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July 27, 2000

Norfolk Southern Railway Company,
Petitioner,

v.

Illinois Department of Transportation, and Edwards County Road
District No. 6,
Respondents.

T00-0015

Petition to permit closing of a certain existing railroad crossing in
Edwards County, Illinois, To Wit: TR 185 (MP 130.52; DOT
#724696V); to construct an access road; and to install automatic
flashing light signals and gates with constant warning circuitry at
a certain existing railroad crossing in Edwards County, Illinois, To
Wit: TR 18 (MP 129.94; DOT #724699R).

STAFF RECOMMENDATION

After review of the testimony and exhibits entered in this matter, and in view of the letters in support of the project from the Edwards County Road District No. 6 Commissioner ("Road District") and the Edwards County Engineer, submitted as Petitioner's Group Exhibit No. 12, staff is of the opinion that the following improvements be made at the TR 18, TR 36, and TR 185 crossings with the track of the Norfolk Southern Railway Company ("NS"), near Ellery in Edwards County, Illinois.

Staff recommends that the TR 185 crossing be closed, abolished and barricaded to vehicular traffic, with the barricades being a type 3 barricade as described in the Manual on Uniform Traffic Control Devices. The NS should install and thereafter maintain the barricades at TR 185. The NS should also bear any other cost associated with the closure of the TR 185 crossing.

Staff is in agreement that automatic flashing light signals and gates should be installed at the TR 18 crossing. The evidence in this case shows that TR 36 "dead ends" south of the railroad tracks and the only vehicular traffic using the TR 36 crossing will be local residents. However, after review of the number and speed of train traffic in the vicinity of the crossings (21 trains per day at a maximum speed of 50 mph) and that school buses will use the TR 36 crossing in the upcoming school year, staff is of the opinion that public safety requires that automatic flashing light signals and gates also be installed at the TR 36 crossing. Since no estimate of cost was provide for the TR 36 crossing, staff has utilized the estimate of cost provided for the TR 18 crossing as an estimate for the TR 36 crossing. It appears from Petitioner's Group Exhibits No.'s 6 and 7, the existing crossing surfaces are in violation of the requirements of 92 Ill. Adm.

DOCKETED

Code 203. The TR 36 crossing surface shows signs of loose ties under the crossing as evidenced by the pop out holes adjacent to the field timbers. This condition does not exist at the TR 18 crossing. The railroad should be required to install a new crossing surface of sufficient length to cover the roadway and any usable shoulder area of the roadway at the TR 36 crossing. The existing crossing surface at the TR 18 crossing is not of sufficient length to cover the usable shoulder area of the roadway. The railroad should be given the option of renewing the existing crossing surface or extending the exiting surface by one panel on each end of the crossing. The Road District will ensure that advance warning signs are properly posted at the TR 18 and TR 36 crossings.

Staff further recommends that the proposed connecting road between TR 36 and TR 185 be constructed in the location and in the manner as substantially shown in Petitioner's Group Exhibit No. 11. Based upon past Commission practice, the Order in this matter must contain a provision that the TR 185 crossing cannot be closed, abolished, or barricaded until such time as the warning devices as proposed for the TR 18 and TR 36 crossings and the connecting road between TR 185 and TR 36 are completed and in service.

Staff recommends that the cost for the aforementioned improvements be divided in the following manner:

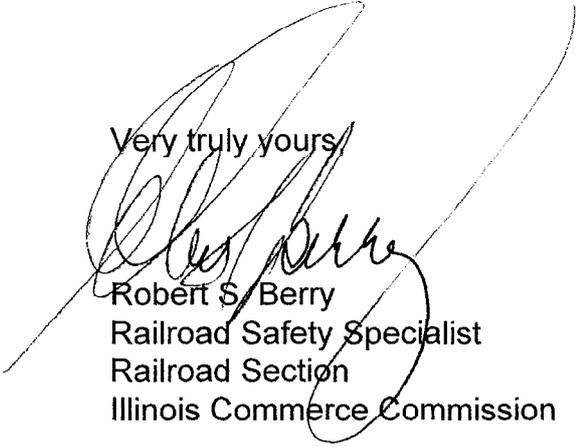
Improvement	Estimated Cost	GCPF	NS	Edwards County Road Dist. No. 6
Install AFLS and gates at TR 18	\$117,000	95%* (\$111,150)	Remainder	--
Install new crossing at TR 18 (if required)	No estimate	--	100%	--
Install AFLS and gates at TR 36	\$117,000	90% (\$111,150)	10% (\$11,700)	--
Install new crossing at TR 36 (if required)	No estimate	--	100%	--
Close Abolish and barricade TR 185	\$5,200	--	100% (\$5,200)	--
Construct TR 36-TR 185 connecting road	\$66,000	50%* (\$33,000)	50% (\$33,000)	**
Install & maintain advance warning signs at TR 18 and TR 36.	No estimate	--	--	100%***
Total	\$305,200	\$255,300	\$49,900	**

- * the amounts to be paid by the Fund shall not exceed \$111,150, \$111,150 and \$33,000 for the warning device installations at TR 18 and TR 36 and the construction of the connecting road between TR 36 and TR 185, respectively; all remaining warning device installation cost, any cost associated with the replacement and maintenance of a new crossing surface at TR 18, and the cost to maintain the rights-of-way at the TR 18 and TR 36 crossing should be borne by the NS;
- ** Edwards County Road District No. 6 should bear any cost for the connecting road whereby 100% thereof exceeds \$66,000 and all cost of future maintenance of the new connecting road after construction.
- *** any cost associated with the installation and maintenance of the advance warning signs required at the TR 18 and TR 36 crossings should be borne by the Road District.

Staff further recommends that the railroad maintain its right-of-way at the TR 36 and TR 18 crossings for a distance of 500' each direction down the track whereby no trees, shrubs, or brush will be allowed to materially obscure a motorist view of an approaching train as required by the Commission's 92 Ill. Adm. Code 1535.205.

Responses to **Staff's Recommendation** are to be submitted to the Director of Processing, Transportation Division of the Commission, within ten working days from the date of mailing of this recommendation.

Very truly yours,



Robert S. Berry
Railroad Safety Specialist
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cc:

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