

5. CRL has a contractor lined up. The contractor is MJ Trackwork.

6. CRL has progressed in getting road closure permits for the work at the crossings.

Permit paperwork is attached herein as Exhibit A. CRL will work with the City of Chicago to adjust the closing dates on those permits.

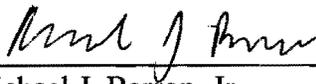
7. In view of the necessity of asphalt for the renewal of the crossings, CRL is seeking an extension from the Commission.

8. CRL wants to ensure that when asphalt is available, the City will also be able to modify the closure permits for the Crossings to allow for closure as soon as asphalt is available. CRL is seeking enough of an extension such that it will have enough time to work out permit and asphalt issues once asphalt is available.

WHEREFORE, CRL requests the Commission to extend the completion date as set forth in their November 13, 2008 Order to a date at least six weeks after the current due date of May 15, 2009.

Date: April 23, 2009

RESPECTFULLY SUBMITTED,
CHICAGO RAIL LINK, LLC

By: 

Michael J. Barfon, Jr.
One of its attorneys
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606
Phone: (312) 252-1500
Facsimile: (312) 252-2400

Street Full Closure:

Dig #: TBD

A full street closure is required for the purpose of:

REPLACING RAILROAD.

CONTACT NAME: JOSE CERVANTES

CONTACT PHONE: 773-842-1095

10410 - 10443 S MUSKEGON AV

CLOSE MUSKEGON TO REPLACE RAILROAD CROSSING.

10444 - 10599 S MUSKEGON AV

Restrictions:

1. A copy of the permit must remain on-site for inspector's review.
2. Permit fees must be paid within 24 hours of the date of issuance. Failure to pay will result in the immediate cancellation of the permit. Monthly billing accounts are not applicable.
3. Maintain fire hydrant and manhole access.
4. Barricades and detour signs provided by permittee.
5. Permittee to provide all barricades, signs and/or flagmen as necessary.
6. All traffic control will be the responsibility of the contractor, and must comply with all MUTCD standards.
7. Permittee must provide a 4 foot by 4 foot sign which identifies the permit number, type of work being performed, telephone number and company or person performing the work. Signage may be affixed to barricades.
8. No work in or use of the public right of way is to be done when a special event is taking place. It is up to the applicant to determine if an event is scheduled. To obtain a listing of programs or events within the City of Chicago please dial 311 when you are within the City boundaries.
9. It is the responsibility of the applicant to fund Traffic Control Aides if the City deems it necessary due to heavy congestion situations.
10. Pursuit to City Ordinances 10-20-150 and 10-28-281.3 a re-inspection fee of \$100 may be assessed for each inspection conducted after the initial inspection.
11. All directional boring must be pre-approved by the Office of Underground Coordination.
12. Contractor must secure plating over all openings in the roadway during non-working hours until such time when the road surface is restored.
13. All traffic control will be the responsibility of the contractor and must comply with all MUTCD standards.
14. Restore all lanes to normal operation during non-working hours.
15. Must use flagmen and/or arrow boards to maintain traffic operations through the work zone.

Restrictions:

16. Contractor must notify DIGGER at 312-744-7000 no less than 48 hours (exclusive of Saturdays, Sundays and Holidays) but no more than 14 calendar days in advance of the start of the excavation or demolition, unless the excavation date was provided with the application and remains unchanged. Prior to 26 calendar days the Contractor must notify DIGGER to renew the dig date!
17. It is the Excavator's responsibility to request refreshing of marks when needed, but no longer than 28 calendar days after the last requested date.
18. When applicable, all excavation areas are to be clearly marked in safety white paint prior to calling DIGGER. White paint is not required for joint meets or emergency work.
19. Excavators requesting dig tickets are responsible for the protection of utility markings at the job site. Any markings of underground utilities utilizing utility colors, must be done by facility owners or authorized agents only.
20. Permittee must provide a sign which identifies the telephone number and company or person performing the work. Signage may be affixed to barricades.
21. Use of pneumatic equipment must not begin before 8:00 A.M. or continue after 8:00 P.M.
22. Permanent base pavement restoration to follow within 5 days after the completion of underground work.
23. All pavements are to be restored in accordance with CDOT Construction Standards.
24. All street openings must be restored with concrete base to grade.
25. Streets recently resurfaced must be restored to proper standards (resurface to nearest 1/4 pt, see CDOT Construction Standards for further details).
26. Maintain vehicular traffic at all times.
27. Work area to be backfilled to grade or plated when site is unattended.
28. Work to be performed as per plans and specifications.

Affected CDAN Sites: 5, 15, 21, 22, 29, 55, 65, 146, 154

EFFECTIVE DATES OF PERMIT

Current: Mar 15, 2009 through May 15, 2009 (Input date: Mar 04, 2009 2:35:09 p.m.)

END OF PERMIT

Permit # 956398614

Received Date: Mar 4, 2009 1:24:47

**CHICAGO RAIL LINK - CRL
2728 EAST 104TH STREET
CHICAGO, IL 60617**

JOSE CERVANTES 773-721-4000



**City of Chicago
Department of Transportation
(312) 744-4652**

ACTIVITY HOURS

Permitted activity hours begin at 7:00 A.M. Permitted activity hours will end at 4:00 P.M. ANY WORK ON ARTERIAL STREETS MUST ADHERE TO ALL RUSH HOUR RESTRICTIONS. 9028 - 9028 S LOWE AV Street Opening (Curb Lane & Traffic Lane)

Permitted activity hours begin at 7:00 A.M. Permitted activity hours will end at 4:00 P.M. ANY WORK ON ARTERIAL STREETS MUST ADHERE TO ALL RUSH HOUR RESTRICTIONS. 9028 - 9028 S PARNELL AV Street Opening (Curb Lane & Traffic Lane)

Permitted activity hours begin at 7:00 A.M. Permitted activity hours will end at 4:00 P.M. ANY WORK ON ARTERIAL STREETS MUST ADHERE TO ALL RUSH HOUR RESTRICTIONS. 9028 - 9028 S UNION AV Street Opening (Curb Lane & Traffic Lane)

Start no earlier than 24 HOURS. Stop no later than 24 HOURS. - Street Full Closure

DATES

Mar 15, 2009 through May 15, 2009

ACTIVITIES

Street Opening (Curb Lane & Traffic Lane):

Dig #: TBD

There will be 3 opening(s) in the public way for the purpose: TRACK REPLACEMENT.

40 Feet x 30 Feet

Street Opening (Curb Lane & Traffic Lane):**Dig #: TBD**

Excavation may commence on - NO SOONER.

9028 S PARNELL AV

REMOVAL AND REPLACEMENT OF RAILROAD CROSSING

9028 - 9028 S UNION AV

9028 - 9028 S LOWE AV

Street Full Closure:**Dig #: TBD**

A full street closure is required for the purpose of:

CONTACT NAME:

CONTACT PHONE:

9028 - 9030 S PARNELL AV

CLOSE 9028 S PARNELL, 9028 S. UNION, AND 9028 S. LOWE TO
REPAIR RAIL CROSSING. CAN NOT CLOSE ANY TWO STREETS AT THE
SAME TIME.

9028 - 9099 S UNION AV

9028 - 9030 S LOWE AV

Restrictions:

1. A copy of the permit must remain on-site for inspector's review.
2. Permit fees must be paid within 24 hours of the date of issuance. Failure to pay will result in the immediate cancellation of the permit. Monthly billing accounts are not applicable.
3. Maintain fire hydrant and manhole access.
4. Barricades and detour signs provided by permittee.
5. Permittee to provide all barricades, signs and/or flagmen as necessary.
6. All traffic control will be the responsibility of the contractor, and must comply with all MUTCD standards.

Restrictions:

7. Permits must provide a 4 foot by 4 foot sign which identifies the permit number, type of work being performed, telephone number and company or person performing the work. Signage may be affixed to barricades.
8. No work in or use of the public right of way is to be done when a special event is taking place. It is up to the applicant to determine if an event is scheduled. To obtain a listing of programs or events within the City of Chicago please dial 311 when you are within the City boundaries.
9. It is the responsibility of the applicant to fund Traffic Control Aides if the City deems it necessary due to heavy congestion situations.
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11. All directional boring must be pre-approved by the Office of Underground Coordination.
12. Contractor must secure plating over all openings in the roadway during non-working hours until such time when the road surface is restored.
13. All traffic control will be the responsibility of the contractor and must comply with all MUTCD standards.
14. Restore all lanes to normal operation during non-working hours.
15. Must use flagmen and/or arrow boards to maintain traffic operations through the work zone.
16. Contractor must notify DIGGER at 312-744-7000 no less than 48 hours (exclusive of Saturdays, Sundays and Holidays) but no more than 14 calendar days in advance of the start of the excavation or demolition, unless the excavation date was provided with the application and remains unchanged. Prior to 26 calendar days the Contractor must notify DIGGER to renew the dig date!
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20. Use of pneumatic equipment must not begin before 8:00 A.M. or continue after 8:00 P.M.
21. Permittee must provide a sign which identifies the telephone number and company or person performing the work. Signage may be affixed to barricades.
22. Permanent base pavement restoration to follow within 5 days after the completion of underground work.
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26. Streets recently resurfaced must be restored to proper standards (resurface to nearest 1/4 pt, see CDOT Construction Standards for further details).

Affected CUN Sites: 5, 15, 21, 22, 29, 55, 65, 145, 153

EFFECTIVE DATES OF PERMIT
Current: Mar 15, 2009 through May 15, 2009 (Input date: Mar 04, 2009 1:24:47 p.m.)

END OF PERMIT

PERMIT DETAIL
RAILROAD

Permit # 956399236

Received Date: Mar 4, 2009 2:35:9

**CHICAGO RAIL LINK - CRL
2728 EAST 104TH STREET
CHICAGO, IL 60617**

JOSE CERVANTES 773-721-4000



**City of Chicago
Department of Transportation
(312) 744-4652**

ACTIVITY HOURS

Permitted activity hours begin at 9:00 A.M. Permitted activity hours will end at 4:00 P.M. ANY WORK ON ARTERIAL STREETS MUST ADHERE TO ALL RUSH HOUR RESTRICTIONS. 10410 - 10443 S MUSKEGON AV
Street Opening (Traffic Lane)
Start no earlier than 24 HOURS. Stop no later than 24 HOURS. - Street Full Closure

DATES

Mar 15, 2009 through May 15, 2009

ACTIVITIES

Street Opening (Traffic Lane):

Dig #: TBD

There will be 1 opening(s) in the public way for the purpose: RAILROAD CROSSING.

100 Feet x 40 Feet

Excavation may commence on - NO SOONER.

10410 - 10443 S MUSKEGON AV

REMOVAL AND REPLACEMENT AT RAILROAD CROSSING.

10444 - 10599 S MUSKEGON AV

Street Full Closure:

Dig #: TBD

CERTIFICATE OF SERVICE

I, Michael J. Barron, Jr., an attorney, certify that copies of the foregoing instrument was served upon the address listed below by mailing a true and correct copy via first-class mail, postage pre-paid and depositing the same in the United States Mail, Chicago, Illinois the 23rd day of April, 2009.



Michael J. Barron, Jr.

Brian Vercruysse
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Illinois Commerce Commission
On Its Own Motion

vs.

Omni-Trax – Chicago Rail Link, LLC

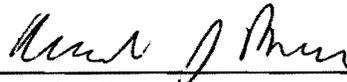
Citation with respect to Omni-Trax – Chicago Rail Link, LLC's failure to maintain various highway-rail grade crossing surfaces in accordance with the requirements of 92 Ill. Adm. Code Part 1535.203.

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NOTICE OF FILING

To: Brian Vercruysse
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701

PLEASE TAKE NOTE that I have this 23rd day of April, 2009, forwarded to Mr. David Lazarides, Director of Processing, Illinois Commerce Commission, Springfield, Illinois, for filing in the above matter, Chicago Rail Link, LLC's Request for Extension of Time to Complete Work in the above-docketed proceeding, a copy of which is served upon you.



Michael J. Barron, Jr.
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500