

Docket Number: T10-0135

Bench Date: 12/7/11

Deadline: N/A

MEMORANDUM

TO: The Commission

FROM: Michael E. Stead, Rail Safety Program Administrator

DATE: November 22, 2011

SUBJECT: Illinois Railway, Incorporated, the Scott Township Highway Department, and the State of Illinois, Department of Transportation.

Supplemental Petition requesting an extension of time

RECOMMENDATION: Enter Order approving the Supplement Petition.

On September 22, 2010, the Illinois Commerce Commission entered its original Order, subsequent to Stipulated Agreement 1488, in the above captioned matter. Illinois Railway (IR) was required and directed to install automatic flashing light signals and gates with a bell, controlled by constant warning time circuitry, at the Hemstock Road grade crossing near Holcomb, Ogle County. The original Order contained a division of cost among the parties and all work was to be completed on or before September 22, 2011.

On October 31, 2011, the Company filed its Supplemental Petition requesting that the Commission enter a Supplemental Order granting an extension of time to complete the work required of it, to and including July 30, 2012. The Supplement Petition cited economic hardship as the cause for the delay.

On November 2, 2011, the Illinois Department of Transportation filed its Answer to the Supplemental Petition of the Company, stating that the Department has no objection to the Petitioner's request for an extension of time.

Staff has investigated the Petition and found that an extension of time is necessary in order for the Company to complete the work. Staff recommends that the Commission grant the Company an extension of time, to and including, July 30, 2012, to allow completion of the work required by the original Order of September 22, 2010. I recommend entry of the attached Order.

Attachment
JJV