

UNION PACIFIC RAILROAD
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Chicago, Illinois 60606-1718

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Mack H. Shumate, Jr.
Senior General Attorney, Law Department

March 22, 2012

VIA E-FILING

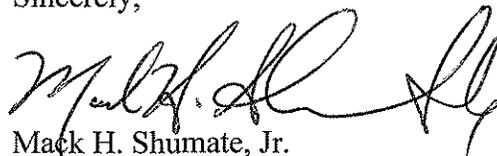
Mr. David Lazarides
Director of Processing
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

RE: Union Pacific Railroad Company v. Bureau County, Milo Township and Saratoga Township, Illinois; Docket No. T11-0109; Amended Petition for an Order of the Illinois Commerce Commission authorizing the installation of an additional railroad track at the grade crossing inventoried as DOT #175677Y (M.P. 46.5) at what is commonly known as County Road 1550N, in Bureau County, Illinois, at its intersection with the main line tracks of Union Pacific Railroad Company, and authorizing the reconfiguration of the existing crossing surface, existing roadway surface and the existing warning devices

Dear Mr. Lazarides:

Attached are a Notice of Filing and Amended Petition that I am e-filing today concerning the above-captioned matter:

Sincerely,



Mack H. Shumate, Jr.
Senior General Attorney

Attachments

cc: All Concerned Parties

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**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

UNION PACIFIC RAILROAD COMPANY,)
)
Petitioner,)

v.)

T11-0109

BUREAU COUNTY, ILLINOIS,)
)
a municipal corporation in Bureau County,)
Illinois, Milo Township, a municipal)
Corporation in Bureau County, Illinois)
and Saratoga Township, a municipal)
corporation in Bureau County, Illinois)

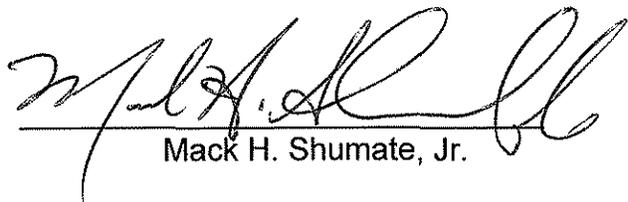
Respondents.)

Petition for an Order of the Illinois Commerce)
Commission authorizing the installation of)
an additional railroad track at the grade)
crossing inventoried as DOT #175677Y)
(M.P. 46.5) at what is commonly known as)
County Road 1550N in Bureau County,)
Illinois, at its intersection with the main line)
tracks of Union Pacific Railroad Company,)
and authorizing the reconfiguration of the)
existing crossing surface, existing roadway)
surface and the existing warning devices.)

NOTICE OF FILING

To: Mr. David Lazarides
Director of Processing
Illinois Commerce Commission
527 East Capitol Street
Springfield, IL 62701

PLEASE TAKE NOTICE that I have e-filed this 22nd day of March, 2012, Union Pacific Railroad Company's **Notice of Filing** and **Amended Petition** with the Illinois Commerce Commission regarding the captioned matter.


Mack H. Shumate, Jr.

Mack H. Shumate, Jr.
Union Pacific Railroad Company
101 North Wacker Drive, Room 1920
Chicago, IL 60606
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**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

UNION PACIFIC RAILROAD COMPANY,)	
)	
Petitioner,)	
)	
v.)	T11-0109
)	
BUREAU COUNTY, ILLINOIS,)	
a municipal corporation in Bureau County,)	
Illinois, Milo Township, a municipal)	
Corporation in Bureau County, Illinois)	
and Saratoga Township, a municipal)	
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Illinois, at its intersection with the main line)	
tracks of Union Pacific Railroad Company,)	
and authorizing the reconfiguration of the)	
existing crossing surface, existing roadway)	
surface and the existing warning devices.)	

AMENDED PETITION

TO THE ILLINOIS COMMERCE COMMISSION:

NOW COMES the Petitioner, Union Pacific Railroad Company (UP), by and through its attorney, Mack H. Shumate, Jr., respectfully seeking an Order by the Illinois Commerce Commission confirming and/or authorizing the following:

1. That Petitioner is a railway company which is authorized to do business in the State of Illinois as a common carrier by rail.

2. As part of its business, Petitioner operates trains over a single mainline railroad track (the Peoria Subdivision) which runs, by compass direction, generally in a north/south direction near and through the vicinity of County Road 1550N, Bureau County, Illinois (the "County Road 1550N Grade Crossing").

3. UP originally filed its petition in this matter with the Commission on August 10, 2011. Subsequent to said filing, the Staff of the Commission informed UP

that two townships in the vicinity of the subject crossing desired to be included on the service list. On September 27, 2011, UP served copies of the petition on Milo Township and Saratoga Township (the "Townships") with a motion to continue the hearing on the petition to November 5, 2011 to give the Townships time to review and respond to UP's petition.

4. On October 18, 2011, the Administrative Law Judge for the Commission's Review and Examination Program entered an order granting UP's Motion to Continue until UP filed an Amended Petition naming the Townships as Respondents.

5. The County Road 1550N Grade Crossing is currently formed by the intersection of UP's current main line track on the Peoria Subdivision and County Road 1550N, is inventoried as DOT #175677Y, and is located at railroad milepost 46.5.

6. The County Road 1550N Grade Crossing is depicted on the Engineering Plan and Profile drawing consisting of one (1) page (the "Design Plan") attached hereto as **Exhibit A** and hereby made a part hereof. UP owns and maintains said railroad tracks and right of way at or near the County Road 1550N Grade Crossing.

7. The public street known as County Road 1550N is currently located in Bureau County, Illinois in the vicinity of both Milo Township and Saratoga Township on both sides of the County Road 1550N Grade Crossing, and runs, by compass direction, generally in an east/west direction through the County Road 1550N Grade Crossing, and is maintained by and at the expense of Bureau County, a municipal corporation located in the County of Bureau, a political subdivision of the State of Illinois (the "County").

8. There are approximately eight (8) through freight trains per day and two (2) switch movements in and out per day over the County Road 1550N Grade Crossing. The average daily traffic (ADT) over the County Road 1550N Grade Crossing is approximately 150 vehicles per day of which 5% are trucks. See DOT-AAR Crossing Inventory Sheet attached hereto as **Exhibit B** and hereby made a part hereof.

9. The proposed extension of the existing railroad siding (the "Siding") is set forth on Exhibit A, and will run parallel to UP's existing Peoria Subdivision through the County Road 1550N Grade Crossing, and will continue generally in a northerly direction by compass creating a railroad siding capable of handling 100 car unit trains.

10. The proposed Siding will add an additional track through the County Road 1550N Grade Crossing, and will require a repositioning of the existing crossbucks with yield signs at the County Road 1550N Grade Crossing and reconfiguration of the crossing surface and roadway surface in accordance with the Design Plan.

11. The number of train movements per day along the Siding once the facility is built is expected to be four (4) additional trains per day.

12. Based on the location of this portion of the Peoria Subdivision, the nature of the train movements, and the length of track for the proposed Siding, it is anticipated

that the train movements will not materially affect the vehicular traffic along County Road 1550N at and near the County Road 1550N Grade Crossing.

13. The installation of the Siding at the County Road 1550N Grade Crossing is necessary in order to provide improved rail service to the Global III Intermodal Terminal at Rochell, Illinois and to promote efficient operations in the area of the Global III Intermodal Terminal.

14. The costs of the proposed County Road 1550N Grade Crossing Project will be borne by the UP and will not require the contribution of any moneys by the County or any governmental body.

15. The Siding in the vicinity of the County Road 1550N Grade Crossing will be maintained by UP at its expense.

16. The inspection and maintenance of the relocated County Road 1550N Grade Crossing warning devices (crossbucks with yield signs) will continue to be the responsibility of the UP at its expense.

17. It is in the best interest of the public at large to allow the Siding and the repositioning of the existing County Road 1550N Grade Crossing warning devices at the County Road 1550N Grade Crossing, in order to meet the commercial needs of the area, for improved efficiencies of rail operations in the area and to maintain grade crossing safety.

WHEREFORE, Petitioner prays that this Honorable Commission:

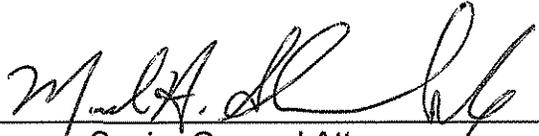
1. Authorize the Amended Petition for modification of the existing County Road 1550N Grade Crossing by acknowledging the installation of an additional railroad track by UP at the County Road 1550N Grade Crossing on the Peoria Subdivision for the creation of the Siding and authorizing the reconfiguration of the crossing surface, roadway surface and warning devices without hearing.

2. Allow one (1) year for construction of the County Road 1550N Grade Crossing Project from the date of the Commission Order in this matter.

3. For other just and appropriate relief.

Respectfully submitted,

**Union Pacific Railroad Company,
Petitioner**

By: 
Title: Senior General Attorney

Mack H. Shumate, Jr.
Union Pacific Railroad Company
101 North Wacker Drive, Room 1920
Chicago, IL 60606
Tel: 312-777-2055
Fax: 312-777-2065
mackshumate@up.com

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VERIFICATION

I, John Venice, Manager Special Projects for the Petitioner, Union Pacific Railroad Company, hereby certify pursuant to 735 ILCS 5/1-109 that I have read the foregoing Petition and the matters contained therein are believed true and correct based upon the information provided to me and reasonable inquiry made with respect to same.

A handwritten signature in black ink, appearing to read "John Venice", is written over a horizontal line. The signature is stylized and cursive.

John Venice

CERTIFICATE OF SERVICE

I, Mack H. Shumate, Jr., an attorney, hereby certify that on the 22nd day of March, 2012, I caused the foregoing **AMENDED PETITION** to be served on attorneys/parties of record by e-filing the same with the Illinois Commerce Commission and by forwarding the same to the following at the email addresses listed below, before 5:00 p.m.

Brian Vercruysse
Railroad Section
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701
bvercruy@icc.illinois.gov

Daniel Wright
Milo Township
16481 00N Avenue
Henry, IL 61537

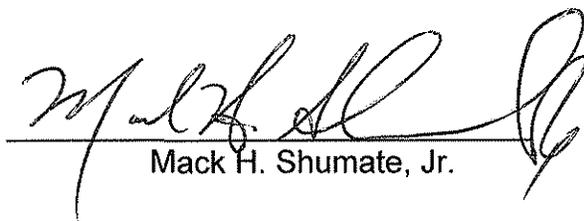
Dennis Plyes
Saratoga Township
510 C.R. 950N
Sparland, IL 61565

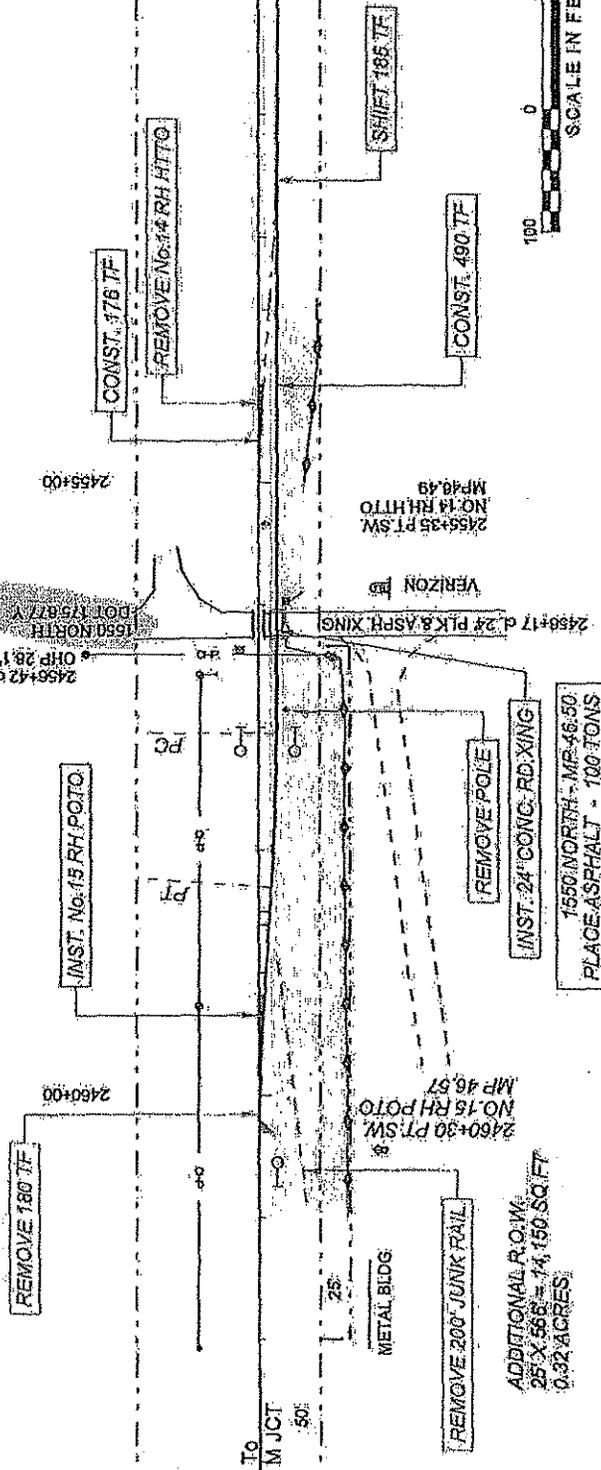
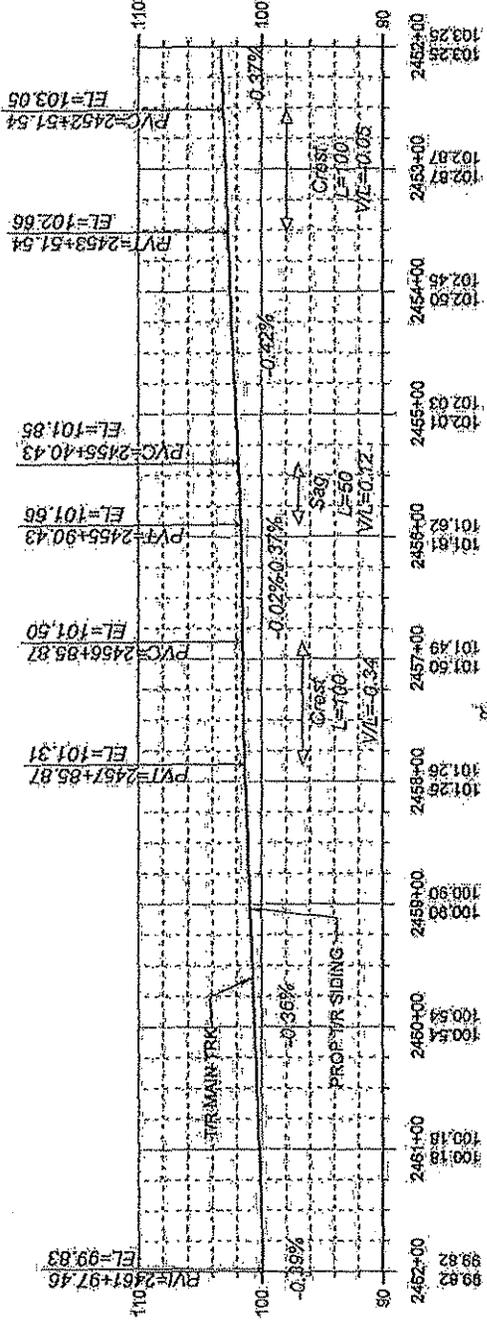
Christine Reed, Director of Highways
Illinois Department of Transportation
Attention: Jason L. Johnson
2300 South Dirksen Parkway, Room 205
Springfield, Illinois 62764
jason.johnson@illinois.gov

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Telephone: (815) 875-4477
bchcoeng@nbsmail.net


Mack H. Shumate, Jr.



UNION PACIFIC RAILROAD
 Chief of Assistant Vice President
 Engineering Design

STORAGE, ILLINOIS
 MR. 4451 TO-WAY, PEORIA SURVEYOR
 EXP. 50. SIDING, A. INST. NEWARK, ILL. 1930

DATE: 4/11/27
 DRAWN BY: [Name]
 CHECKED BY: [Name]

Sheet No. 1
 P. 901 of 104

PLAN & PROFILE

PRELIMINARY
 NOT FOR CONSTRUCTION

PART I : LOCATION AND CLASSIFICATION OF CROSSING

RAILROAD :	Union Pacific	DIVISION :	CHICAGO
SUBDIVISION :	PEORIA SUB	STATE :	ILLINOIS
COUNTY :	BUREAU	MAP REF. NO. :	
CITY :	CAMP GROVE	NEAREST :	Yes
HIGHWAY TYPE :	RR 1	STREET NAME :	1550N
RR I.D. No. :	3400	NEAREST STATION :	BROADMOOR
MILEPOST :	16.5	BRANCH/LINE NAME :	PEORIA SUB
CROSSING AND GRADE TYPE : Public/At Grade			

PART II : DETAILED INFORMATION FOR PUBLIC GRADE CROSSING

TYPICAL # OF DAILY TRAIN MOVEMENTS :

DAY THRU 4	DAY SWITCH 1
NIGHT THRU 4	NIGHT SWITCH 1

SPEED OF TRAIN AT CROSSING : MAX Timetable SPEED 40

TYPICAL SPEED RANGE FROM 10 TO 40

TYPE AND # OF TRACKS : 1 MAIN 0 OTHER IF OTHER SPECIFY

DOES ANOTHER RR OPERATE A SEPARATE TRACK : No

DOES ANOTHER RR OPERATE OVER YOUR TRACK : No

TYPE OF WARNING DEVICE(S) AT CROSSING :

REF XBUCK(S)	2	NON-REF BUCK(S)	0
STD HWY STOP SIGN(S)	0	STD HWY YIELD SIGN(S)	2
OTHER SIGN(S) (ENS)	1	OTHER SIGN(S) ()	0
RED & WHITE GATES	0	OTHER COLOR GATES(S)	0
CANT(S) OVER TRAFFIC LANES	0	NOT OVER TRAFFIC LANES	0
MAST MOUNTED FL LIGHTS	0	OTHER EL LIGHTS ()	0
HWY TRAFFIC SIGNALS	0	WIGWAGS 0 BELLS	0

SPECIAL WARNING DEVICES NOT TRAIN ACTIVATED :

COMMERCIAL POWER : Yes

CROSSING SIGNAL PROVIDE SPEED SELECTION : N/A

IS TRACK EQUIPPED WITH WAYSIDE SIGNALS : No

PART III : PHYSICAL DATA

TYPE OF DEVELOPMENT :	Open Space	HIGHWAY PAVED :	Yes
SMALLEST ANGLE :	60-90 Degrees	PAVEMENT MARKINGS :	None
NO. OF TRAFFIC LANES CROSSING :	2	ADV. WARNING SIGNS :	Yes
EARBY INTERSECTING HIGHWAY :	Yes		
RACK RUNS DOWN STREET :	No		
RUCK PULLOUT LANES :	No		
CROSSING SURFACE :	Asphalt		

PART IV : HIGHWAY DEPT. INFORMATION

HIGHWAY SYSTEM :	Non Federal - Aid	EST AADT :	109
JUNCTIONAL CLASS :		EST % OF TRUCKS :	5
STATE HIGHWAY SYSTEM :	No		