



ILLINOIS COMMERCE COMMISSION

September 4, 2001

City of Dixon, Illinois, the Illinois Department of Transportation, District :
Two, and the Dixon Township Highway Commissioner
Petitioners,

vs.

: T01-0043

Union Pacific Railroad Company
Respondent

Petition requesting an order to designate certain crossings located in :
Dixon Township and the City of Dixon, Lee County, Illinois, as exempt: :
Van Buren Avenue; 1st Street; 2nd Street; 3rd Street; 4th Street; 6th
Street; 7th Street; Depot Avenue; White Oak Lane; Artesian Place;
Ottawa Avenue; Galena Avenue; Hennepin Avenue; Peoria Avenue;
Madison Avenue; Monroe Avenue; and College Avenue.

TO ALL PARTIES OF RECORD:

ADMINISTRATIVE LAW JUDGE'S PROPOSED ORDER

Attached is a copy of the Administrative Law Judge's Proposed Order in the above referenced matter.

The Administrative Law Judge's Proposed Order is being sent to you pursuant to the Commission's Rules of Practice (83 Ill. Adm. Code 200). Your case is a "contested case" or "licensing case" as defined in Section 200.40 of the Rules and, therefore, the Hearing examiner is required under Section 200.820 to issue a Proposed Order to all parties.

Under Section 200.830 of the Rules, exceptions to the Proposed Order and replies thereto may be filed by the parties within the time periods established by the rules of such other times as fixed by the hearing examiner. The times for filing exceptions and replies are fixed at ten days and five days, respectively.

Entered:

A handwritten signature in black ink, appearing to read "Rick Korte".

Rick Korte
Chief Administrative Law Judge
Review & Examination Program

RK:rsc
Administrative Law Judge: Ms. Tate
Railroad Staff: Mr. Berry

DOCKETED

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

City of Dixon, Illinois, the Illinois Department :
of Transportation, District Two, and the
Dixon Township Highway Commissioner,
Petitioners

vs.

Union Pacific Railroad Company, Respondent :

Petition requesting an order to designate T01-0043
certain crossings located in Dixon Township :
and the City of Dixon, Lee County, Illinois, as :
exempt: Van Buren Avenue, 1st Street, 2nd
Street, 3rd Street, 4th Street, 6th Street, 7th
Street, Depot Avenue, White Oak Lane,
Artesian Place, Ottawa Avenue, Galena
Avenue, Hennepin Avenue, Peoria Avenue, :
Madison Avenue, Monroe Avenue, and College
Avenue.

ORDER

By the Commission:

On June 27, 2001, the City of Dixon, Illinois; the Illinois Department of Transportation, District Two; and the Dixon Township Highway Commissioner ("Petitioners") filed the above captioned petition naming as Respondent, Union Pacific Railroad Company ("the Railroad").

Pursuant to notice, the matter came on for hearing before a duly authorized Administrative Law Judge of the Commission at the Commission's Chicago office on July 26 and August 20, 2001. Respondent was represented by Donald R. York, manager industry and public projects for the Railroad. Appearances were also entered by Robert Berry, a member of the Commission staff, Transportation Division, Railroad Section and Jeff Harpring of the Illinois Department of Transportation ("IDOT"). The City of Dixon and the Dixon Township Highway Commissioner appeared on neither occasion nor did anyone from IDOT, District Two. This matter should now be dismissed.

IT IS THEREFORE ORDERED that the petition filed by the City of Dixon, Illinois; the Illinois Department of Transportation, District Two; and the Dixon Township Highway Commissioner on June 27, 2001, be, and the same is hereby, dismissed.

IT IS FURTHER ORDERED that in accordance with Chapter 625 ILCS 5/18c-2201 and 5/18c-2206 of the Illinois Commercial Transportation Law, this is a final decision subject to the Administrative Review Law.

By Order of the Commission this day of 2001.

Chairman