

December 17, 2008

RECEIVED
DEC 22 2008

ILLINOIS COMMERCE COMMISSION
RAIL SAFETY SECTION

Mr. Brian Vercruysse
Senior Rail Safety Specialist
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701

Re: City of Chicago Petition; Illinois Commerce Commission docket No. T08-0128

Dear Mr. Vercruysse:

On behalf of the Northern Indiana Commuter Transportation District (NICTD), I am sending this letter to express its support of the City of Chicago's petition in Illinois Commerce Commission ("ICC") docket No. T08-0128. NICTD has reviewed the proposed Interim Order and has no objection to it being entered by the ICC. It is NICTD's understanding that the proposed Interim Order does not affect the legal obligations of the signatories contained in the Agreement for Infrastructure Improvements (East 130th Street, Torrence Avenue, Brainard Avenue Intersection and Grade Separation Project) between NICTD and the City of Chicago, dated September 9, 2006.

As you are aware, NICTD maintains that it is not subject to the jurisdiction of the ICC, and submits its position herein, subject to and without waiving, its standing to object to the ICC's jurisdiction.

Very truly yours,

HARRIS WELSH & LUKMANN



L. Charles Lukmann, III
clukmann@hwllaw.com

LCL/sh
cc: Gerald R. Hanas, NICTD General Mgr.
Jack Pace, Sr. Counsel, City of Chicago

DOCKETED

DEC 26 2008

BU-DJ