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BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
State of Illinois, Department of)
Transportation,)
)
Petitioner,)

No. T16-0064

v.)
)
Terminal Railroad Association)
of St. Louis,)
)
Respondents.)

Petition for an Order to authorize)
the reconstruction of the grade)
separation known as "Poplar Street)
Approach Bridge" designated as)
AAR/DOT #803 195J at milepost 74.00)
by widening the eastbound traffic)
lane of I64/I55 over and across)
TRRA'S tracks in the City of)
East St. Louis, St. Clair County,)
Illinois.)

Chicago, Illinois
September 14, 2016

Met pursuant to notice at 2:30 p.m.

BEFORE:
LATRICE KIRKLAND-MONTAQUE, Administrative Law Judge.

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-</u> <u>direct</u>	<u>Re-</u> <u>cross</u>	<u>By</u> <u>Examiner</u>
Rebecca Tharp	6	18			Ms. Kuntz Mr. Saladino

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
Petitioner's Exhibit No. A	21	18
Petitioner's Exhibit No. B	21	18
Petitioner's Exhibit No. D	21	18
Petitioner's Exhibit No. E	21	18

1 JUDGE KIRKLAND-MONTAQUE: By the power vested
2 in me by the State of Illinois and the Illinois
3 Commerce Commission, I now call for hearing
4 Docket No. T16-0064. This is in the matter of the
5 State of Illinois Department of Transportation,
6 Petitioner, versus the Terminal Railroad Association
7 of St. Louis. And we are here on a petition for an
8 order to authorize the reconstruction of the grade
9 separation known as Poplar Street Approach Bridge
10 widen- -- at milepost 74.00, by widening the
11 eastbound traffic lane of I64/I55 over and across
12 TRRA'S tracks in the City of East St. Louis.

13 May I appearances, please, starting
14 with IDOT.

15 MS. KUNTZ: Jennifer Kuntz, K-U-N-T-Z, 2300
16 South Dirksen Parkway, Springfield, Illinois 62764,
17 office phone number of (217) 782-3215.

18 JUDGE KIRKLAND-MONTAQUE: Okay. Staff?

19 MR. SALADINO: Thank you, your Honor.

20 Representing the Rail Safety Section
21 of the Illinois Commerce Commission, John Saladino,
22 S-A-L-A-D-I-N-O, 527 East Capitol Avenue,

1 Springfield, Illinois 62701, and the phone number is
2 area code (217) 785-8423.

3 JUDGE KIRKLAND-MONTAQUE: All right. Ms. Kuntz,
4 you have a witness you're going to present today at
5 the hearing?

6 MS. KUNTZ: Yes, I do, your Honor.

7 JUDGE KIRKLAND-MONTAQUE: Could you please
8 raise your right hand.

9 Do you swear to tell the truth, the
10 whole truth, and nothing but the truth, so help you
11 God?

12 MS. REBECCA THARP: I do.

13 JUDGE KIRKLAND-MONTAQUE: All right, Ms. Kuntz.
14 I'll give you the floor to present your petition.

15 MS. KUNTZ: Thank you.

16 (Witness sworn.)

17 REBECCA THARP,
18 called as a witness herein, having been first duly
19 sworn, was examined and testified as follows:
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1 DIRECT EXAMINATION

2 BY

3 MS. KUNTZ:

4 Q Could you state and spell your name,
5 please.

6 A Rebecca Tharp, R-E-B-E-C-C-A, T-H-A-R-P.

7 Q And where do you work?

8 A I work at District 8 office of the Illinois
9 Department of Transportation in Collinsville,
10 Illinois.

11 Q And how long have you worked for IDOT?

12 A For 15 years.

13 Q What is your current title or position?

14 A Project support engineer.

15 Q And how long have you been in that
16 position?

17 A For two years.

18 Q What is your educational background?

19 A I have a bachelor of science in civil
20 engineering and a master of science in civil
21 engineering, structural business.

22 Q During your work at IDOT, are you familiar

1 with a large project between the Department and the
2 Missouri Highways and Transportation Commission, and
3 that project's known as the Poplar Street Bridge
4 Project?

5 A Yes, I am.

6 Q And part of that project involves the
7 Department improving public safety by reconstructing
8 a grade separation known as a Poplar Street Approach
9 Bridge, and that is designated as AAR/DOT No. 803
10 195J at milepost 74. And that project would include
11 widening the eastbound traffic lane of I64 and I55,
12 which goes over and across Terminal Railroad
13 Association St. Louis's tracks, located in the city
14 of East St. Louis, St. Clair County, Illinois.

15 Are you familiar with that project?

16 A Yes, I am.

17 Q Let me have you take a look at Exhibit A.

18 Do you recognize it?

19 A Yes, I do.

20 Q And what is it?

21 A It is a map showing the location of where
22 the approach span is over TRA [sic] that would be

1 widened.

2 Q Just to get some background information of
3 the location of the project, what direction in this
4 area does I64 and I55 run, generally?

5 A East and west.

6 Q And I64 and I55 merge in approach bridge,
7 and that is commonly referred to as the Poplar Street
8 Approach Bridge, right?

9 A Correct.

10 Q In the bridge then -- where does the bridge
11 continue to?

12 A The Poplar Street Bridge goes over the
13 Mississippi River.

14 Q And then it ends up on the Missouri side?

15 A Yes, it does.

16 Q On the Illinois portion side, who has
17 jurisdiction over the Poplar Street Approach Bridge?

18 A Illinois.

19 Q Specifically?

20 A The Department of Transportation.

21 Q As part of this project, has the Department
22 and the Missouri Highways and Transportation

1 Commission entered into a bistate agreement?

2 A Yes, they have.

3 Q Let me have you look at what's been marked
4 as Exhibit B.

5 Do you recognize that?

6 A Yes, I do.

7 Q And what is it?

8 A It is the bistate agreement between
9 Illinois and Missouri for the slide project.

10 Q Who is going to be responsible for
11 constructing the widening of Poplar Street Bridge?

12 A Missouri.

13 Q And that is for both the approach bridge
14 and the main span bridge?

15 A Yes.

16 Q Who's going to maintain the approach bridge
17 after the project is completed?

18 A Illinois Department of Transportation.

19 Q Do you know the approximate cost of the
20 project?

21 A Yes, I do.

22 For the approach itself? Just --

1 Q Yes, for the approach portion.

2 A \$5,400,000.

3 Q And are all the terms of the financial
4 agreement between the Department and Missouri
5 contained in the bistate agreement?

6 A Yes.

7 Q Is the Department asking for any grade
8 crossing protection funds?

9 A No.

10 Q Are we asking the railroad to contribute
11 any funds?

12 A No.

13 Q The approach bridge, does that intersect
14 with any other railroad crossings?

15 A Intersect?

16 Q Go over -- the grade separation goes
17 over --

18 A Yes. It goes over -- it goes over 18
19 tracks of Terminal Railroad.

20 Q And they own all of those tracks?

21 A Yes, they do.

22 Q That grade separation, that's the structure

1 number, 082-0005; is that right?

2 A Yes, 082-0005.

3 Q Are there tracks -- any railroad tracks
4 under the Poplar Street main span bridge?

5 A No, there are not.

6 Q What direction do the tracks generally run?

7 A North and south.

8 Q Would you have any idea as how many trains
9 go on these 18 tracks?

10 A My knowledge --

11 Q Yes.

12 A -- of it is that it's more of a yard and
13 that it ends just south of this structure. So
14 according to the ICC site, it doesn't show any
15 information for the number of trains.

16 Q There are the ATT tracks?

17 A Yes.

18 Q Has the Department and the Terminal
19 Railroad reached a final agreement regarding this
20 project?

21 A Yes, they have.

22 Q What's the status of that agreement?

1 A Terminal Railroad signed the agreement and
2 it was sent over to Missouri for signature, and it
3 was sent to Missouri on August 17th, 2016, and
4 Missouri is currently reviewing it.

5 Q Do we expect any issues or concerns?

6 A No. There is a couple of blanks that were
7 in the document that Missouri didn't want taken out.

8 Q Okay. So some minor --

9 A Minor things that I don't expect to cause
10 any issue.

11 Q And both Terminal is already -- they're
12 already aware that there are some corrections that
13 need to be made?

14 A Terminal is aware of that, yes.

15 Q Let's specifically talk about the existing
16 road configuration of the approach bridge.

17 How many lanes of traffic are there?

18 A Currently, there are four eastbound lanes
19 and four westbound lanes.

20 Q How wide are each lane?

21 A 12-foot-wide lanes.

22 Q And is there a shoulder on any of the

1 lanes?

2 A Yes. There's a two-foot shoulder on each
3 side of the eastbound lanes. I'm not sure of the
4 westbound.

5 Q If you can describe what the bridge
6 consists of, how many spans, what it's made of. Can
7 you give some of those details.

8 A Yes. It's five continuous spans and then
9 one simple span that is supported on a multicolumn
10 concrete piers, and it's 868 feet long.

11 Q Is there any pedestrian path or sidewalk?

12 A No, there's not.

13 Q Do you know what the average daily traffic
14 count is for the approach bridge?

15 A Currently, the average daily traffic is
16 103,616.

17 Q After this project is completed, do you
18 expect that to change?

19 A Yes. We expect it to increase to 126,431
20 by 2036.

21 Q I want you to go ahead and take a look at
22 what's been marked as Exhibit D.

1 Do you recognize that?

2 A Yes, I do.

3 Q What is it?

4 A It is a set of plans -- a portion of the
5 set of plans for the slide project that Missouri
6 developed for this -- both the approach and the main
7 span.

8 Q I heard you refer to it as the slide
9 project.

10 Is that the approach bridge?

11 A Yes, it is.

12 Q So you mean this project?

13 A Yes, I do.

14 Q If you could explain, what will the
15 proposed road configuration be.

16 A Yes. The proposed will be widened to --
17 the existing was 113 feet wide and tapered up to 165
18 foot, 2 and a quarter. And the proposed will widen
19 it to 122 foot, 3 inches, and taper up to 165 foot, 2
20 and a quarter inches. It will still be a 5-span
21 continuous structure with a single simple-span
22 structure supported on the concrete piers, but they

1 will be widening the piers and reconstructing --
2 piers 5 and 6, they will be reconstructed from the
3 ground up due to the deteriorated condition.

4 Q Will there be an additional column at the
5 piers 1, 2, 3, and 4, then?

6 A Yes, there will.

7 Q And with this project, will it add an
8 additional eastbound lane of traffic?

9 A Yes, it will.

10 Q So it will go from four eastbound lanes of
11 traffic to five?

12 A Correct.

13 Q And will the measurements be the same?

14 I think you previously testified that
15 each lane was going to be 12 feet wide.

16 With the new additional lane, will
17 each lane still be 12 feet wide?

18 A No. There will be one 11-foot lane and
19 four 12-foot lanes and a two-foot shoulder.

20 Q And will there be a pedestrian sidewalk or
21 path?

22 A No, there will not.

1 Q What will the vertical clearance be for the
2 additional eastbound lane?

3 A The minimum clearance, vertical, will be
4 34-foot, 6 inches over the TRA's tracks.

5 Q Have these plans been approved by the
6 Department?

7 A Yes, they have.

8 Q And have they been approved by Terminal?

9 A Yes, they have.

10 Q And since Missouri is involved, have they
11 also reviewed the plans?

12 A Yes, they have.

13 Q What is IDOT's justification for doing this
14 project? What will adding another lane traffic do?

15 A It will relieve congestion going eastbound.

16 Q Ultimately, it improve travel -- safety for
17 the traveling public?

18 A Yes, it will.

19 Q What's the current letting date?

20 A October 21st, 2016.

21 Q And will that be on the Missouri letting or
22 the Illinois letting?

1 A Missouri letting.

2 Q And what is the schedule for work to be
3 completed?

4 A It's expected to be completed November 1st,
5 2018.

6 Q I want to go ahead and have you look at
7 what's been marked as Exhibit E.

8 Do you recognize that?

9 A Yes, I do.

10 Q What is it?

11 A It is the ICC filing, the petition, ICC
12 petition.

13 Q Is it specifically a draft order?

14 A Yes, it is.

15 Q Okay. Have you had a chance to review that
16 draft order prior to today? Does it look familiar?

17 A I don't recall.

18 Q That's fine. If you don't recall, that's
19 fine.

20 A Okay.

21 MS. KUNTZ: At this time, your Honor, we just
22 move to admit Peoples -- or Department's Exhibit A,

1 B, D, and E into evidence.

2 JUDGE KIRKLAND-MONTAQUE: Any objection?

3 MR. SALADINO: No objections, your Honor.

4 JUDGE KIRKLAND-MONTAQUE: IDOT --

5 MS. KUNTZ: There's --

6 JUDGE KIRKLAND-MONTAQUE: I'm sorry?

7 MS. KUNTZ: There's nothing further for this
8 witness.

9 JUDGE KIRKLAND-MONTAQUE: Petitioner's A, B, D,
10 and E are admitted.

11 (Petitioner's Exhibit Nos.
12 A, B, D, and E were admitted
13 into evidence.)

14 JUDGE KIRKLAND-MONTAQUE: Mr. Saladino, do you
15 have any questions for the witness?

16 MR. SALADINO: I think I just have one
17 question, your Honor. Thank you.

18 CROSS-EXAMINATION

19 BY

20 MR. SALADINO:

21 Q Ms. Tharp, I just was curious on if the
22 Department's going to be responsible for maintaining

1 this structure after the construction is completed.

2 A Yes. Illinois Department of Transportation
3 will maintain the Poplar Bridge structure.

4 MR. SALADINO: Okay. That's all I had, your
5 Honor.

6 JUDGE KIRKLAND-MONTAQUE: Okay. So is there
7 anything else, Ms. Kuntz?

8 MS. KUNTZ: No, your Honor.

9 JUDGE KIRKLAND-MONTAQUE: All right. So I
10 guess we're ready to mark this one heard and taken.
11 And --

12 MR. SALADINO: Your Honor?

13 JUDGE KIRKLAND-MONTAQUE: Yes?

14 MR. SALADINO: Your --

15 JUDGE KIRKLAND-MONTAQUE: I'm sorry.

16 Mr. Sala- -- Staff's opinion, please.
17 I'm sorry.

18 MR. SALADINO: Sure. It's pretty simple.

19 Staff has no objection to the
20 Commission authorizing an order granting the
21 Department the relief requested.

22 JUDGE KIRKLAND-MONTAQUE: Thank you.

1 And also, let the record reflect that
2 Respondent, Terminal Railroad Association, is not
3 present at the hearing. However, prior to the
4 hearing, we were advised that they have made some
5 type of filing on e-Docket regarding their position.
6 So I will rely on that document when it is available
7 for the respondent's position.

8 Was there anything further from anyone
9 else?

10 MS. KUNTZ: No, your Honor.

11 MR. SALADINO: No, your Honor.

12 JUDGE KIRKLAND-MONTAQUE: Okay. So with that,
13 I'm going to mark the record heard and taken. And
14 I'll ask you, Ms. Kuntz, if you -- I don't know if
15 you have, but if you could send me a Word version of
16 this draft order, I'd really appreciate it.

17 MS. KUNTZ: I will.

18 JUDGE KIRKLAND-MONTAQUE: Okay. So I think
19 that's it for today.

20 We're done. Thank you.

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(Petitioner's Exhibit Nos.
A, B, D, and E were marked
for identification.)

HEARD AND TAKEN.