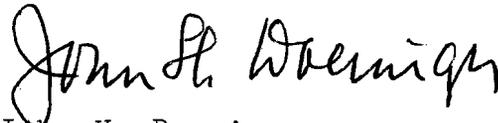
The west spur track has not been built yet, and thus the eight crossings have not been built. This construction is the substance of this Petition. The west spur track will connect with the main line of the Union Pacific Railroad in the vicinity of Johnston City, Illinois, when built. This spur track will be needed when the market for coal develops in the States of Missouri, Arkansas and Texas. As of this time, these markets are uncertain.

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Petitioners herein request an extension of time of one year from March 22, 2009, to March 22, 2010 to complete the construction of the west spur and the eight involved rail-highway crossings. This requested extension of time should provide for the construction of the spur track as it is needed. If not, Petitioners seek permission to be able to file another Petition for Supplemental Order for an extension of time, to complete the work consistent with the development of the coal mine and its marketing oppourtunities.

Respectfully submitted,



John H. Doeringer

Attorney for Petitioners

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Dated: December 17, 2008

PROOF OF SERVICE

I hereby certify that I have served true and correct copies of the Foregoing Petition for Third Supplemental Order upon all parties of record, by mailing to each said party a copy by first class mail, with postage prepaid. Dated this 17th day of December, 2008.



John H. Doeringer

Attorney for Petitioners