

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

ORIGINAL

HENNEPIN ROAD DISTRICT,)
COUNTY OF PUTNAM, ILLINOIS,)

Petitioner,)

V.)

NO. T09-0037

RECEIVED

ARCELORMITAL HENNEPIN INC,)
ILLINOIS DEPARTMENT OF TRANSPOR-))
TATION, and NORFOLK SOUTHERN)
RAILWAY COMPANY,)

MAY 18 2009

Illinois Commerce Commission
RAIL SAFETY SECTION

Respondent.)

PETITIONER'S MOTION TO CONTINUE HEARING

NOW COMES THE PETITIONER, HENNEPIN ROAD DISTRICT, by its attorneys, BOYLE & BOLIN, and hereby files this request to continue the hearing/conference scheduled for 10:00 A.M. May 27, 2009, and in support hereof states as follows:

1. By separate cover the petitioners have filed an amended petition.
2. On May 6, 2009 a telephone conference call was conducted with all parties in interest and it appears from that conference call that an agreement will be reached with regard to relocation of the rail crossing.
3. By reason of the premises, it is appropriate to continue this hearing to afford the parties an opportunity to draft a written agreement with regard to the proposed relocation.

WHEREFORE, the petitioner prays that the Commission grant its motion and that it continue the hearing scheduled for May 27, 2009.

HENNEPIN ROAD DISTRICT,
COUNTY OF PUTNAM, ILLINOIS

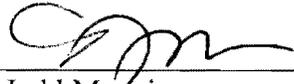
BY: 
One of Its Attorneys

DOCKETED

AT-DJ

MAY 18 2009

The undersigned certifies that copies of the foregoing instrument were served upon the following individuals as indicated.



Christina Judd Mennie

Thomas W. Ambler
Norfolk Southern Railway Company
Three Commercial Place
Norfolk, VA 23510-2191

Richard E. Boyle
Gundlach, Lee, Eggmann, Boyle & Roessler
5000 W. Main Street, Box 23560
Belleville, IL 62223

Richard H. Ray, Administrator
Highway Grade Crossings
Norfolk Southern Corporation
1200 Peachtree Street, NE
Atlanta, GA 30309-3579

Mike Stariha, Operations Manager
ArcelorMital Steel USA
1 Steel Drive
Hennepin, IL 61327

George P. Meister
Putnam County Highway Engineer
6203 IL Highway 26
Hennepin, IL 61327

Nanci K. Scott, Manager, Contract Services
Norfolk Southern Railway Company
1200 Peachtree Street, NE, Suite 1245
Atlanta, GA 30309-3579

John Urnikis, Highway Commissioner
Hennepin Township Road District
P. O. Box 252
Hennepin, IL 61327

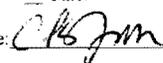
Mr. Gary Hannig, Secretary
Illinois Department of Transportation
2300 S. Dirksen Parkway
Springfield, IL 62764

Christina Judd Mennie
BOYLE & BOLIN
Attorneys for Petitioner
227 E. Court Street
Hennepin, IL 61327
Tel: (815) 925-7393
Atty. Reg. No. 6281885

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing instrument was served upon the attorneys of record and all parties to the above cause by enclosing the same in an envelope addressed to such attorneys at their business addresses as disclosed by the pleadings of record herein With postage fully prepaid and by depositing said envelope in a United States Post Office at Hennepin, Illinois on May 15 2009. by the following:

Hand Delivery
 Overnight Courier
 Other
 FAX
 U.S. Mail

Signature:  _____