

Docket Number: T12-0089
Bench Date: 6/06/2012
Deadline: N/A

MEMORANDUM

TO: The Commission

FROM: Michael E. Stead, Railroad Safety Program Administrator

DATE: May 23, 2012

SUBJECT: Union Pacific Railroad Company, Marion County Highway Department, Stevenson Township Road District, and the State of Illinois, Department of Transportation.

Stipulated Agreement regarding improving public safety at the CJ Heck Road (AAR/DOT #167 765N; railroad milepost 256.90-CC) highway-rail grade crossing of the Union Pacific Railroad Company's track, located near Salem, Marion County.

RECOMMENDATION: Enter Order approving Stipulated Agreement.

The recommended Order accepts the terms of Stipulated Agreement 1657 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 CJ Heck Road grade crossing, located near Salem, Marion County.

This project came to the attention of the Rail Safety Section via ICC staff evaluation. The estimated cost to install the new automatic flashing light signals and gates is \$232,092. Staff recommends the Grade Crossing Protection Fund (GCPF) be used to pay 95% of the warning device installation costs, not to exceed \$220,487. The Union Pacific Railroad 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 \$84,046. Staff recommends the GCPF be used to pay 100% of the highway approach improvement costs, not to exceed \$84,046. The Road District will be responsible for all remaining costs associated with improving the approach grades, 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 pay for 100% of the roadway improvements. However, the Road District has provided sufficient evidence to prove that it is experiencing a severe financial hardship and cannot pay any portion of the project costs. Staff considers the proposed crossing safety improvements important enough to recommend that the GCPF be used to pay the Township's portion of the project 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