

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

ORIGINAL

Norfolk Southern Railway Company, the City)
of Kankakee, Illinois, and the State of Illinois,)
Department of Transportation.)

Stipulated Agreement regarding improving)
public safety at the Fifth Street, Entrance)
Avenue, Schulyler Avenue, Indiana Avenue)
(IL 50) and Greenwood Avenue highway-rail)
grade crossings of the Company's track all)
located in the City of Kankakee, Kankakee)
County, Illinois, designated as crossings)
AAR/DOT 534 393L, milepost 101.41-5E,)
AAR/DOT 534 392E, milepost 101.27-5E,)
AAR/DOT 534 391X, milepost 100.74-5E,)
AAR/DOT 534 390R, milepost 100.71-5E and)
AAR/DOT 534 388P, milepost 100.51-5E,)
respectively; and)

T04-0064

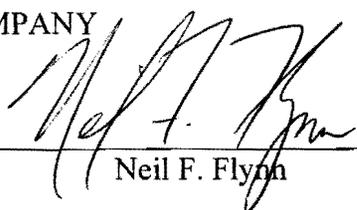
NOTICE AND FILING OF HEARING DOCUMENTS AND EXHIBITS

Per the Chief Administrative Law Judge's Ruling and Notice of Hearing dated June 19, 2009, Norfolk Southern Railway Company, by and through its attorney, hereby serves a copy of several documents to which Norfolk Southern Railway Company intends to refer or to introduce at the hearing in this matter scheduled for July 30, 2009. All said documents are attached to this Notice.

ILLINOIS COMMERCE
2009 JUL 21 P 12:10
TRANSPORTATION DIV

Respectfully submitted,

NORFOLK SOUTHERN RAILWAY
COMPANY

By: 
Neil F. Flynn

Dated: July 21, 2009

Neil F. Flynn
Attorney at Law
1035 South Second Street
P.O. Box 37
Springfield, IL 72705
(217) 544-0261

DOCKETED

JUL 21 2009

CERTIFICATE OF SERVICE

The undersigned certifies in addition to filing the foregoing instrument with the Illinois Commerce Commission, copies of the foregoing instruments were served upon the addresses listed below by mailing true and correct copies via First Class U.S. Mail, postage thereon fully prepaid and depositing the same in the United States Mail, Springfield, Illinois, this 21st, day of July, 2009.

Donald E. Green
Mayor
City of Kankakee
385 E. Oak Street
Kankakee, IL 60901-3936

Christine Reed
Director of Highways
ATTN: Jeff Harping, Room 205
Illinois Department of Transportation
2300 S. Dirksen Parkway
Springfield, IL 62764

David Tyson
Traffic Engineer
City of Kankakee
385 East Oak Street
Kankakee, IL 60901-3936

Ray, Rick H

From: Daniels, Richard [rdaniels@icc.state.il.us]
Sent: Tuesday, December 09, 2003 2:32 PM
To: 'Ray, Rick H'
Subject: RE: detailed estimates

Rick, they are the following, and they all get AFLS&G. Some already have at least AFLS.

724 779J on Douthit Lane near Dix/Rome 04.534

724 760S on Two Mile Creek Road near Mount Vernon 04.535

✓724 758R on Stanford Lane near Mount Vernon 04.536

724 757J on Harmony Lane near Bluford. 04.076

These three would be a corridor project, with 724 757J already having AFLS, but it is so close to

724 758R that the circuitry would be affected anyway, so we are adding gates to it.

328 490E on Woodford St. in Decatur 04.537

The next ones in Kankakee were actually on the 2003 program, and I don't know why they were not started. You may already have some estimates, but I don't see them, and Bob doesn't know. They all have AFLS I believe, and the circuitry is real old I think. They are interconnected with the CNIC track that goes thru Kankakee. We want gates at all of them.

✓534 388P on Greenwood Street

✓534 391X on Schuyer Street

✓534 392E on Entrance Ave.

✓534 393L on Fifth St.

There is also a chance that IDOT will want to do ✓534 390R on Indiana St. (IL Rt. 50)

That is nine of them, and I think that is it. thanks

-----Original Message-----

From: Ray, Rick H [mailto:Rick.Ray@nscorp.com]
Sent: Tuesday, December 09, 2003 2:06 PM
To: Daniels, Richard
Subject: RE: detailed estimates

Dick,

As soon as you can give me the DOT Numbers to the crossings and we will get started with the preliminary stuff.

Thanks, really!

Rick

Bankieris, Gus B

From: Bankieris, Gus B
Sent: Wednesday, March 17, 2004 11:41 AM
To: 'arne.skrodal@cn.ca'; 'rdaniels@icc.state.il.us'
Cc: Rick H Ray (E-mail); Roger Logan (E-mail); Mike Martin (E-mail) (E-mail); James M. Wentzel (E-mail)
Subject: ICC Request to NS for upgrade warning circuitry to predictors through Kankakee, IL. 061-04.502, 061-04.503

Arne,

Per our phone discussion yesterday, please find the attached as reference regarding above subject and text below.

As you know, the approaches for Schuyler and possibly Entrance Ave presently reach through the KX interlocker which is owned and maintained by your RR. With the upgrade of these crossings to constant warning time circuitry, NS would like to request that the DC crossing circuitry within your plant be replaced with prediction circuitry also. These attachments are preliminary, but this is what I envision:

Entrance Ave.--Replace DC crossing starts with a unidirectional unit located inside the plant within CNIC shelter at sig. 8R (or nearby) with termination shunt inside the plant at signal 3L. Your RR would order all material and install all equipment inside of the plant. NS forces would dig in DAX cable from Entrance Ave. to the Sig 8R. CNIC would continue to dig in this cable (within the plant) to their unidirectional shelter.

Schuyler Ave.--Replace DC crossing starts with a unidirectional unit located inside the plant within CNIC shelter, Transmit/receive wires at Sig 3L with termination at signal 8R. All material and work inside the plant to be handled by CNIC. NS would dig in DAX cable from Schuyler Ave. to Sig 3L, CNIC would continue to install same going to their uni-shelter.

If you are in agreement with the above, please furnish estimate/preliminary plans/ and material list for our forwarding to the ICC/DOT for their review and authorization.

NS has established authority for expenditure #F01953 for Schuyler Ave., and F01954 for Entrance Ave., which you must reference when you invoice NS for your work. Please send all invoices to the following:

Norfolk Southern Railway Co.
Misc. Billing
110 Franklin Rd. SE
Roanoke, VA 24042-0034
Attn: Mike Martin

We will copy you regarding all future correspondence related to this project.

Thanks and please call myself or Crossing Engineer Roger Logan (404-527-3254) should you have any questions.

I believe Roger had previously sent these attachments to your Mr. Bill Reihel on 2/18/04, at the direction of Mr. Gary Paris.

Gus B. Bankieris
Manager Highway Crossing Signal Engineer
Norfolk Southern C&S Department
99 Spring St. Atlanta, GA 30303
4045272866

FROM FILE



Norfolk Southern Corporation
 Communications and Signal Department
 99 Spring Street, S.W.
 Atlanta, Georgia 30303

B. L. Sykes
 Chief Engineer
 C&S Engineering
 404/529-2105

April 29, 2004

061-04.445; 061-04.501;
 061-04.502; 061-04.503;
 061-04.504

χ-12193

704-0064

534388P

Mr. Michael E. Stead
 Railroad Safety Program Administrator
 Illinois Commerce Commissioner
 527 East Capitol Avenue
 P. O. Box 19280
 Springfield, IL, 62794-9280

RECEIVED
 MAY 6 2004

Illinois Commerce Commission
 RAIL SAFETY SECTION

Dear Mr. Stead:

Please reference the Illinois Commerce Commission letter of December 23, 2003, regarding Stipulated Agreement No. 1068 for the installation of automatic warning devices at the Fifth Street, Entrance Avenue, Schuyler Avenue, Indiana Avenue (IL 50) and Greenwood Avenue highway rail grade crossings of the Norfolk Southern Railway Company's track, all located in the City of Kankakee, Kankakee County, IL, designated at crossings AAR/DOT 534 393L, MP: 101.41-5E; AAR/DOT 534 392E, MP: 101.27-5E, AAR/DOT 534 391X, MP: 100.74-5E; AAR/DOT 534 390R, MP: 100.71-5E; and AAR/DOT 534 388P, MP: 100.51-5E, respectively.

We are providing to you two copies each of the detailed estimate, material list and preliminary engineering for these projects. Included are an estimate, material list and preliminary sketch for constant warning equipment to be installed and maintained by the Canadian National Railway that includes the starts for Schuyler Avenue, Entrance Avenue and Indiana Avenue. The Canadian National Railway's estimate was not included in the original agreement or order and will need to be included as an estimated cost of these projects reimbursable by the state/city.

Also attached are the original and two (2) duplicates of the FORM 3 for this project.

Please advise if additional information is needed to assist in the preparation of this project for installation.

Sincerely,

B. L. Sykes
 B. L. Sykes

Attachment(s)

BLS\rhr\gbb\rdl\rjs

Cc: Mr. T. W. Ambler, NS Corp., Norfolk, VA - w/copy of FORM 3
 Ms. Cheryl Cathey, IL DOT - w/plans, material list and estimate



Arne Skrodal
Signal Design Officer
Signals & Communications

Canadian National Railway
17641 South Ashland Avenue
Homewood, Illinois 60430-1339

708-332-3271
708-332-3514 Fax

April 14, 2004
Kankakee, IL - PF

Mr. Gus B. Bankieris
Manager Highway Crossing Signal Engineer
Norfolk Southern Railway Co.
99 Spring St.
Atlanta, GA 30303

Dear Mr. Bankieris:

Attached are several copies of the estimate dated April 8, 2004 in the amount of \$105,080 and track plan for the necessary signal work by CN forces to install CWT through the interlocking plant at Kankakee, IL. The NS crossings proposed to be upgraded are Entrance Ave., Schuyler Ave. and Indiana Ave.

Sincerely,

A handwritten signature in cursive script that reads "Arne Skrodal".

cc: G. L. Paris

ILLINOIS CENTRAL RAILROAD
ENGINEERING DEPARTMENT
SIGNALS AND COMMUNICATIONS

Kankakee, IL

Est 1007-401

Estimated cost of Signal work to provide two (2) crossing starts for
Norfolk Southern Railway within Interlocking limits.

Central Division

Val Sec IL-1

| ICC ACCT | ITEM DESCRIPTION | QUANT. | UNIT | UNIT COST | TOTAL COST |
|-------------|-------------------------------|--------|------|--------------|---------------|
| | BCR | | | | |
| | --- | | | | |
| | ADDITIONS AND BETTERMENTS | | | | |
| | ----- | | | | |
| | INSTRUMENT CASE, LOW DOUBLE | 2. | EACH | 3050.00 | 6100.00 |
| | CASE PIER, AP-392 | 4. | EACH | 70.00 | 280.00 |
| | GCP3000D2, 80110-111 | 1. | EACH | 18946.00 | 18946.00 |
| | GCP3000D2, 80110-113 | 1. | EACH | 21184.00 | 21184.00 |
| | RECORDER INTERFACE, 80025 | 2. | EACH | 250.00 | 500.00 |
| | RELAY, ST, 500 OHM, 400004 | 5. | EACH | 583.00 | 2915.00 |
| | RECTIFIER, NRS, 20A | 2. | EACH | 429.00 | 858.00 |
| | RECTIFIER, NRS, 5V5A | 2. | EACH | 238.00 | 476.00 |
| | NARROW BAND SHUNT, 62775-3497 | 2. | EACH | 431.00 | 862.00 |
| | DUAL WIDE BAND SHUNT, 8A077 | 2. | EACH | 334.00 | 668.00 |
| | ADJUSTABLE INDUCTOR, 8A398-6 | 2. | EACH | 400.00 | 800.00 |
| | BATTERY CHOKE, 8A065A | 2. | EACH | 212.00 | 424.00 |
| | BATTERY, NI-CAD, 165AH | 20. | EACH | 118.00 | 2360.00 |
| | WIRE, 2c/6 TW | 300. | FEET | 0.29 | 87.00 |
| | CABEL, 5c/14 | 1200. | FEET | 0.36 | 432.00 |
| | MISC. SIGNAL MATERIAL | 1. | L.S. | 2000.00 | 2000.00 |
| | 5 MAN GANG | 8. | DAY | 1100.00 | 8800.00 |
| | PRELIMINARY ENGINEERING | 1. | L.S. | 5000.00 | 5000.00 |
| | CONSTRUCTION ENGINEERING | 1. | L.S. | 275.00 | 275.00 |

Kankakee, IL

Est 1007-401

SUMMARY A&B

| | |
|-------------------------------|------------|
| MATERIAL | 58892.00 * |
| ACCT. HDLG. FRT. TRANSP. 0.14 | 8244.88 |
| LABOR | 8800.00 * |
| ENGINEERING | 5275.00 |
| LABOR ADDITIVE 0.8904 | 7835.52 |
| ENGINEERING ADDITIVE 0.4132 | 2479.25 |
| SUBSISTENCE | 2400.00 |
| RENTAL OF EQUIPMENT | 1600.00 |
| CONTINGENCIES | 9553.35 |
| | ----- |
| TOTAL A&B | 105080.00 |

ILLINOIS CENTRAL

33701 TREASURY CENTRE
CHICAGO IL 60694-3700
USA



Invoice

CROSSING WARNING SYSTEMS MAINTENANCE -
GATED CROSSINGS

NORFOLK SOUTHERN CORPORATION
RECEIVED

SEP 25 2006

ATTN MIKE MARTIN
NORFOLK SOUTHERN CORP
MISC BILLING DEPT. - POOL BILLS
110 FRANKLIN RD SE
ROANOKE VA 24042-0034

MISCELLANEOUS BILLING

| | |
|------------------|-------------|
| Invoice Number | 90235337 |
| Page | 1 of 2 |
| Invoice Date | 2006/09/11 |
| Billing Period | 2006/09 |
| Customer Number | 16356 |
| Reference Number | 524754 |
| Billing Type | Maintenance |

CROSSING WORK MI 55.30 CHICAGO SUB AUTHORITY FOR EXPENDITURE #F01953
FOR SCHUYLER AVE/#F01954 FOR ENTRANCE AVE (Period Covered: March -
April 2005)

| Facility | Details | Your portion | Amount |
|----------|-------------------------------|--------------|-------------|
| | ALLOWANCES - ENGINEERING | | \$459.55 |
| | INTERLOCKERS | | \$12,698.14 |
| | MERCON INC 7165 | | \$151.45 |
| | SUPER 8 MOTEL GILMAN CO 72631 | | \$224.26 |

*Per Sabrina Carpenter in AP,
Invoice 90235337 has not
been paid by NS.
03/31/09
BA*

Invoice split per Bill Reihel rec'd 03/20/2009:

F01953 - Schuyler Ave
DOT# 534391X - KS-100.94
54% of total bill
Amount due: \$42,595.83

F01954 - Entrance Ave
DOT# 534392E - KS-101.27
46% of total bill
Amount due: \$36,285.35

ILLINOIS CENTRAL

33701 TREASURY CENTRE
CHICAGO IL 60694-3700
USA



Invoice

| | |
|-----------------|-----------------|
| Invoice Number | 90235337 |
| Customer Number | 16356 |
| Inquiries | GILBERT DUMAIS |
| Billing type | Maintenance |
| Invoice Amount | \$78,881.18 USD |
| Payment Amount | \$ |

Please make your cheque payable to
ILLINOIS CENTRAL
and return this detachable stub

Payment is due on receipt of invoice
interest will be assessed on overdue accounts

ILLINOIS CENTRAL

33701 TREASURY CENTRE
CHICAGO IL 60694-3700
USA



Invoice

CROSSING WARNING SYSTEMS MAINTENANCE -
GATED CROSSINGS

Invoice Number **90235337**
Page **2 of 2**

| Facility | Details | Your portion | Amount |
|----------|-------------------------------|--------------|-------------|
| | SUPER 8 MOTEL GILMAN CO 72645 | | \$168.20 |
| | SUPER 8 MOTEL GILMAN CO 72634 | | \$168.20 |
| | SUPER 8 MOTEL GILMAN CO 72456 | | \$112.13 |
| | SUPER 8 MOTEL GILMAN CO 72451 | | \$168.20 |
| | SUPER 8 MOTEL GILMAN CO 72455 | | \$112.13 |
| | REEDS RENTALL & SALES I 69705 | | \$98.69 |
| | REEDS RENTALL & SALES I 69705 | | \$152.55 |
| | Jerry L Taylor 2070044696 | | \$145.44 |
| | Curt Clough 2070044233 | | \$169.68 |
| | George M Buis 2070044232 | | \$169.68 |
| | SAFETRAN SYSTEMS CO | | \$63,882.88 |

Inquiries

GILBERT DUMAIS
Tel: 514-399-4445, local 4445
Fax 514-399-4623

Subtotal **\$78,881.18**
Amount due **\$78,881.18**

Payable in USD Funds



Invoice Entered By: **BONNER, CANDICE**
 Invoice No: **90235337**
 Invoice Date: **9/11/2006**
 Invoice Period: **0405**
 Invoice Due Date:
 Created Date: **04/30/2009**

Vendor: **ILLINOIS CENTRAL RAILROAD**
 Vendor No: **45138A0**
 Contract No:
 Status: **Being Approved**
 State: **Active**
 Currency: **USD**

Notes

BONNER, CANDICE

2009-04-30T19:31:03.0730000-04:00

Per Sabrina Carpenter in Accounts Payable, this invoice has not been paid by NS.

Details

| Date | Item | Description | Qty | Rate | Amount |
|------|------|-------------------|----------|------|-----------|
| | | | -1.00000 | | 78,881.18 |
| | | Sub Total: | | | 78,881.18 |
| | | Holdbacks: | | | 0.00 |
| | | Tax Total: | | | 0.00 |
| | | Total: | | | 78,881.18 |

DISTRIBUTION TOTALS

| Category | Distribution | Amount | Total Base |
|----------|--|-----------|------------------|
| | NS-29506-879-3089-001- - - - -0405- -F01953 -0405D | 42,595.83 | 42,595.83 |
| | NS-29506-879-3089-001- - - - -0405- -F01954 -0405D | 36,285.35 | 36,285.35 |
| | Distribution Totals: | | 78,881.18 |

Additional Information

Payment Type: ODP\$
 Check Message: N/A
 Explain Need: F10953 - Schulyer Ave - DOT: 534391X - MP: KS-100.94 - \$42,595.83
 F01954 - Entrance Ave - DOT: 534392E - MP: KS-101.27 - \$36,285.35
 Material/Serv State: ILLINOIS
 Workflow Chain: GACS026

Workflow

| Assigned | Assigned To | Task Description | Business Process | Initiated |
|-----------|-----------------|---------------------------|------------------|-----------|
| 4/30/2009 | BONNER, CANDICE | Edit New Invoice | Add Invoice | 4/30/2009 |
| Completed | Completed By | Task Response Description | | |
| 4/30/2009 | BONNER, CANDICE | Release | | |
| Assigned | Assigned To | Task Description | Business Process | Initiated |
| 4/30/2009 | BANKIERIS, GB | Approve Document | Add Invoice | 4/30/2009 |
| Completed | Completed By | Task Response Description | | |

Martin, Mike D.

From: Bonner, Candice
Sent: Tuesday, July 14, 2009 9:22 AM
To: Martin, Mike D.
Cc: Davidson, Douglas K; Gray, Patricia A.
Subject: FW: CANADIAN NATIONAL
Attachments: CANADIAN NATIONAL.pdf

Mike,

This invoice has not been approved for payment as of today. It is in Gus Bankieris' TrackIt queue since 4/30/2009

Candice Bonner

Chief Joint Facility Accountant
Norfolk Southern Corporation
Miscellaneous Billing, Box 34
110 Franklin Road SE
Roanoke, VA 24042-0034
540.981.4126
candice_bonner@nscorp.com

From: Martin, Mike D.
Sent: Tuesday, July 14, 2009 9:15 AM
To: Bonner, Candice; Davidson, Douglas K
Subject: CANADIAN NATIONAL

Candice, Doug

Can you advise if this invoice was approved for payment to CN?

Thanks

Mike Martin
Asst Manager Miscellaneous Billing
Roanoke, Va. 24042-0034
Phone - 540-981-4104
Fax - 540-981-5531
e-mail - mdmartin@nscorp.com



7/14/2009



INVOICE

AGENT FOR NORFOLK SOUTHERN RAILWAY CO

110 FRANKLIN ROAD
ROANOKE, VA 24042-0034

| Invoice Number | Invoice Date | Account Number |
|----------------|---------------|----------------|
| 1606150875 | JUNE 28, 2006 | WW3426 |

Bill To
ILLINOIS DOT
ATTN: MRS. AMY REED
700 EAST NORRIS DR.
OTTAWA, IL 61350-0697

Remit To
NORFOLK SOUTHERN CORPORATION
P.O. BOX 116944
ATLANTA, GA 30368-6944

Direct Inquiries To
540 981-5562 Fax 540-981-5531

DESCRIPTION OF WORK

INVOICE NUMBER 4 - FINAL
AFE F01953
LOCATION: KANKAKEE, IL.
AGREEMENT DATED 2004/01/27
FOR COSTS INCURRED BY
NORFOLK SOUTHERN CORPORATION

MODIFY GRADE CROSSING WARNING DEVICES AT SCHUYLER AVENUE
AT MILEPOST KS-100.94 KANKAKEE, KANKAKEE COUNTY, ILLINOIS
AAR/DOT 534 391X FILE 061-04.502

Install date 10-31-05

DATES OF SERVICE - MAY.26, 2005 THRU JUN.21, 2005
CUSTOMER ORDER T04-0064 DATED 2004/01/27
DATE FIRST WORK PERFORMED: DECEMBER 2003
DATE LAST WORK COMPLETED:
RECORDS SUPPORTING CHARGES IN THIS BILL ARE IN THE OFFICE OF
MISCELLANEOUS BILLING, 110 FRANKLIN ROAD, S.E.,
ROANOKE, VA 24042-0034

I CERTIFY THAT THIS IS A TRUE AND FAIR BILL FOR SERVICES PERFORMED, AND THAT TO THE BEST OF MY KNOWLEDGE, PAYMENT HAS NOT BEEN RECEIVED.

- *H. H. Hennes*
-
-

SUPERVISOR MISCELLANEOUS BILLING

COPY

PLEASE PAY THIS AMOUNT

\$174.78

Please Detach and Remit with Payment

| Invoice Number | Invoice Date | Account Number |
|----------------|---------------|----------------|
| 1606150875 | JUNE 28, 2006 | WW3426 |

ILLINOIS DOT
ATTN: MRS. AMY REED
700 EAST NORRIS DR.
OTTAWA, IL 61350-0697

AMOUNT DUE \$174.78

PAYMENT DUE BY JULY 13, 2006

NORFOLK SOUTHERN CORPORATION
P.O. BOX 116944
ATLANTA, GA 30368-6944



INVOICE

| Invoice Number | Invoice Date | Account Number |
|----------------|---------------|----------------|
| 1606150875 | JUNE 28, 2006 | WW3426 |

| | <u>QTY</u> | <u>RATE</u> | <u>TOTAL</u> |
|---|------------|-------------|--------------|
| <u>DEPARTMENT - MISCELLANEOUS BILLING</u> | | | |
| <u>LABOR -</u> | | | |
| GANG | | | |
| 2006/06/27 BILLING CLERK | 1.00 ST | 21.67 | 21.67 |
| 2006/06/27 BILLING SUPERVISOR | 1.00 ST | 34.00 | 34.00 |
| TOTAL LABOR FOR ALL GANGS | | | 55.67 |
| TOTAL OVERHEAD COMPOSITE | | 59.67% | 33.22 |
| TOTAL OVERHEAD LIABILITY | | 16.01% | 8.91 |
| TOTAL LABOR AND OVERHEAD | | | 97.80 |
| TOTAL MISCELLANEOUS BILLING | | | 97.80 |
| <u>DEPARTMENT - NON-CONTRACT</u> | | | |
| <u>LABOR -</u> | | | |
| AVP C&S | | | |
| 2005/10/27 PROD & MTL CONT EN0859803 | 1.00 ST | 40.23 | 40.23 |
| TOTAL LABOR FOR ALL GANGS | | | 40.23 |
| TOTAL OVERHEAD COMPOSITE | | 59.68% | 24.01 |
| TOTAL OVERHEAD LIABILITY | | 16.01% | 6.44 |
| TOTAL LABOR AND OVERHEAD | | | 70.68 |
| TOTAL NON-CONTRACT | | | 70.68 |
| TOTAL APPORTIONED COSTS FOR THIS INVOICE | | | 168.48 |
| LESS: NORFOLK SOUTHERN CONTRIBUTION OF 10.00% | | | 16.85- |
| YOUR PORTION | | | 151.63 |
| 06/27 RECOVERY OF AUDIT FEE | | | 23.15 |
| PLEASE PAY | | | \$174.78 |

| Invoice Number | Invoice Date | Account Number |
|----------------|---------------|----------------|
| 1606150875 | JUNE 28, 2006 | WW3426 |

BILL NO. F01953

| DESCRIPTION | ESTIMATED COST | COST TO DATE | PREVIOUS BILL | AMOUNT DUE/ REFUNDED THIS BILL |
|----------------------|----------------|--------------|---------------|--------------------------------------|
| ENGR. - PRELIMINARY | 11,760.00 | | | |
| LABOR - NON-AGREEMNT | 9,610.00 | 2,225.25 | 2,185.02 | 40.23 |
| LABOR - TRACK | | | | |
| LABOR - SIGNALS | 34,050.00 | 15,920.46 | 15,920.46 | |
| LABOR - COMMUNICAT. | | | | |
| LABOR - T&E | | | | |
| ADDITIVES | 29,480.00 | 14,296.53 | 14,223.95 | 72.58 |
| MEAL ALLOWANCE | 9,240.00 | 1,832.75 | 1,832.75 | |
| PERSONAL EXPENSE | 2,500.00 | 686.70 | 686.70 | |
| MOTEL EXPENSE | 1,500.00 | | | |
| RAILWAY EQUIPMENT | 540.00 | 1,224.72 | 1,224.72 | |
| LEASED EQUIPMENT | 28,940.00 | | | |
| GATE MECHANISM | 99,580.00 | 102,778.16 | 102,778.16 | |
| OTHER STD MATERIAL | | | | |
| SALVAGE | | | | |
| NON-STD MATERIAL | | | | |
| SHIPPING CHARGES | 4,980.00 | | | |
| PREPARATION OF BILL | 540.00 | 212.52 | 133.70 | 78.82 |
| OTHER CHARGES | 4,980.00 | 19,628.42 | 19,628.42 | |
| TOTAL BILL CHARGES | 237,700.00 | 158,805.51 | 158,613.88 | 191.63 |
| OTHER PARTY CONTRIB | | | | |
| NORFOLK SOUTHERN | 23,770.00- | 15,878.23- | 15,861.38- | 16.85- |
| TOTALS | 213,930.00 | 142,927.28 | 142,752.50 | 174.78 |



INVOICE

AGFNT FOR NORFOLK SOUTHERN RAILWAY CO

110 FRANKLIN ROAD
ROANOKE, VA 24042-0034

| Invoice Number | Invoice Date | Account Number |
|----------------|---------------|----------------|
| 1606150998 | JUNE 28, 2006 | WW3426 |

Bill To ILLINOIS DOT
 ATTN: MRS. AMY REED
 700 EAST NORRIS DR.
 OTTAWA, IL 61350-0697

Remit To
 NORFOLK SOUTHERN CORPORATION
 P.O. BOX 116944
 ATLANTA, GA 30368-6944

Direct Inquiries To
 540 981-5562 Fax 540-981-5531

DESCRIPTION OF WORK

INVOICE NUMBER 6 - FINAL
 AFE F01954
 LOCATION: KANKAKEE, IL.
 AGREEMENT DATED 2004/01/27
 FOR COSTS INCURRED BY
 NORFOLK SOUTHERN CORPORATION - Entrance Ave Install date 10-31-05

MPKS-101.27 KANKAKEE, KANKAKEE COUNTY, ILLINOIS.
 AAR/DOT 534392E FILE 061-04.503

DATES OF SERVICE - NONE - 90 DAY OLD INVOICE TO BILL
 CUSTOMER ORDER 04.0486 DATED 2004/01/27
 DATE FIRST WORK PERFORMED: DECEMBER 2003
 DATE LAST WORK COMPLETED:
 RECORDS SUPPORTING CHARGES IN THIS BILL ARE IN THE OFFICE OF
 MISCELLANEOUS BILLING, 110 FRANKLIN ROAD, S.E.,
 ROANOKE, VA 24042-0034

I CERTIFY THAT THIS IS A TRUE AND FAIR BILL FOR SERVICES
 PERFORMED, AND THAT TO THE BEST OF MY KNOWLEDGE, PAYMENT
 HAS NOT BEEN RECEIVED.

Hummes

SUPERVISOR MISCELLANEOUS BILLING

COPY

PLEASE PAY THIS AMOUNT.

\$166.68

Please Detach and Remit with Payment

| Invoice Number | Invoice Date | Account Number |
|----------------|---------------|----------------|
| 1606150998 | JUNE 28, 2006 | WW3426 |

ILLINOIS DOT
 ATTN: MRS. AMY REED
 700 EAST NORRIS DR.
 OTTAWA, IL 61350-0697

AMOUNT DUE \$166.68

PAYMENT DUE BY JULY 13, 2006

NORFOLK SOUTHERN CORPORATION
 P.O. BOX 116944
 ATLANTA, GA 30368-6944

| Invoice Number | Invoice Date | Account Number |
|----------------|---------------|----------------|
| 1606150998 | JUNE 28, 2006 | WW3426 |

| | <u>QTY</u> | <u>RATE</u> | <u>TOTAL</u> |
|---|------------|-------------|--------------|
| <u>DEPARTMENT - MISCELLANEOUS BILLING</u> | | | |
| <u>LABOR -</u> | | | |
| <u>GANG</u> | | | |
| 2006/06/27 BILLING CLERK | 1.00 ST | 21.67 | 21.67 |
| 2006/06/27 BILLING SUPERVISOR | 1.00 ST | 34.00 | 34.00 |
| TOTAL LABOR FOR ALL GANGS | | | 55.67 |
| TOTAL OVERHEAD COMPOSITE | | 59.67% | 33.22 |
| TOTAL OVERHEAD LIABILITY | | 16.01% | 8.91 |
| TOTAL LABOR AND OVERHEAD | | | 97.80 |
| TOTAL MISCELLANEOUS BILLING | | | 97.80 |
| <u>DEPARTMENT - COMMUNICATION AND SIGNALS</u> | | | |
| <u>INVOICES AND OTHER</u> | | | |
| <u>SUPT-S&E CONSTRUCTION-NORTHERN REG</u> | | | |
| 2005/10/01 TRAVEL - SUPT-S&E CONSTRUCTION | 1.00 | 61.6800 | 61.68 |
| TOTAL INVOICES AND OTHER | | | 61.68 |
| TOTAL COMMUNICATION AND SIGNALS | | | 61.68 |
| TOTAL APPORTIONED COSTS FOR THIS INVOICE | | | 159.48 |
| LESS: NORFOLK SOUTHERN CONTRIBUTION OF 10.00% | | | 15.95- |
| YOUR PORTION | | | 143.53 |
| 06/28 RECOVERY OF AUDIT FEE | | | 23.15 |
| PLEASE PAY | | | \$166.68 |

| Invoice Number | Invoice Date | Account Number |
|----------------|---------------|----------------|
| 1606150998 | JUNE 28, 2006 | WW3426 |

BILL NO. F01954

| DESCRIPTION | ESTIMATED COST | COST TO DATE | PREVIOUS BILL | AMOUNT DUE/ REFUNDED THIS BILL |
|----------------------|----------------|--------------|---------------|--------------------------------------|
| ENGR. - PRELIMINARY | 8,940.00 | | | |
| LABOR - NON-AGREEMNT | 9,610.00 | 1,887.61 | 1,887.61 | |
| LABOR - TRACK | | | | |
| LABOR - SIGNALS | 34,050.00 | 19,286.16 | 19,286.16 | |
| LABOR - COMMUNICAT. | | | | |
| LABOR - T&E | | | | |
| ADDITIVES | 29,480.00 | 16,732.27 | 16,690.14 | 42.13 |
| MEAL ALLOWANCE | 10,000.00 | 2,280.90 | 2,280.90 | |
| PERSONAL EXPENSE | 2,000.00 | 855.57 | 793.89 | 61.68 |
| MOTEL EXPENSE | 1,240.00 | | | |
| RAILWAY EQUIPMENT | 510.00 | 1,530.90 | 1,530.90 | |
| LEASED EQUIPMENT | 28,940.00 | | | |
| GATE MECHANISM | 67,530.00 | 73,617.39 | 73,617.39 | |
| OTHER STD MATERIAL | | | | |
| SALVAGE | | | | |
| NON-STD MATERIAL | | | | |
| SHIPPING CHARGES | 3,380.00 | | | |
| PREPARATION OF BILL | 540.00 | 285.32 | 206.50 | 78.82 |
| OTHER CHARGES | 3,380.00 | 22,256.18 | 22,256.18 | |
| TOTAL BILL CHARGES | 199,600.00 | 138,732.30 | 138,549.67 | 182.63 |
| OTHER PARTY CONTRIB | | | | |
| NORFOLK SOUTHERN | 19,960.00- | 13,870.92- | 13,854.97- | 15.95- |
| TOTALS | 179,640.00 | 124,861.38 | 124,694.70 | 166.68 |

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION



" 04 0901
" 04 0985
" 04 0985
" 04 0986
" 04 0981

April 2, 2007

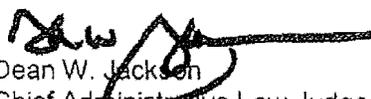
Norfolk Southern Railway Company, the City of
Kankakee, Illinois, and the State of Illinois,
Department of Transportation.

Stipulated Agreement regarding improving public : T04-0064
safety at the Fifth Street, Entrance Avenue, Schuyler
Avenue, Indiana Avenue (IL 50), and Greenwood
Avenue highway-rail grade crossings of the
Company's track all located in the City of Kankakee,
Kankakee County, Illinois, designated as crossings
AAR/DOT 534 393L, milepost 101.41-5E, AAR/DOT
534 392E, milepost 101.27-5E, AAR/DOT 534 391X,
milepost 100.74-5E, AAR/DOT 534 390R, milepost
100.71-5E and AAR/DOT 534 388P, milepost
100.51-5E, respectively.

NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING

On September 9, 2004, the Illinois Commerce Commission entered an Order in the above Docket, which authorized an expenditure from the Grade Crossing Protection Fund ("GCPF"). Authority for reimbursement from the GCPF expired on March 9, 2007, by terms of the Order. Therefore, the amount of \$188,208.48, remaining in IDOT Obligation XP05012, has been de-obligated.

Entered April 2, 2007


Dean W. Jackson
Chief Administrative Law Judge
Transportation Division

Parties of Record

Date Added

Date Removed

Mr. Milton R. Sees
Director of Highways IDOT
ATTN: JEFF HARPRING, ROOM 205
2300 South Dirksen Parkway
Springfield, IL 62764

Mr. Richard E. Boyle
Gundlach, Lee, Eggmann, Royce
and Roessler
5000 West Main St., Box 23560
Belleville, IL 62223-0560

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

Donaki E. Green
City of Kankakee Mayor
385 East Oak Street
Kankakee, IL 60901-3936

Anjanita Dumas
City of Kankakee Clerk
385 East Oak Street
Kankakee, IL 60901-3936

Mr. Rick Ray
Administrator Highway Grade Crossings
Norfolk Southern Railway Company
1200 Peachtree Street, NE
Atlanta, GA 30309-3579