Completion of this form is necessary to accomplish the statutory purpose as outlined in the Illinois Public Utilities Act, chapter 111 2/3, Sec. 1. Failure to provide the requested information may prevent your request from being processed. This form has been approved by the Forms Management Center.

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Form 3

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Illinois Commerce Commission
RAIL SAFETY SECTION

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Petition for permission to make a major change in crossing protection, or to install new protection under 92 Illinois Administrative Code 1535.400 (d)

X-12930

T08-0105

Date: **August 31, 2009**

To the Illinois Commerce Commission:

The petitioner **Burlington Northern Santa Fe** shows

079523B

(1) That it is a railroad company operating a line of railroad in the State of Illinois.

(2) That petitioner proposes and hereby makes application for authority to make a major change in crossing protection, or to install new protection, under 92 Illinois Administrative Code 1535.400 (d) adopted by this Commission.

(3) That the location of the crossing, the nature of protection now established and proposed to be established, and other pertinent facts in connection therewith, are set forth in the statement attached to and forming part of this petition.

(4) That petitioner's reasons and purpose, with reference to its said proposal are

Install constant warning equipment at Washington St. (079 523B), Hinsdale, IL.

(5) That the facts set forth in this petition and in the statement and plans or plats attached thereto, are, all of them, true and correct to the best of petitioner's knowledge and belief.

WHEREFORE, the petitioner prays that the Commission will, if deemed desirable by the Commission, set the aforesaid matter for hearing, and that the Commission enter an order or adopt a resolution consenting to and granting authority for the making of the said proposed changes in or additions to crossing protection.

Burlington Northern Santa Fe Railway

By

Keith L Fezekas
General Construction Supr
(773) 579-5155

Bob Prendergast
(Attorney for Petitioner)

Daley, Mohan, Groble
55 W. Monroe
Suite 1600
Chicago IL., 60603
(Attorney's Address)

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SEP - 2 2009

Statement, attached to and part of an application for permission to make a major change in crossing protection or to install new protection, under 92 Ill. Adm. Code 1535.400(d).

1. Name of Railroad Company **Burlington Northern Santa Fe**

2. Crossing Number **(079 523B)**

3. Village or City **Hinsdale IL.**

4. Name of Street or Highway **Washington St.**

5. Public Agency Maintaining Highway **Village of Hinsdale**

6. Protection now established: (Give full description. Indicate the hours of any manual protection.)

   DC Track circuits with directional sticks, Flashers, gates, and bell

7. Protection desired: (Give details)

   HXP-3R, flashers, gates and bell.

8. Number of main tracks **3** Other tracks **0**

9. Number of passenger train movements: 6 a.m. to 6 p.m. **65** 6 p.m. to 6 a.m. **45**

10. Number of freight train movements: 6 a.m. to 6 p.m. **15** 6 p.m. to 6 a.m. **15**

11. Approximate number of switch movements: 6 a.m. to 6 p.m. **0** 6 p.m. to 6 a.m. **0**

12. Maximum speed of trains at crossing on each track in each direction

Track 1 N/E Bound	**79**	mph	S/W Bound	**79**	mph
Track 2 N/E Bound	**79**	mph	S/W Bound	**79**	mph
Track 3 N/E Bound	**79**	mph	S/W Bound	**79**	mph

13. Passenger platforms served by tracks within the limits of track circuits, if any **2**

14. Where automatic signals or gates are proposed, approximately number of train or engine movements daily which would cause false indications or operation **0**

15. Nature and approximate amount of street or highway traffic over crossing
Suburban and light commercial traffic

16. In addition to the information listed hereinbefore in Form 3, attach a track plan or plat of the proposed crossing. This plan should show:

(a) Width and surface of highway.
(b) Highway intersections (including private driveways to be so indicated) and location of established highway signs or signals within 100 feet of crossing.
(c) Location of tracks, switches and other railroad facilities such as block signals, etc. within limits of track circuits, present and/or proposed.
(d) Where automatic protection is proposed, show proposed location of signals (sidelights, cantilevers, etc., if any).
(e) Show the length of each operation track section within the control limits of the crossing protection and its function.

ADDITIONAL INFORMATION

This crossing is part of project to upgrade eight (8) crossings in Village of Hinsdale IL.

VERIFICATION

I, **Keith L Fezekas**, first being duly sworn upon oath depose and say that I am **General Construction Supr.** of **Burlington Northern Santa Fe**, an **Delaware** corporation; that I have read the above and foregoing petition by me subscribed and know the contents thereof; that said contents are true in substance and in fact, except as to those matters stated upon information and belief, and as to those, I believe same to be true.

Burlington Northern Santa Fe

ORIGINAL

Keith L. Fezekas
General Construction Supr.

BNSF Railway Company

3611 W. 38th St.
Chicago IL., 60632

773-579-5155 (O)
708-426-4933 (C)
Keith.fezekas@bnsf.com

Mr. David Lazarides
Director of Processing
Transportation Division
527 East Capital Avenue
Springfield IL. 62701

August 31, 2009

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Illinois Commerce Commission
RAIL SAFETY SECTION

Dear Mr. Lazarides,

Enclosed please find Form 3 for Washington St. (079 523B) and Lincoln St. (079 524H) in Hinsdale IL.

Prints were sent electronically to Mr. Bergeron.

Please call with any questions.

Sincerely,

Keith L. Fezekas
BNSF RR
General Construction Supr.
773-579-5155

UPS