

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

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<b>BNSF RAILWAY COMPANY,</b>	)	
	)	
<b>Petitioner,</b>	)	
v.	)	<b>Case No.</b>
	)	
<b>COUNTY OF OGLE,</b>	)	
<b>ILLINOIS,</b>	)	
	)	
<b>Respondent.</b>	)	

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Petition for an Order of the Illinois Commerce Commission authorizing the installation of an additional railroad track at the grade crossing inventoried as DOT #069 848 H (M.P. 114.75) at what is commonly known as Freeport Road near Polo, IL for determination of suitable and appropriate warning and traffic devices at or near the crossing, and for determination by the Illinois Commerce Commission of the division of costs between the parties.

**PETITION**

**TO THE ILLINOIS COMMERCE COMMISSION:**

NOW COMES Petitioner, BNSF Railway Company (BNSF), by its attorneys, Daley Mohan Groble, P.C., and respectfully petitions the Illinois Commerce Commission in this Petition, as follows:

1. That Petitioner is a railway company which operates trains over its single mainline railroad track which runs, by compass direction, generally in an east/west direction near and through the City of Polo, Ogle County, Illinois.
2. The Respondent, State of Illinois, Department of Transportation, is a Department of the State of Illinois which exists by virtue of the laws of the State of Illinois;
3. The Respondent, County of Ogle, is a political subdivision of the State of Illinois.
4. The County Road, CR 12, commonly known as Freeport Road, runs generally in a north/south direction near its intersection with the BNSF single main line track near Polo, Illinois.

5. The grade crossing formed by the intersection of Freeport Road and the single main line track of BNSF, is inventoried as DOT # 069 848 H, and is located at railroad milepost 114.75 near Polo, Illinois. BNSF owns and maintains said railroad tracks and right of way at or near Freeport Road. The crossing is currently equipped with warning devices, consisting of automatic flashing lights and gates.

6. The public street known as Freeport Road is currently located on both the north and south sides of the aforementioned grade crossing and is and will be maintained, by and at the expense of the County Ogle, Illinois.

7. The number of trains operated over this single mainline track is approximately 20 trains per day.

8. The Petitioner, in order to improve the efficiencies of the operations in the area and elsewhere, and enhance the public convenience in this and other counties, needs to build a siding track on its right of way, which will parallel the mainline track, and will run through the aforementioned at grade crossing if approved.

9. The current roadway plan and profile for the project is attached hereto as Exhibit A to the Petition. The Signal schematic is attached as Exhibit B to the Petition.

10. Given the proposed changes in the area, Petitioner requests that the Commission, upon investigation and hearing, consider approve these plans, and make a determination of suitable and appropriate warnings, and their location, at the aforementioned grade crossing.

11. Given the proposed changes in the area, Petitioner agrees to pay any reasonable amount for the costs involved relating to the proposed changes, including improvements to or relocation of the warning devices, and to the crossing surface on the newly installed track if so ordered.

12. It is in the best interest of the public at large to install the additional track at the crossing, have the Commission consider and determine suitable warning devices at the crossing and highway approaches, and to meet the need for improved efficiencies of rail operations in the area.

WHEREFORE, Petitioner prays that this Honorable Commission will set the aforesaid matter for hearing as soon as possible with notice to the parties hereto, and after said hearing enter an order:

1. Approving the installation of an additional track at the public crossing inventoried as DOT # 069 848 H;

2. Determine appropriate and suitable warning and traffic control devices at the said crossing, as well as the location of those devices;

3. Determine the division of the costs among the parties;
4. Determine a reasonable time period for completion of any work or improvements to be performed;
5. For other just and appropriate relief.

Respectfully submitted,

BNSF Railway Company, Petitioner

By: s/Robert J. Prendergast  
Robert J. Prendergast

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VERIFICATION

I, David A. Johnson, Manager Public Projects for the Petitioner, BNSF Railway 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.

By: s/ David A. Johnson  
David A. Johnson

CERTIFICATE OF SERVICE

I, Robert J. Prendergast, an attorney, hereby certify that on the 20th day of August, 2014, I caused the foregoing 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 and/or street addresses listed below, before 5:00 p.m.:

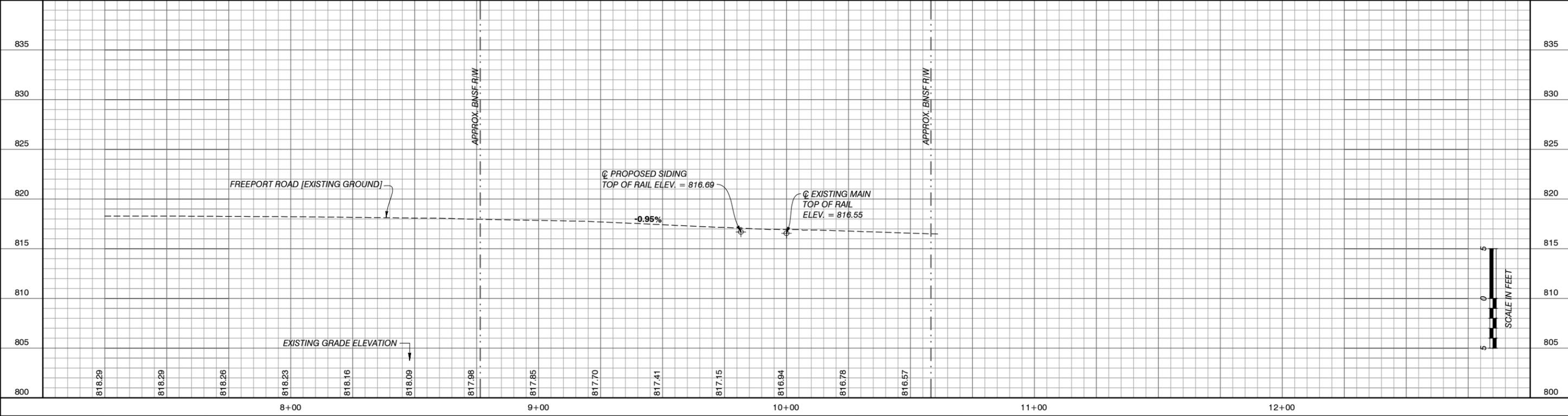
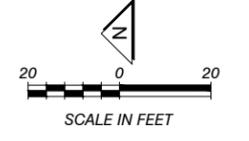
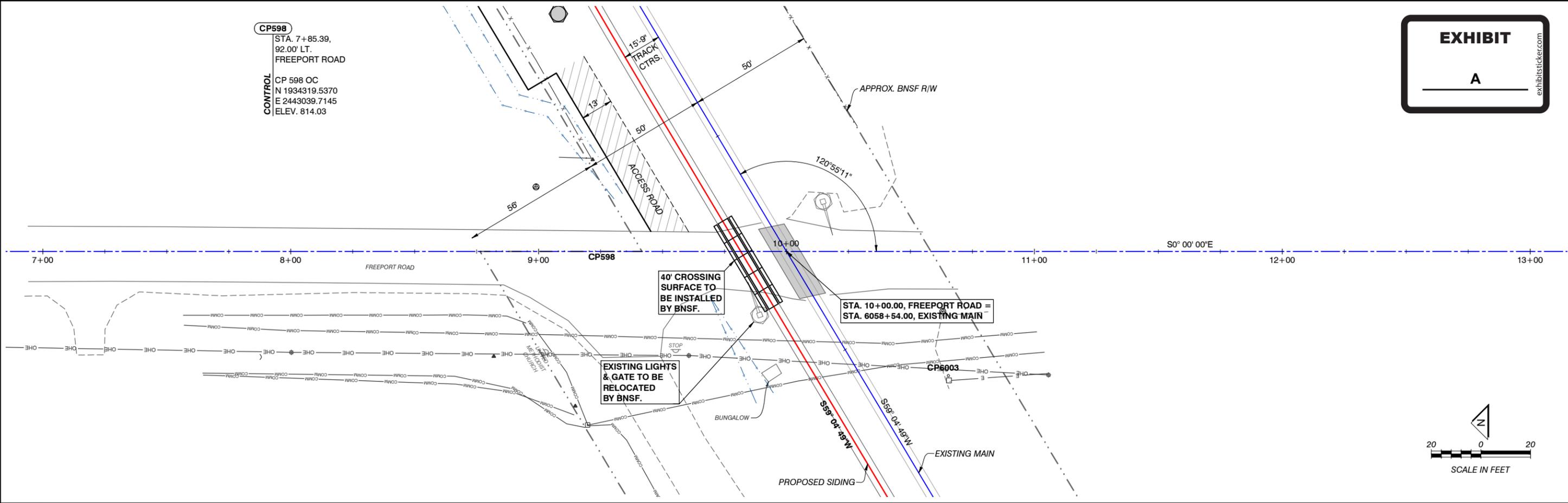
John Saladino  
Railroad Section  
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Ogle County Engineer  
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Oregon, IL 61061  
[highway@oglecounty.org](mailto:highway@oglecounty.org)

s/Robert J. Prendergast  
Robert J. Prendergast

**EXHIBIT**  
**A**

**CP598**  
STA. 7+85.39,  
92.00' LT.  
FREEPORT ROAD  
  
CONTROL  
CP 598 OC  
N 1934319.5370  
E 2443039.7145  
ELEV. 814.03



**URS**  
3271 E. Battlefield, Suite 201  
Springfield, Missouri 65804  
Tel.: 417.887.3999

REVISIONS			
SYM.	DESCRIPTION	DATE	APPR.

**BNSF RAILWAY**

DESIGNED BY: **MWH**  
DRAWN BY: **CLC**  
CHECKED BY: **MWH**  
APPROVED BY: **BLT**  
DATE: **JULY 16, 2014**

SUBDIVISION: **AURORA**  
LINE SEG.: **3**

**FOR BID PURPOSES ONLY  
NOT FOR CONSTRUCTION**

**CARTER SIDING EXTENSION  
CARTER, ILLINOIS**

**FREEPORT ROAD GRADE CROSSING**

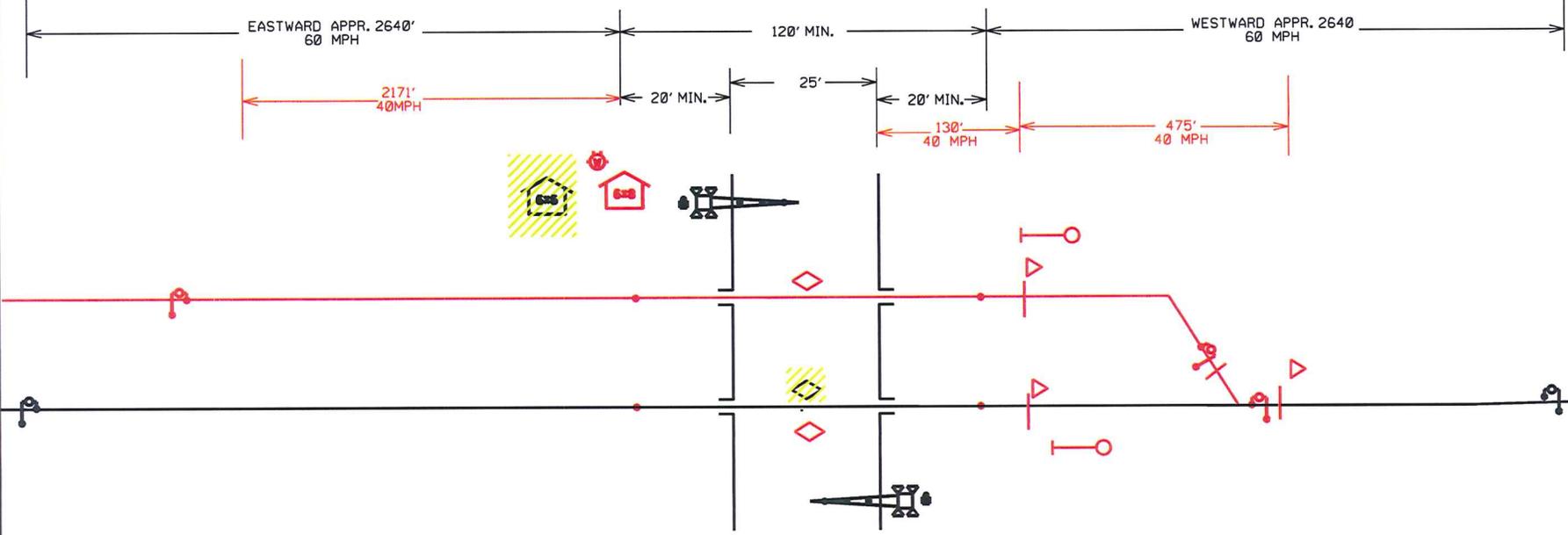
PROJECT NO.:	<b>21562856</b>
SCALE:	<b>1" = 40'</b>
SHEET:	<b>16 OF 66</b>
DRAWING NO.:	<b>RD1</b>
<b>BID PLANS</b>	

PRINTED: 9/20/2014, 9:19:22 AM  
FILE: c:\civil\3d\projects\21562856\car\plan sheets\21562856\_car\plan\_roadway.dwg

BNSF RAILWAY COMPANY

TO SAVANNA

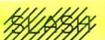
TO AURORA



ROUTE 1604  
DOT # 069 848 H  
PROJECT #55047

INSTALL: NEW 6X8 BUNGALOW, RELOCATE NORTH GATE AND RECABLE GATE & FLASHERS  
CONTROL DEVICES: CONSTANT WARNING



**BOLD - IN**  - OUT SALVAGE: NONE

-  INSTRUMENT HOUSE
-  BELL
-  METER
-  CROSSING CONTROL CONNECTIONS
-  BIDIRECTIONAL CROSSING CONTROL
-  UNIDIRECTIONAL CROSSING CONTROL
-  COUPLER OR TERMINATION
-  GUARD RAIL

Warning device placement:  
Clearance to C.L. Track = Min. 12'  
Edge of Road to C.L. Foundation:  
Min. 4'3" with curb,  
Min. 8'3" without curb,  
Max. 12'  
House Clearance:  
25' Min. to Near Rail  
30' Min. to Edge of Road  
ALL LIGHTS TO BE LED

**BNSF RAILWAY CO.**  
LOCATION: E.E, CARTER  
STREET: ROUTE 1604  
LS: 3  
M.P. 114.75  
DOT 069 848 H  
DIVISION: CHICAGO  
SUBDIVISION: AURORA  
KANSAS CITY  
NO SCALE  
DATE: 07/29/2014  
FILE: 55047-STATESKETCH-.dgn  
AMW