

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

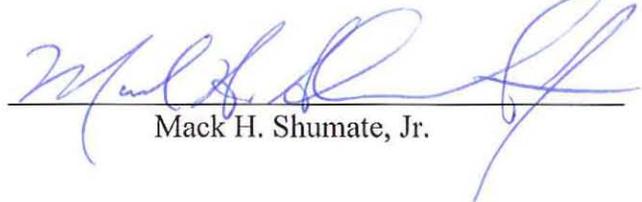
Union Pacific Railroad Company, )  
)  
Petitioner, )  
)  
vs. ) T12-0068  
)  
The Department of Transportation of the State of Illinois; )  
Dwight Township Road District; Nevada Township Road )  
District; Odell Township Road District; the Village of Odell; )  
Pontiac Township Road District; and the City of Pontiac )  
)  
Respondents, )  
)  
Petition for an Order granting approval to install an )  
Incremental Train Control System and other safety )  
improvements for the designated 110 mph Demonstration )  
Segment at fourteen contiguous highway-railroad grade )  
crossings of the Union Pacific Railroad )  
Company's Joliet Subdivision tracks between Dwight )  
and Pontiac in Livingston County, Illinois. )

**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 27th day of April, 2012, Union Pacific Railroad Company's **Notice of Filing** and **Restated and Amended Petition** with the Illinois Commerce Commission regarding the captioned matter.

UNION PACIFIC RAILROAD COMPANY,

  
Mack H. Shumate, Jr.

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Company's Joliet Subdivision tracks between Dwight	)	
and Pontiac in Livingston County, Illinois.	)	

**RESTATED AND AMENDED PETITION**

NOW COMES Petitioner, Union Pacific Railroad Company, a Delaware Corporation authorized to transact business as a foreign corporation in the State of Illinois ("Union Pacific"), by and through its attorney Mack H. Shumate, Jr., and hereby petitions the Illinois Commerce Commission ("Commission") for an Order granting approval to install an Incremental Train Control System ("ITCS") and other safety improvements for the designated 110 mph Demonstration Segment at fourteen contiguous highway-railroad grade crossings of the Union Pacific's Joliet Subdivision tracks between Dwight and Pontiac in Livingston County, Illinois.

In support of this Restated and Amended Petition, the Union Pacific respectfully states as follows:

1. Union Pacific is a common carrier by railroad doing business in interstate commerce, licensed to do business in and operating throughout the State of Illinois.
  
2. Union Pacific operates a line of railroad known as the Joliet Subdivision a portion of which runs through part of Livingston County, Illinois between the cities of Dwight and Pontiac. Union Pacific operates freight trains on the Joliet Subdivision. The National Railroad Passenger Corporation ("AMTRAK") operates passenger trains over the Joliet Subdivision under agreements with Union Pacific.

3. Respondent Department of Transportation of the State of Illinois (“IDOT”) is the state agency charged with administering funding for high speed rail operations in the State of Illinois.

4. Union Pacific’s Joliet Subdivision, including that part between and including Dwight and Pontiac, has been designated as part of a high speed rail corridor by the Federal Railroad Administration (“FRA”) and IDOT. The portion of the Joliet Subdivision between Dwight at milepost 72.81 and Pontiac at milepost 92.48 has been designated as a Demonstration Segment (the “Demonstration Segment”), to be used to test and demonstrate high speed train use starting in the fall of 2012.

5. Currently the time table speed throughout the Demonstration Segment is 60 mph for freight trains and 79 mph for passenger trains. The track in the Demonstration Segment has been upgraded to FRA Class 6 standards, which supports train speeds of up to 80 mph for freight trains and 110 mph for passenger trains. However, as noted below, the maximum authorized train speed for freight trains operating in the Demonstration Segment will remain at 60 mph for the proposed operations in the Demonstration Segment.

6. The following highway-railroad grade crossings are located within the Demonstration Segment:

STREET	DOT #	I/N CITY	COUNTY	RR MILEPOST
3100N	290 729C	DWIGHT	LIVINGSTON	74.92
2500E	290 730W	DWIGHT	LIVINGSTON	75.93
2400 E / TR 216B	290 732K	DWIGHT	LIVINGSTON	76.88
2800 N	290 734Y	ODELL	LIVINGSTON	78.96
2700 N	290 735F	ODELL	LIVINGSTON	80.21
PRAIRIE STREET	290 736M	ODELL	LIVINGSTON	81.43
SCOTT STREET	290 737U	ODELL	LIVINGSTON	81.52
VERMILLION ST	290 738B	ODELL	LIVINGSTON	81.65
HAMILTON STREET	290 739H	ODELL	LIVINGSTON	81.72
2500N	290 742R	ODELL	LIVINGSTON	82.69
2160N	290 747A	PONTIAC	LIVINGSTON	86.92
E2000N	290 748G	PONTIAC	LIVINGSTON	88.9
AURORA STREET	290 749N	PONTIAC	LIVINGSTON	90.62
MAIN STREET	290 750H	PONTIAC	LIVINGSTON	91.13

7. Upon completion of the proposed grade crossing signal changes, the Demonstration Segment will have two grade crossing warning device systems that can trigger activation of the automatic grade crossing warning devices (automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection) at the grade crossings in the Demonstration Segment. For freight train operations and slower speed passenger train operations ( less than 20 mph ) in the Demonstration Segment, the grade crossing warning system will be controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time before the oncoming train enters the crossing. For ITCS equipped passenger train operations (greater than 20 mph to 110 mph) in the Demonstration Segment there will also be the circuits and devices that make up the ITCS which is a radio controlled system with components installed at all 14 grade crossings in the Demonstration Segment and Amtrak passenger locomotives operating in the Demonstration Segment. The ITCS being utilized is based on the ITCS used by Amtrak for over the last ten (10) years on Amtrak's Michigan Line.

8. Existing and proposed warning system improvements are as follows:

- **3100N Road near Dwight, Livingston County, DOT 290 729C, milepost 74.92.** The highway authority is Dwight Township Road District. Existing warning system consists of automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time. Proposed improvement is to retain the existing warning system and install Incremental Train Control System (ITCS) circuitry and communications designed to provide for a nominal 80 seconds warning time for ITCS equipped passenger trains.
- **2500E Road near Dwight, Livingston County, DOT 290 730W, milepost 75.93.** The highway authority is Dwight Township Road District. Existing warning system consists of automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time. Proposed improvement is to retain the existing warning system and install ITCS circuitry and communications designed to provide for a nominal 80 seconds warning time for ITCS equipped passenger trains.
- **2400E Road near Dwight, Livingston County, DOT 290 732K, milepost 76.88.** The highway authority is Dwight Township Road District. Existing warning system consists of automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time. Proposed improvement is to retain the existing warning system and install ITCS circuitry and communications designed to provide for a nominal 80 seconds warning time for ITCS equipped passenger trains.

- **2800N Road near Odell, Livingston County, DOT 290 734Y, milepost 78.96.** The highway authority is Nevada Township Road District. Existing warning system consists of automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time. Proposed improvement is to retain the existing warning system and install ITCS circuitry and communications designed to provide for a nominal 80 seconds warning time for ITCS equipped passenger trains.
- **2700N Road near Odell, Livingston County, DOT 290 735F, milepost 80.21.** The highway authority is shared by Odell Township Road District and Nevada Township Road District. Existing warning system consists of automatic flashing light signals equipped with 4 quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time. Proposed improvement is to retain the existing warning system and install ITCS circuitry and communications designed to provide for a nominal 80 seconds warning time for ITCS equipped passenger trains.
- **Prairie Street in Odell, Livingston County, DOT 290 736M, milepost 81.43.** The highway authority is the Village of Odell. Existing warning system consists of automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time. Proposed improvement is to retain the existing warning system and install ITCS circuitry and communications designed to provide for a minimum of 80 seconds warning time for the normal operation of ITCS equipped passenger trains.
- **Scott Street in Odell, Livingston County, DOT 290 737U, milepost 81.52.** The highway authority is the Village of Odell. Existing warning system consists of automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time. Proposed improvement is to retain the existing warning system, install a pedestrian gate system and install ITCS circuitry and communications designed to provide for a minimum of 80 seconds warning time for the normal operation of ITCS equipped passenger trains.
- **Vermilion Street in Odell, Livingston County, DOT 290 738B, milepost 81.65.** The highway authority is the Village of Odell. Existing warning system consists of automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time. Proposed improvement is to retain the existing warning system, install pedestrian gate systems and install ITCS circuitry and communications designed to provide for a minimum of 80 seconds warning time for the normal operation of ITCS equipped passenger trains.

- **Hamilton Street in Odell, Livingston County, DOT 290 739H, milepost 81.72.** The highway authority is the Village of Odell. Existing warning system consists of automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time. Proposed improvement is to retain the existing warning system, install pedestrian gate systems and install ITCS circuitry and communications designed to provide for a minimum of 80 seconds warning time for the normal operation of ITCS equipped passenger trains.
- **2500N Road near Odell, Livingston County, DOT 290 742R, milepost 82.69.** The highway authority is Odell Township Road District. Existing warning system consists of automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time. Proposed improvement is to retain the existing warning system and install ITCS circuitry and communications designed to provide for a nominal 80 seconds warning time for ITCS equipped passenger trains.
- **2160N Road near Pontiac, Livingston County, DOT 290 747A, milepost 86.92.** The highway authority is Odell Township Road District. Existing warning system consists of automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time. Proposed improvement is to retain the existing warning system and install ITCS circuitry and communications designed to provide for a nominal 80 seconds warning time for ITCS equipped passenger trains.
- **2000N Road near Pontiac, Livingston County, DOT 290 748G, milepost 88.90.** The highway authority is Pontiac Township Road District. Existing warning system consists of automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time. Proposed improvement is to retain the existing warning system and install ITCS circuitry and communications designed to provide for a nominal 80 seconds warning time for ITCS equipped passenger trains.
- **Aurora Street in Pontiac, Livingston County, DOT 290 749N, milepost 90.62.** The highway authority is the City of Pontiac. Existing warning device system consists of automatic flashing light signals and gates. Proposed improvement is to install automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time and install ITCS circuitry and communications designed to provide for a nominal 80 seconds warning time for ITCS equipped passenger trains.

- Main Street/County Highway 10 in Pontiac, Livingston County, DOT 290 750H, milepost 91.13. The highway authority is the City of Pontiac. Existing warning device system consists of automatic flashing light signals and gates. Proposed improvement is to install automatic flashing light signals equipped with four quadrant gates, bells, and vehicle detection controlled by constant warning time circuitry designed to provide for a minimum of 30 seconds warning time and install ITCS circuitry and communications designed to provide for a nominal 80 seconds warning time for ITCS equipped passenger trains.

9. The warning system improvements proposed by the Union Pacific meets the FRA's *Highway-Rail Grade Crossing Guidelines for High-Speed Passenger Rail* (HSR Crossing Guidelines) published November 2009, and comments filed with the FRA by Illinois Commerce Commission staff in August, 2009, concerning the HSR Crossing Guidelines.

10. Union Pacific proposes that in the fall of 2012 it will commence testing and demonstrating high speed passenger rail operations within the Demonstration Segment. Within the Demonstration Segment, between milepost 75.0 and milepost 90.5, passenger trains equipped with on-board ITCS equipment will travel up to 110 mph. Freight and other trains will continue to run at current time table authorized speeds. The portion of the Demonstration Segment between milepost 75.0 and 90.5 will be referred to as the "110 MPH Demonstration Segment". Eleven of the crossings are located within the 110 MPH Demonstration Segment, as indicated by their milepost designation above. The remaining three grade crossings have track circuitry which extends into the 110 MPH Demonstration Segment.

11. Warning system activation by freight trains traveling at any speed and passenger trains traveling at speeds of less than 20 mph will be via conventional constant warning time track circuitry. ITCS equipped passenger trains travelling at speeds between 20 mph – 110 mph will be via ITCS, with conventional constant warning time circuitry as backup for ITCS or radio communications failures. If an ITCS or radio communication failure occurs, or the ITCS system is "cut-out", passenger train speeds will not exceed 79 mph.

12. The ITCS system will set a 15 mph target speed at a crossing for ITCS-equipped passenger trains when radio communication is received from the crossing indicating that any of the following conditions exist:

- a. Crossing gates are not in a lowered position as a passenger train approaches.
- b. A vehicle is detected on the crossing as a passenger train approaches.
- c. A warning system failure occurs at the crossing.
- d. A crossing's warning system has been active for more than five minutes.

13. The ITCS system will set a 79 mph target speed at a crossing for ITCS-equipped passenger trains when radio communication is received from the crossing indicating that its warning system has been active for between two and five minutes.

14. The designed 80 second warning times will provide increased braking distances for ITCS equipped passenger trains to reduce speed when the ITCS system sets a 15 mph target speed at a crossing as a result of one of the conditions identified in (11) that is detected during or after activation by ITCS.

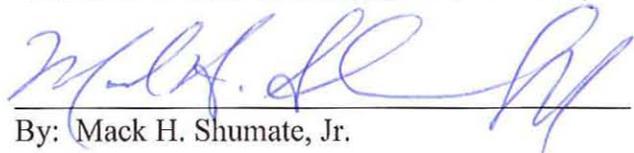
15. After 110 mph passenger trains have been in service for a period of three months, the ITCS system performance should be evaluated so that any findings can be utilized in future ITCS system designs for crossings located outside the 110 MPH Demonstration Segment.

WHEREFORE, The Petitioner, Union Pacific Railroad Company, prays that the Illinois Commerce Commission order, in accordance with its authority, the following:

1. That the proposed project is warranted and authorized to promote public safety.
2. That the Union Pacific is hereby ordered to install an Incremental Train Control System ("ITCS") and other safety improvements for the designated 110 MPH Demonstration Segment at fourteen (14) contiguous highway-railroad grade crossings of the Union Pacific's Joliet Subdivision tracks between Dwight and Pontiac in Livingston County, Illinois in accordance with the plans and specifications as approved and adopted by the staff of the Commission and the Union Pacific.
3. That the parties endeavor to complete the project pursuant to a stipulated agreement as drafted and proposed by the Commission.
4. Such other or further relief as the Commission may deem appropriate.

Respectfully submitted,

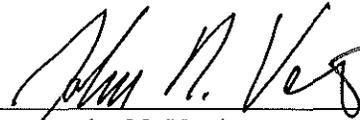
UNION PACIFIC RAILROAD COMPANY,

  
By: Mack H. Shumate, Jr.

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**VERIFICATION**

I, John N. 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 Restated and Amended 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.



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John N. Venice

## CERTIFICATE OF SERVICE

I, Mack H. Shumate, Jr., an attorney, hereby certify that on the 4th day of May, 2012, I caused the foregoing **Union Pacific Railroad Company's Restated and 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 email addresses and addresses listed below, before 5:00 p.m.

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Mack H. Shumate, Jr.