

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

SOO LINE RAILROAD COMPANY)
d/b/a CANADIAN PACIFIC RAILWAY,)
Petitioner,)
vs.)
VILLAGE OF SCHAUMBURG, an)
Illinois municipal corporation,)
Respondent.)

No. T02-0018

Petition of Soo Line Railroad Company,)
d/b/a Canadian Pacific Railway, seeking)
an Order of the Illinois Commerce)
Commission directing the establishment of)
a new grade crossing of Wright Boulevard,)
in the Village of Schaumburg, and the)
installation of appropriate warning devices,)
and allocating costs.)

RECEIVED
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Illinois Commerce Commission
RAIL SAFETY SECTION

VERIFIED PETITION

TO: The Illinois Commerce Commission:

Now comes the Petitioner, SOO LINE RAILROAD COMPANY d/b/a Canadian Pacific Railway ("Petitioner"), and petitions the Illinois Commerce Commission for an Order permitting and authorizing the extension of a spur railroad track at grade across Wright Boulevard, in the Village of Schaumburg, Cook County, Illinois; and for an Order directing the opening and construction of a grade crossing, directing the installation of warning devices, and assigning the associated grade crossing construction and installation costs to the Petitioner.

This Petition is brought pursuant to Section 18c-7401 of the Illinois Commercial Transportation Law, 625 ILCS 5/18c-7401, and Title 92, Parts 1535 and 1536 of the Illinois Administrative Code.

In support of this Petition, Petitioner states as follows:

1. Petitioner is a rail carrier operating in Illinois and is a rail carrier within the meaning of the Illinois Commercial Transportation Law.
2. The Village of Schaumburg ("Village") is a political subdivision within the State of Illinois and is subject to the jurisdiction of the Illinois Commerce Commission.
3. Petitioner is the sole freight service carrier on a single spur track (the "Spur Track") that extends through the Village in an east-west direction for a distance of approximately one mile from a main line track. The Spur Track is used as lead switching track to other industries located in the Village.
4. The Spur Track terminates at a point approximately twenty feet to the east of the eastern edge of Wright Boulevard, as depicted on the Architectural Site Plan prepared by David L. Jacobson & Assoc., Ltd., attached hereto as Exhibit A. The terminal end of the Spur Track abuts existing Village right-of-way along Wright Boulevard.
5. Paddock Publication, Inc. ("Paddock") has requested that Petitioner provide deliveries of newsprint paper to a new *Daily Herald* newspaper production facility (the "Facility") that is currently being developed on Paddock's property located west of Wright Boulevard across from the terminus of the Spur Track, as depicted on Exhibit A.
6. To be able to receive large shipments of newsprint paper by rail, Paddock desires to extend the Spur Track to reach the Facility loading docks. The proposed Spur Track extension would consist of approximately eight hundred feet (800') of new track, as indicated on Exhibit A and as detailed on pages C-1 RR and C-2RR of the Railroad Track Plans prepared by David L. Jacobson & Assoc., Inc., attached

hereto as Exhibit B. The main course of the proposed extension runs along the Facility's loading dock (the "Main Extension")(See Exhibit B, page C-2RR). A shorter secondary extension splits off of the main extension line (the "Staging Extension")(See Exhibit B, page C-2RR). This configuration of the Main and Staging Extensions is designed to enable the maneuvering of loaded and empty freight cars.

7. Depending upon the number of loaded cars being brought to the Facility and the number of empty cars being pulled off of the Facility, and because of the required movement of engine and cars on the Main and Staging Extensions, Wright Boulevard will be briefly obstructed from three (3) to six (6) times per delivery.
8. Paddock anticipates that the Facility will receive two or three deliveries per week of not more than three loaded freight cars per delivery.
9. It is anticipated that train deliveries will generally occur late in the morning, most likely some time between 9:00 a.m. and 11:00 a.m. This time period coincides with the off-peak road traffic hours, which are documented on the ADT traffic study performed by Metro Transportation Group, Inc., attached hereto as Exhibit C.
10. A train's anticipated speed when crossing Wright Boulevard will be less than five (5) miles per hour.
11. The Wright Boulevard approach grades and the heavy full depth rubber grade crossing system construction specifications are set forth on page C-3RR of Exhibit B.
12. The Village has exclusive jurisdiction over that portion of Wright Boulevard lying between the Elgin-O'Hare Eastbound Frontage Road to the north and Albion

Avenue to the south. Wright Boulevard is a public street within the corporate limits of the Village.

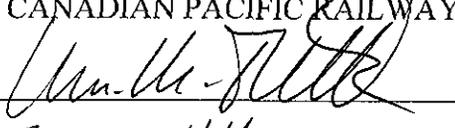
13. The Facility and subject portion of Wright Boulevard are located within the area of the Village designated the Spectrum Industrial Park.
14. The proposed railroad crossing would be located approximately 450 feet south of the signalized intersection of Wright Boulevard and the eastbound Elgin-O'Hare Frontage Road. The proposed railroad crossing would be located approximately 360 feet north of the nonsignalized intersection with Albion Avenue. A private drive servicing a single business in the Spectrum Industrial Park connects to Wright Boulevard north of the proposed railroad crossing, parallel to the Spur Track. See Exhibit A.
15. There are four lanes of traffic on Wright Boulevard at the proposed crossing location of the extended Spur Track.
16. The posted speed limit along Wright Boulevard is 30 miles per hour.
17. That portion of the Spur Track extension which crosses a private drive located adjacent to the Facility is not subject to the Commission's jurisdiction.
18. The public safety, convenience and necessity requires the establishment of a new public grade crossing across Wright Boulevard, with appropriate warning devices placed in Village right-of-way.

WHEREFORE, Petitioner respectfully requests that the Commission:

- A. Set this matter for public hearing on an expedited basis, with due notice to the parties and the public; and
- B. After hearing, enter an Order permitting and authorizing the construction of an extension of the Spur Track at grade across Wright Boulevard and directing the opening and construction of a new grade crossing, and, in the interest of public safety, the installation of appropriate warning devices; and
- C. Assign the associated grade crossing construction and installation costs to the Petitioner; and
- D. Provide such other and further relief as the Commission deems just and appropriate.

Respectfully submitted,

SOO LINE RAILROAD COMPANY,
d/b/a CANADIAN PACIFIC RAILWAY

By: 

Its: Senior Attorney

This petition filed by:
Mr. William Tuttle, Esq.
Canadian Pacific Railway
501 Marquette Avenue South
Minneapolis, MN 55402
Phone: (612) 347-8325
Fax: (612) 347-8203
Email: bill_tuttle@cpr.ca

Verification

I, William Tuttle, being the Senior Attorney of Soo Line Railroad Company d/b/a Canadian Pacific Railway and having authority to verify this Petition, under penalties as provided by law and having been duly sworn, hereby certify that statements set forth in this instrument are true and correct, and to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

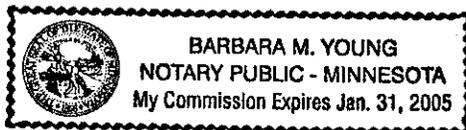
William M. Tuttle

SUBSCRIBED and SWORN to
before me this 22nd day of 2002.

My Commission expires: 1-31-2005

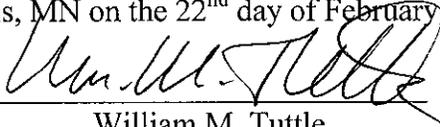
Barbara M. Young
Notary Public

Seal:



CERTIFICATE OF SERVICE

I, William M. Tuttle certify that on behalf of Soo Line Railroad Company, d/b/a Canadian Pacific Railway, I served the foregoing Petition upon the Respondent by enclosing a copy of the Petition in envelopes addressed to the Respondent as set forth below, postage prepaid, and depositing the envelopes in the United States Mail at 501 Marquette Avenue South, Minneapolis, MN on the 22nd day of February, 2002.


William M. Tuttle

Kenneth J. Fritz
Village Manager
Village of Schaumburg
101 Schaumburg Court
Schaumburg, IL 60193-1899

and

Leanne Redden
Director, Transportation Department
Village of Schaumburg
101 Schaumburg Court
Schaumburg, IL 60193-1899

EXHIBIT A

Architectural Site Plan

ATTACHMENT/EXHIBIT

**ITEM TOO LARGE TO SCAN
COPY AVAILABLE FROM FORMAL FILE**

EXHIBIT C

Traffic Count

WRIGHT BLVD. - SOUTH OF FRONTAGE RD.
24 HOUR PERIOD

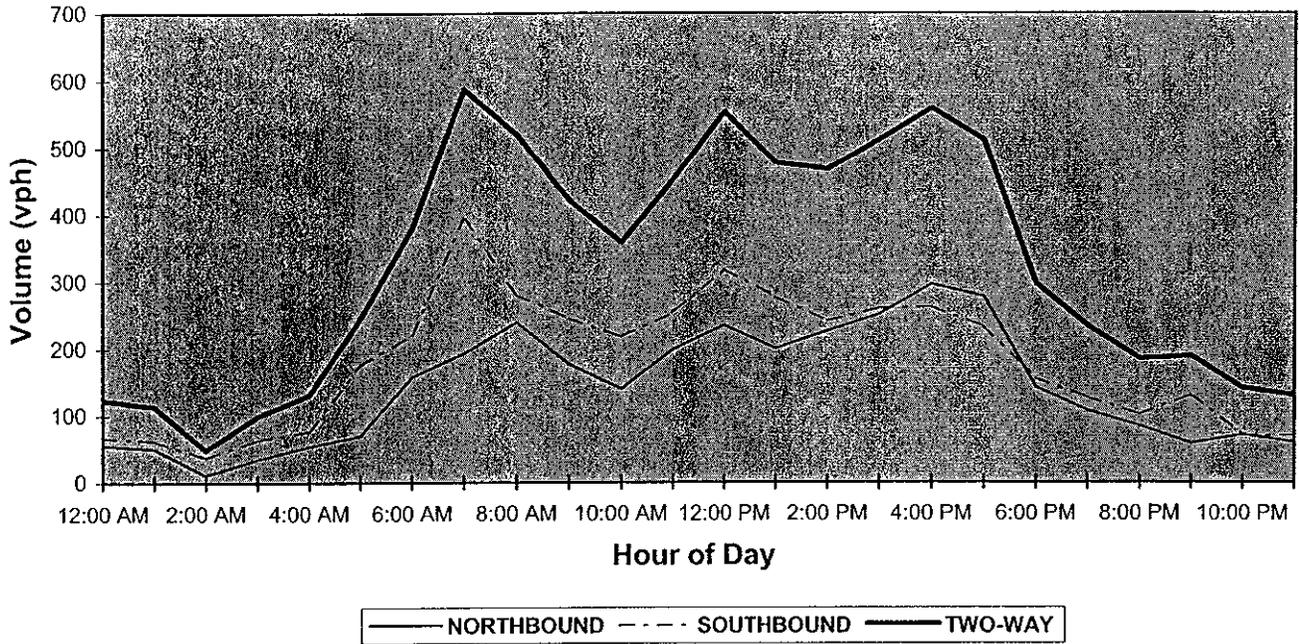


FIGURE 1

(847) 427-1550

SUMMARY OF MECHANICAL TRAFFIC COUNTS (ROAD TUBES)

PROJECT:
STREET: WRIGHT BLVD.
LOCATION: SOUTH OF FRONTAGE RD.
DIRECTION: NORTHBOUND
CITY: SCHAUMBURG, IL

TIME:	SUNDAY 4/29/01	MONDAY 4/30/01	TUESDAY 5/1/01	WEDNESDAY 5/2/01	THURSDAY 5/3/01	FRIDAY 5/4/01	SATURDAY 5/5/01
12:00-1:00AM				56	41		
1:00-2:00AM				51	42		
2:00-3:00AM				11	14		
3:00-4:00AM				35	29		
4:00-5:00AM				54	51		
5:00-6:00AM				70	71		
6:00-7:00AM				158	177		
7:00-8:00AM				193	183		
8:00-9:00AM				239	218		
9:00-10:00AM				177	166		
10:00-11:00AM				140	203		
11:00-12:00NN				199	193		
12:00-1:00PM				235	253		
1:00-2:00PM				200	191		
2:00-3:00PM				226	205		
3:00-4:00PM				251	221		
4:00-5:00PM				296	293		
5:00-6:00PM				278	259		
6:00-7:00PM				142	164		
7:00-8:00PM				107	77		
8:00-9:00PM				84	65		
9:00-10:00PM				58	93		
10:00-11:00PM				71	83		
11:00PM-12:00AM				60	42		
TOTAL:				3391	3334		

SUMMARY OF MECHANICAL TRAFFIC COUNTS (ROAD TUBES)

PROJECT: 0
STREET: WRIGHT BLVD.
LOCATION: SOUTH OF FRONTAGE RD.
DIRECTION: SOUTHBOUND
CITY: SCHAUMBURG, IL

TIME:	SUNDAY 4/29/01	MONDAY 4/30/01	TUESDAY 5/1/01	WEDNESDAY 5/2/01	THURSDAY 5/3/01	FRIDAY 5/4/01	SATURDAY 5/5/01
12:00-1:00AM				41	68		
1:00-2:00AM				58	63		
2:00-3:00AM				49	38		
3:00-4:00AM				60	64		
4:00-5:00AM				84	77		
5:00-6:00AM				135	175		
6:00-7:00AM				230	221		
7:00-8:00AM				364	394		
8:00-9:00AM				335	281		
9:00-10:00AM				178	245		
10:00-11:00AM				243	218		
11:00-12:00NN				241	253		
12:00-1:00PM				277	318		
1:00-2:00PM				267	277		
2:00-3:00PM				221	241		
3:00-4:00PM				245	260		
4:00-5:00PM				231	262		
5:00-6:00PM				192	233		
6:00-7:00PM				173	155		
7:00-8:00PM				103	127		
8:00-9:00PM				84	101		
9:00-10:00PM				99	131		
10:00-11:00PM				68	70		
11:00PM-12:00AM				100	70		
TOTAL:				4078	4342		

SUMMARY OF MECHANICAL TRAFFIC COUNTS (ROAD TUBES)

PROJECT: 0
STREET: WRIGHT BLVD.
LOCATION: SOUTH OF FRONTAGE RD.
DIRECTION: TWO-WAY TRAFFIC
CITY: SCHAUMBURG, IL

TIME:	SUNDAY 4/29/01	MONDAY 4/30/01	TUESDAY 5/1/01	WEDNESDAY 5/2/01	THURSDAY 5/3/01	FRIDAY 5/4/01	SATURDAY 5/5/01
12:00-1:00AM				97	109		
1:00-2:00AM				109	105		
2:00-3:00AM				60	52		
3:00-4:00AM				95	93		
4:00-5:00AM				138	128		
5:00-6:00AM				205	246		
6:00-7:00AM				388	398		
7:00-8:00AM				557	577		
8:00-9:00AM				574	499		
9:00-10:00AM				355	411		
10:00-11:00AM				383	421		
11:00-12:00NN				440	446		
12:00-1:00PM				512	571		
1:00-2:00PM				467	468		
2:00-3:00PM				447	446		
3:00-4:00PM				496	481		
4:00-5:00PM				527	555		
5:00-6:00PM				470	492		
6:00-7:00PM				315	319		
7:00-8:00PM				210	204		
8:00-9:00PM				168	166		
9:00-10:00PM				157	224		
10:00-11:00PM				139	153		
11:00PM-12:00AM				160	112		
TOTAL:				7469	7676		