

STATE OF ILLINOIS



**ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION**

Michael E. Stead

Rail Safety Program Administrator

(Filed in E-Docket and e-mailed to Judge Kirkland-Montaque and cc'd)

April 23, 2010

Latrice Kirkland-Montaque
Chief Administrative Law Judge
Review and Examination
Illinois Commerce Commission
160 N. LaSalle Street
Chicago, IL

RE: T10-0012

Dear Judge Kirkland-Montaque:

The attached Staff Motion for Continuance was filed on e-Docket today.

If you have any questions, or require additional information, please contact me at (312) 636-7760 or bvercruy@icc.illinois.gov.

Very truly yours,

A handwritten signature in cursive script that reads "Brian Vercruysse".

Brian Vercruysse
Senior Rail Safety Specialist

Enclosure

cc: Harry Gilmore – Consultant to Village of Frankfort
Howard Sloan – Village of Frankfort
Tom Healey, CN

BV

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

| | | |
|--|---|----------|
| Village of Frankfort, municipal corporation; | : | |
| Petitioner, | : | |
| | : | |
| v. | : | T10-0012 |
| | : | |
| The Elgin, Joliet, and Eastern Railway Company, a Delaware | : | |
| Corporation | : | |
| Respondent. | : | |
| | : | |
| Petition for an Order requesting crossing improvements at the Wolf | : | |
| Road (AAR/DOT #260 621L, railroad milepost 11.96) highway-rail | : | |
| crossing of the Company's track in the Village of Frankfort, Will | : | |
| County, Illinois. | : | |

STAFF MOTION FOR A CONTINUANCE

Now comes Staff of the Commission ("Staff"), and respectfully requests a Continuance of the Hearing scheduled for April 28, 2010 in the Commission's Chicago offices.

The Village of Frankfort ("Village") and the Elgin, Joliet, and Eastern Railway Company ("Company") are nearing completion of the License Agreement desired by the Company. Staff understands that the parties have reached agreement, and that the Village Board will vote on the license at their April 26, 2010, Board Meeting. With this complete, the parties will provide an updated Agreed Order with concurrence documentation, and request that the Record be marked Heard and Taken.

With this, Staff respectfully requests a Continuance of the April 28, 2010, Hearing. Staff has contacted representatives for the Company and Village to insure that there is no objection to the Continuance.

Respectfully Submitted,



Brian Vercruysse, P.E.
Senior Rail Safety Specialist
(312) 636-7760 mobile
bvercruy@icc.illinois.gov

April 23, 2010