

Docket Number: T13-0050
Bench Date: 09/10/15
Deadline: N/A

MEMORANDUM

TO: The Commission

FROM: Michael E. Stead, Railroad Safety Program Administrator

DATE: August 27, 2015

SUBJECT: Norfolk Southern Railway Company, Grover Township Road District, and the State of Illinois, Department of Transportation.

Stipulated Agreement regarding improving public safety at the 2150E Road/TR 482 highway-rail grade crossing of the Norfolk Southern Railway Company's track near Fairfield, Wayne County, Illinois, designated as crossing AAR/DOT #724714R, railroad milepost 120.34-W.

RECOMMENDATION: Enter Supplemental Order granting additional GCPF assistance.

On July 10, 2013, the Commission entered its original Order in the above captioned matter. Grover Township Road District (Township) and the Norfolk Southern Railway Company (NS) were required to make safety improvements at the 2150E Road/TR 482 grade crossing near Fairfield, Wayne County. All of the required work was to be completed on or July 10, 2014, with all billing to be completed within 12 months of that date, on or before July 10, 2015.

On April 7, 2014, the Township reported that the tree and brush removal required on the Township's roadway approach right-of-way had been completed in the fall of 2013. On July 25, 2014, by its filing of an updated National Inventory Form, and again on April 8, 2015, by its filing of a Progress Report, NS reported that the required automatic warning devices were completed and placed in service on June 30, 2014. On July 14, 2015, NS submitted its final bill, dated the same and in the amount of \$29,650.26, to the Illinois Department of Transportation (IDOT) for processing.

On August 10, 2015, NS filed a Petition for a Supplemental Order (Petition) requesting additional Grade Crossing Protection Fund (GCPF) assistance for 95% of the signal installation costs in excess of the \$198,953 estimated cost used in Stipulated Agreement 1724 (SA 1724), which was approved by Commission Order. The final cost of NS's required signal installation work was \$226,067.65, which exceeded the initial estimate by \$27,114.65. NS requested that 95% of that amount, or \$25,759.27, be approved for reimbursement from the GCPF, as allowed by the terms of SA 1724. In addition, NS also requested that the final \$3,890.99 from the original GCPF obligation be released for a combined total final payment from the GCPF in the amount of \$29,650.26.

Staff has reviewed NS's documentation, and believes it is fair and reasonable that additional GCPF assistance should be approved. Staff recommends that additional GCPF assistance should be approved to pay 95% of NS's \$27,114.65 total cost in excess of the preliminary "round figure" estimate, in an amount not to exceed \$25,759.27. Staff further recommends that the remaining \$3,890.99 from the original GCPF obligation be paid to NS resulting in a combined total final payment not to exceed \$29,650.26. Staff recommends that this amount should be final and no further GCPF assistance should be allowed in this docket.

I recommend entry of the attached Supplemental Order.

Attachment
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