

**COPY**

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

**RECEIVED**  
JAN 14 2003

Illinois Commerce Commission  
RAIL SAFETY SECTION

**CITY OF ROCK ISLAND, ILLINOIS, )  
a municipal corporation, )**

**Petitioners, )**

**v. )**

**NO.: T 02 0114**

**THE BURLINGTON NORTHERN AND )  
SANTA FE RAILWAY COMPANY )  
a/k/a BURLINGTON NORTHERN )  
RAILROAD COMPANY, )**

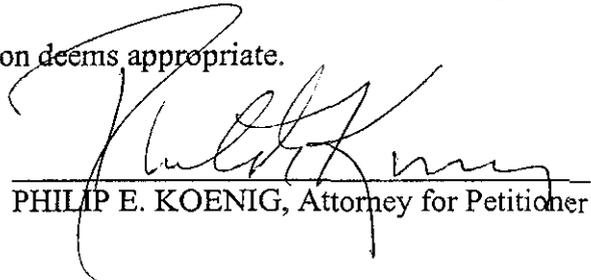
**Respondent. )**

**MOTION TO CONTINUE HEARING**

NOW COMES the CITY OF ROCK ISLAND, ILLINOIS by its counsel, Philip E. Koenig,  
and for its Motion to Continue, states:

1. The above-captioned matter is set for hearing on January 22, 2003, at 10:00 a.m. in Springfield, Illinois.
2. The undersigned is scheduled for oral argument in the 7<sup>th</sup> Circuit Court of Appeals in Chicago on the same day, at 10:30 a.m.

WHEREFORE, Petitioner moves this Court to continue the hearing in the above-captioned cause to a date in February, 2003, as this Commission deems appropriate.



PHILIP E. KOENIG, Attorney for Petitioner

Philip E. Koenig  
KONECKY, KOENIG, KUTSUNIS AND WENG  
Attorneys at Law  
1515 - 4th Avenue; Suite 301  
Rock Island, IL 61201  
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**DOCKETED**

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

CITY OF ROCK ISLAND, ILLINOIS, )  
a municipal corporation, )

Petitioners, )

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NO.: T 02 0114

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RAILROAD COMPANY, )

Respondent. )

PROOF OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing **Motion for Leave to File Response Instanter, Response to Respondent's Motion, Motion for Leave to Amend Petition and Motion to Continue Hearing** was served upon the following parties at the addresses shown below by enclosing the same in an envelope addressed to each such person, with postage fully paid and by depositing said envelope in the United States Post Office depository in Rock Island, Illinois, on the 8<sup>th</sup> day of January, 2003.

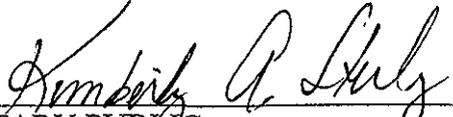
Illinois Commerce Commission  
Attn: Kevin Sharp  
Director of Processing  
527 East Capitol Avenue  
P. O. Box 19280  
Springfield, IL 52794-9280

Mr. Henry Humphries  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701

Michael L. Sazdanoff  
Kenneth J. Wysoglad & Associates  
The Burlington Northern and Santa Fe  
Railway Company  
118 S. Clinton Street; Suite 700  
Chicago, IL 60661

  
\_\_\_\_\_  
PHILIP E. KOENIG, Attorney for Petitioner

SUBSCRIBED AND SWORN to before me this 8 day of January, 2003.

  
\_\_\_\_\_  
NOTARY PUBLIC



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