

Docket No.: T04-0071
Bench Date: July 24, 2024
Deadline: N/A

MEMORANDUM

TO: The Commission

FROM: Timothy Duggan, Administrative Law Judge

DATE: June 26, 2024

SUBJECT: City of Rochelle, an Illinois municipal corporation, Petitioner,
v.
Ogle County, Illinois; Illinois Department of Transportation; The Illinois State
Toll Highway Authority; Union Pacific Railroad Company; and The Burlington
Northern and Santa Fe Railway Company. Respondents.

Petition for an Order authorizing three (3) new at grade crossings of the City of Rochelle Streets and one (1) new at grade crossing of Ogle County Highway 17 (Steward Road), an Ogle County highway, with a track belonging to the City of Rochelle, Illinois, and directing the installation of crossing protection.

RECOMMENDATION: Enter Supplemental Order modifying at-grade crossing signage and flagging requirements of prior Order.

On December 14, 2018, the City of Rochelle filed a Petition to Reopen and Issue a Supplemental Order modifying the at-grade crossing signage and flagger requirements set by a 2005 Order which authorized extension of a track across the roadways. The changes were requested based on the experiences and practicalities of operating on the track since the 2005 Order. Due to the proximity of two of the new at-grade crossings to each other and the proximity of the roadway to the track, it was not practical to install automatic flashing lights and gates at those two crossings. Rather, passive reflective signage was ordered along with a requirement for flaggers at the crossings. Passive signage and flagging were also deemed sufficient for a third at-grade crossing as it was anticipated that crossing would be only minimally utilized.

The City owns the track and is the rail carrier. The City track connects with BNSF and UP tracks. Hearing was held June 26, 2024.

All parties and Staff are in agreement with the modifications.

I recommend entry of the attached Order granting the requested modifications.