

**ORIGINAL**

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

SPRINGFIELD TOWNSHIP, )  
SANGAMON COUNTY, ILLINOIS )  
Petitioner, )  
v. )  
MIDLAND AND ILLINOIS RAILROAD, )  
A corporation and STATE OF ILLINOIS, )  
ACTING THROUGH ILLINOIS DEPARTMENT )  
OF TRANSPORTATION, )  
Respondents. )

Case No.: T99 0085  
Now Known as  
Case No. T08-0010

**RECEIVED**

**MAR 30 2009**

**Illinois Commerce Commission  
RAIL SAFETY SECTION**

IN THE MATTER OF THE PETITION OF SPRINGFIELD TOWNSHIP, SANGAMON COUNTY, ILLINOIS FOR AS ORDER OF THE ILLINOIS COMMERCE COMMISSION DIRECTING THE INSTALLATION OF GRADE CROSSING PROTECTION DEVICES AT MIDLAND AND ILLINOIS RAILROAD GRADE CROSSING AT TAINTOR ROAD (EAST OF PEORIA ROAD) SITUATED IN SANGAMON COUNTY, ILLINOIS, AND FOR SUCH OTHER APPROPRIATED RELIEF AS THE COMMISSION MAY DEEM NECESSARY

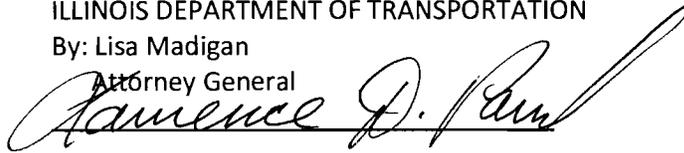
**RESPONSE TO PETITION TO DISMISS**

NOW COMES Petitioner, State of Illinois, Illinois Department of Transportation ("Department"), by and through its attorney, Lisa Madigan, Attorney General of the State of Illinois, and Lawrence Parrish, Special Assistant Attorney General and in response to Springfield Township, Sangamon County, Illinois Petition to Dismiss states as follows:

The Illinois Department of Transportation does not object to the Illinois Commerce Commission entering a Supplemental Order granting the relief requested without hearing.

ILLINOIS DEPARTMENT OF TRANSPORTATION

By: Lisa Madigan  
Attorney General



Lawrence D. Parrish  
Special Assistant Attorney General

ILLINOIS DEPARTMENT OF TRANSPORTATION  
300 W. Adams Street, 2<sup>nd</sup> Floor  
Chicago, Illinois 60606  
Telephone (312) 793-2255

**DOCKETED**

**MAR 31 2009**

JU-JOB

**CERTIFICATE OF SERVICE**

I, Lawrence Parrish, an attorney, certify that I served a true and correct copy of the foregoing Response to Petition to Dismiss upon the parties to this proceeding via first class mail, postage prepaid, and depositing the same in the United States mail, Chicago, Illinois, this 26<sup>th</sup> day of Mar. 2009 addressed as follows:

(See attached Service List)

Respectfully submitted,

ILLINOIS DEPARTMENT OF TRANSPORTATION

A handwritten signature in black ink that reads "Lawrence D. Parrish". The signature is written in a cursive style and is positioned above a solid horizontal line.

Lawrence D. Parrish  
Special Assistant Attorney General  
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Chicago, Illinois 60606  
(312) 793-5737  
E-Mail: [Lawrence.Parrish@illinois.gov](mailto:Lawrence.Parrish@illinois.gov)

Service List

Sorling, Northrup, Hanna, Cullen & Cochran, Ltd.  
Attn: Michael A. Myers, of Counsel  
Illinois Building- Suite 800  
Post Office Box 5131  
Springfield, IL 62705

Illinois Midland Railroad  
c/o Mr. Hugh J. Graham, III  
Graham & Graham, Ltd.  
1201 South 8<sup>th</sup> Street  
Springfield, IL 62703

Office of Corporation Counsel  
City of Springfield  
Municipal Center West  
300 South 7<sup>th</sup> Street, Room 100  
Springfield, IL 62701-1680

Mr. Vic Modeer, District Director  
Division of Highways  
Illinois Department of Transportation  
2300 South Dirksen Parkway  
Springfield, IL 62764

Mr. Timothy C. Zahrn  
Sangamon County Engineer  
3303 Terminal Avenue  
Springfield, IL 62707

Mr. Gary Budd  
Springfield Township Supervisor  
3208 Terminal Avenue  
Springfield, IL 62707

Ms. Rhonda Wood  
Springfield Township Clerk  
3208 Terminal Avenue  
Springfield, IL 62707

Ms. Cecelia Tumulty, City Clerk  
City of Springfield  
106 Municipal Center West  
300 South 7<sup>th</sup> Street  
Springfield, IL 62701

Mr. Joe VonDeBur  
Illinois Commerce Commission  
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527 East Capitol Avenue  
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