

**STATE OF ILLINOIS**

**ILLINOIS COMMERCE COMMISSION**

Illinois Commerce Commission :  
On Its Own Motion :  
 :  
v. : T11-0011  
 :  
Kansas City Southern Railway Company :  
 :  
Citation with respect to Kansas City Southern Railway :  
Company's failure to maintain the Madison Avenue :  
(AAR/DOT 542 255T, railroad milepost 246.83-OL), :  
South Roxana, Madison County highway-rail grade :  
crossing surface in accordance with the requirements :  
of 92 Ill. Adm. Code Part 1535.203. :

**NOTICE OF FILING**

TO ALL PARTIES OF RECORD:

PLEASE TAKE NOTICE that a Staff MOTION TO DISMISS in the above entitled matter has been filed with the Illinois Commerce Commission this 15<sup>th</sup> day of March, 2011. In addition, a copy of the aforementioned response has been sent to all parties of record.

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Illinois Commerce Commission  
527 E. Capitol Avenue  
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**A copy of this response was sent to the following parties:**

Mr. David C. Reeves  
Kansas City Southern Railway Company  
P.O. Box 219335  
Kansas City, MO 64121-9335

CT Corporation System  
Kansas City Southern Railway Company  
208 South LaSalle Street  
Chicago, IL 60604

Mr. Michael Van Tiem  
Kansas City Southern  
P.O. Box 219335  
Kansas City, MO 64121-9335

Paul M. Brown  
Thompson Coburn, LLP  
One U.S. Bank Plaza  
St. Louis, MO 63101

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**MOTION TO DISMISS**

NOW comes Staff of the Illinois Commerce Commission (Commission), by and through its Railroad Safety Specialist, Joseph J. Von De Bur, and in answer to Kansas City Southern Railway Company's RESPONSE TO CITATION ORDER, Commission Staff moves as follows:

1. The Madison Avenue (AAR/DOT #542 255T, railroad milepost 246.83-OL) highway-rail grade crossing of Kansas City Southern Railway Company's track, located in South Roxana, Madison County, was inspected by Commission staff on March 10, 2011, and was found to meet the minimum requirements of 92 Ill. Adm. Code Part 1535.203.
2. To expedite complaint responses in the future, the Kansas City Southern Railway Company has provided Commission Staff with contact information for Mr. David Reeves, Associate General Counsel.

Commission Staff does hereby move to dismiss the Citation Order in this case.

Respectfully submitted,  
ILLINOIS COMMERCE COMMISSION

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