

Docket Number: T11-0048
Bench Date: 05/04/2011
Deadline: N/A

MEMORANDUM

To: The Commission

From: Michael E. Stead, Railroad Safety Program Administrator

Date: April 20, 2011

Subject: BNSF Railway Company, Mound Township Road District, McDonough County Highway Department, and the State of Illinois, Department of Transportation.

Stipulated Agreement regarding improving public safety at the 1700N Road highway-rail grade crossing of BNSF Railway Company's track near Bushnell, McDonough County, designated as crossing AAR/DOT #063 792V, railroad milepost 159.09-LS12.

Recommendation: Enter Order approving Stipulated Agreement.

The recommended Order accepts the terms of Stipulated Agreement 1564 executed by the named parties. The Stipulated Agreement provides for the installation of automatic flashing light signals and gates and improvement of the highway approaches at the 1700N Road grade crossing located near Bushnell, McDonough County.

This project came to the attention of the Rail Safety Section through staff evaluation. The estimated cost to install the new automatic flashing light signals and gates is \$447,340. Staff recommends the Grade Crossing Protection Fund (GCPF) be used to pay 95% of the warning device installation costs, not to exceed \$424,973. BNSF Railway Company will pay the remaining warning device installation costs, as well as all future operating and maintenance costs.

The estimated cost to improve the highway approach grades is \$35,000. Staff recommends the GCPF be used to pay 100% of the highway approach improvement costs, not to exceed \$35,000. The Road District will be responsible for any remaining costs, as well as all future maintenance costs.

Staff would normally recommend the Road District pay 10% of the installation costs for the new automatic warning devices or recommend that the Road District pay for the roadway improvements. However, the Road District has provided sufficient evidence to prove that it is experiencing a severe financial hardship.

Therefore, in the interest of public safety, staff recommends the GCPF be used to pay the Road District's portion of the warning device installation costs and 100% of the roadway improvement costs.

All work is to be completed within twelve (12) months of the Order date. I recommend entry of the attached Order approving the Stipulated Agreement.

Attachment
JRS