Docket

Case No: 9164-RX-682		OCR CY Sch:		DOT FY Sch: <u>2011?</u>
Town/City/Village: Town	of S	TOCKTON	County: POF	RTAGE
Street/Highway: Old Hig				Close Crossing
Petitioner(s): Railroad		*	Date Filed:	09/04/2007
Signal Install Date(s):	·			
Proposed Date:				
Order Date(s):	•		Closed Date:	
Signal Plan Approved Da				
Move COD And	Hearing		M-dehreasonce:	NO-MEMBER MARKET STATE OF THE S
Next Outside Action:		Anderson (Angeles)		
DOT Project #:	***************************************	DOT Project #2:	F	Reuse?:
Current Order Summarv	:		A CONTROL OF THE PROPERTY OF T	

Docket_De	tail
Date	Detail
09/04/2007	Study from Docket 9164-RX-634 Transferred to this Docket; RX-634 Closed
09/12/2007	NOTICE OF INVESTIGATION AND HEARING (12-04-07 at 6:30 p.m. at Stockton Town Hall, 7252 6th St., Custer-DW and continuing if necessary 12-05-07 at 9:30 a.m.) AND ASSESSMENT OF COSTS
11/15/2007	Rec'd PETITION from Town of Stockton For Order Allowing Existing Crossing to Remain Open, or Alternatively Directing Alteration of Said X'g
11/19/2007	NOTICE OF POSTPONEMENT (New Hearing Date To Be Set by Separate Notice)
12/13/2007	NOTICE OF INVESTIGATION AND RESCHEDULED HEARING (2-13-08 at 6:30 pm cont if necessary 2-14-08 at 9:30 am at Stockton Town Hall, 7252 6th St., CusterDW) AND ASSESSMENT OF COSTS
01/31/2008	Sent to Mail List NOTICE OF ADMISSION AS A PARTY Atty Patricia Cal Baker, Stevens Point, representing Heartland Bike & Nordic Ski Club

Docket_	Crossin	g
DOT-AAR	NO & LT	STREET
692-521	Α	Smokey Road
692-529	E	Old Highway 18

Docket

02/11/2008	NOTICE OF POSTPONEMENT (of 2-13/14 Hearing); Fax from WCL Requesting Coninuation to Explore Negotiations between parties)
02/13/2008	To File: E-mail from Jack Friess Objecting to Postponement at Late Date
03/28/2008	Letter from WCL/Healey: Town voted to Reject WCL's Proposal; Matter Should be Reset for Hearing
05/09/2008	Heartland Bike & Nordic Ski Club Letter Supporting Town's Proposal to Hold Separate Hearings on the 2 Xg's (from their Atty Brian Formella)
05/16/2008	Rec'd NOTICE OF RETAINER: Atty Brian Formella Retained by Heartland Bike & Nordic Ski Club to Represent them in this proceeding
10/24/2008	DOT tentatively scheduling Old Highway 18 for 2011.

Office of the Commissioner of RailRaod	S	
Crossing		
DOT-AAR NO: 692-521 A Wi	s RR No <u>CM</u> 239.6 (Line) (MP) (Spur)	
Railroad: WCL Ty	rpe: RR Over Active Yes	
LOCATION		
Street/Hwy: SMOKEY RD	ADT: ? Hwy Bea	aring: Horn: No
	wn of STOCKTON Cou	
Location: NE 1/4 of Sec 3, T23I		
PROTECTIVE DEVICE		
Flashing Lights	Other	
Mast Mount 8": Mast Mo	unt 12": Gates: WW:	
Cantilevered 8" Cantilev	ered 12 Bell: HSS:	
Preempt: No	Exempt: No	
Crossing_Remarks		
Date Case	Detail	
01/01/1900	1400' EAST. TO BE COMPLETED ON O BEFORE 6/30/38	R 692-521
09/23/1937 2-R-679	2-R-679 AUTH CONST OF THIS SUBWATHE CLOSING OF A SUBWAY ABOUT EAST.	
06/30/1938	COMPLETE	692-521

Office of the Commissi	oner of RailRaods	**********************			~~~~		***************************************
Crossing							
DOT-AAR NO: 692	-529 E Wis RI		l 24 ne) (MP)	14.3 (Spur)			
Railroad: WCL	Туре:	At Grade	2 Ac	` ' '	•		
LOCATION							****
Street/Hwy: OLD	HWY 18 RD	*********************	ADT: _0	0310	Hwy Bearir	ng:	Horn: No
							AGE
	Sec 31, T24N, R			Fracks 1 M			
PROTECTIVE DEV	ICE						
Fla	shing Lights			(Other		
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Cantilevered 8"	Cantilevered	1 12	Ве			2	
	No		Ex	empt: <u>No</u>			
					·	-	
Crossing_Accid	dent						
Date Tim	e T/V 1	Dir 1	T/V 2	Dir 2	KL INJ	Lt	Wthr
11/04/2001 8:54 PI	M Frttr	S	Auto	S	1	Dark	Clear
Own WCL	Op:						
Remarks: VEH	ICLE STOPPED A	AT CROS	SING AND T	THEN CRO	SSED IN F	RONT	OF TRAIN
05/07/1998 3:53 AM	Л Frttr	W	Auto	N		Dark	Rain
Own WCL	Op:						
Remarks: ABA	NDONED VEHICL	E.					
01/10/1976 9:30 AM	/ Frttr	N	Auto	N			
Own WCL	Op:						

Remarks: SNOW COVERED

(for 9164-1x-082 file info)

This is a printer friendly version of an article from the Stevens Point Journal

Back

Railroad debate heats up

Advertisement

By Patrick Thornton

Journal staff January 14, 2008

The town of Stockton invested up to \$5,000 to hire a consultant to help convince the state railroad commissioner to keep two railroad crossings open.

At a Feb. 13 hearing, Canadian National Railroad will petition the state to close the Old Highway 18 and the Smokey Road crossings. The railroad cites safety concerns at both intersections.

A group of residents and the town board say the impact of the closures would be crippling to farmers and businesses and force more traffic onto already crowded highways.

"The burden of proof is on the railroad," said Jack Friess, a member of the impromptu Highway 18 Defense Team. "We hope to show (the railroad commissioner) that there will be no improvement with these crossings."

Friess is an avid biker and said the Old 18 crossing is a popular spot in the summer time.

"There are tractors, bikers and emergency vehicles that are going to be put out onto the highway (if the crossing is closed). The response time for ambulances and fire trucks is going to increase," he said.

The town did a count of the traffic at the Old 18 crossing, and found an average of about 355 daily.

Sue Sopa, owner of the Smokey Spur Bar & Grill, said closing the Smokey Road crossing would be a big hit to her business.

"The restaurant has been here so long, it will be hard to give people another set of directions," she said. "People would have to start taking so many turns; it's not easy. They're going to go someplace else that's easier to find."

Town chairman Mike Bronk said the investment in saving the crossings is worth the money spent on a consultant.

"It's still going to cost the town a ton of money, but we need to do it," Bronk said of the upgrades.

The state Department of Transportation contacted the town in 2003 about a possible grant for the safety upgrades. The money would have covered 90 percent of the cost for flashing lights and gates. The town board didn't apply for the grant.

"It's frustrating the former board did not take advantage of that grant," Bronk said.

01-17-08 * 012 Hy 18 V Users type I the D

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November 13, 2007

Date of Photography: April , 2005

BURBANK RD

WisDOT Procedure for Benefit-Cost Analysis of Rail-Highway Crossing Safety Improvements NOTE: Data items in Italics are supplemental project evaluation factors not used directly in the WisDOT benefit cost analysis

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6.34	\$1,396,431	\$1,657,827	\$261,396	\$1,657,827	5 5	\$1,007,827			\$13,815	Passive to Barrier Gate
7.14 = 2	\$1,188,135	\$1,381,522	\$193,388	\$1,381,522	÷ 6	\$1,361,322			\$69.076	Passive to FLG with Enhancements
6.65	\$894,972	\$1,053,411	\$158,439	\$1,053,411	÷ 5	\$1,053,411			\$345,381	Passive to Flashing Lights/Gates
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Train/Rallroad Data (Cont.)	roicasa	TRAIT CHIRT	-	TANT (20 man)	Position Vo		Day Switch Trains				Count
rocedure for Benefit-Cost Analysis of Rail-Hi		Till Rev Value		Information (cont.)	ad Traffic Volume	5	iroad Data (Cont. oht Through Trains	Ni.			Transportation Region
rocedure for Benefit-Cost Analysis of Rail-Hi			•				5	1	AM	e: 10/25/07 10:57	Descriptive In
wiscol Procedure for Benefit-Cost Analysis of Rail-Highway Crossing Safety Improvements			ost analysis	he WisDOT benefit c	not used directly in t	x evaluation factors	upplemental projec	items in italics are su	NOTE: Data		Data Innut
							provements	ossing Safety Im	-Highway Cr.	Analysis of Rail-	Wiscol Procedure for Benefit-Cost

WisDOT Procedure for Benefit-Cost Analysis of Rail-Highway Crossing Safety Improvements

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Train/Challipsad Data (Corth.) Read Trainic (100) New York (1783) New Process	Descriptive Information Description Descriptive Information De											ternative	Closure atternative
Description Information	Describble Information Courty Portuge Community Stevens Point Fortuge Courty Portuge Courty Portuge Courty Portuge Courty Portuge Courty Portuge Courty Portuge Point Highway 18 rd Main Line Tracks: 0.00 Design Year Special Scand Highway 18 rd Main Line Tracks: 0.00 Design Year Special Scand Highway 18 rd Main Line Tracks: 0.00 Design Year Special Scand Highway 18 rd Main Line Tracks: 0.00 Design Year Special Scand Highway 18 rd Main Line Tracks: 0.00 Point Tracks: 0.00	•	\$1,396,431 \$1,163,345	\$1,657,827 \$1,713,088	\$261,396 \$549,743	\$1,657,827 \$1,713,088	\$ 6	\$1,713,088			\$13,815	o Barrier Gate o Grade Sep.	Passive to
Light Region: No. County: Pertage	Run Date: 10/25/07 10:57 AM Tight/Refreshed Date (1976) Road Treffic Volume I Run Information. Road Treffic Volume I		\$1,188,135	\$1,381,522	\$193,388	\$1,381,522	\$ 60	\$1,381,522			\$345,381 \$69,076	o FLG with Enhancements	Passive t
Train/Reinzed Data (Cont.) Road Traiffic Volume	Train/Relinade 10/25/07 10:57 AM Train/Relinade December Province		\$894.972	\$1,053,411	\$158,439	\$1,053,411	\$0	\$1,053,411			\$673,492	o Flashing Lights	Passive t
Inced Data (Cont.) Road Traffic Volume Ight Through Trains: 10.00 Design Year Other Tracks: 1 Spe # Other Tracks: 1 Spe # Other Tracks: 30.0 Projected Traffic Wolumes # of Road Lanes: 2 Base Year + 10: Base Year + 20: Base Year + 20: Base Year + 20: Base Year + 30: Percent Trucks: 4.0 Base Year + 20: Base Year + 40: Base Year + 30: Percent Trucks: 30.53 degrees General Paramet Paramet Paramet Game Information ours (6 AM-6 PM): 75.1% Clearing Sight Distances Clearing Sight Distances PV of Avoided Train Crash Benefits PV of Total Benefits Benefits (PVB) \$3,386,187 \$0 \$3,386,347 \$0 \$3,456,347	Ilipad Data (Cont.) Road Traffic Volume I Ight Through Trains: 10.00 Design Year	8 1	le Separation:	ayment for Grad	Maximum P			The same of the sa	story in Calculation	o II. Crash fils	\$1,726,903	assive	Retain Pa
Descriptive Information No.	Descriptive Information Project of Indiffic Volume	<u> </u>	\$3,426,347		\$30,000	\$3,456,347	\$0	\$3,456,347	\$0	\$0	\$0	f the B-C Analysis - GradeDec 2000	Results of
Describive Information Train/Relinad Data (Cont.) Trainportation Region: NC County: Pertage Day Smich Through Thenics: 0.00 Design Year	It		\$2,836,444	\$2,836,444	\$549,743	\$3,386,187	4	\$3,380,187	\$60,C13\$		4.0		
Train/Railroad Data (Cont.) Road Traffic Volume	Run Date: 10/25/07 10:57 AM		\$2,844,151	\$2,844,151	\$261,396	\$3,105,546	\$	\$3,105,546	\$494,294		\$70,160	ates	Barrier G
Train/Railroad Data (Cont.) Road Traffic Volume	Run Date: 10/25/07 10:57 AM		\$2,211,400	\$2,211,400	\$193,388	\$2,404,787	\$0	\$2,404,787	\$1,195,053		9750,000 900,100,000	d Flashing Lights and Gates	Enhance
Descrizible Information. TrainSportation Region: NC County, Portage Community: Stevens Point Highway: Stevens Poi	Run Date: 10/25/07 10:57 AM Descriptive Information. Trainsportation Region: NC County, Portage Community: Stevens Point Highway: Breat: Old Highway 18 Rd Railroad: CN Highway: Railroad: Railroad: CN Highway: Railroad:		\$1,812,598	\$1,812,598	\$158,439	\$1,971,037	\$0	\$1,971,037	\$1,628,803		\$1,485,310	Lights and Gates	Flashing
Train/Relinoad Data (Cont.) Road Traffic Volume	Run Dete: 10/25/07 10:57 AM Train/Rail/oed Data (Cont.) Road Irraffic Volume Insporation Region: NC							And the second s	\$3,599,840		\$3,456,347	Lights	Flashing
International	ate: 10/25/07 10:57 AM Train/Relifroed Data (Cont.) Road Traffic Volume I (on. NC Nc)	Ratio PVB/PVC	Benefits)	Grade Options	(PVC)	Benefits (PVB)	Benefits	Benefits	Costs	T	Costs	se - Passive Davice	Base Ca
County: Portage County: Po	Run Date: 10/25/07 10:57 AM Train/Railroad Data (Cont.) Road Traffic Volume In County: Portage Day Switch Trains: 10:00 Design Year		Benefit (PVB -	NPV for Safety	Facility Costs	PV of Total	Operating Cost	Train Crash	Non-Train Crash	Train Crash	PV Train Crash	Twenty Crossing Improved the Auto-	RaiLHio
County: Portage County: Po	Run Date: 10/25/07 10:57 AM Train/Reiroad Data (Cont.) County: Portage Community: Stevens Point Highway: Crash Data # of Noad Lances: 2 # of Road Lances:		Net Present		<u>!</u>		PV of Avoided	BV of Avoided	PV of Total Train &	PV of Non-			
County: Portage County: Po	Run Date: 10/25/07 10:57 AM Train/Relifroed Date (Cont.) ansportation Region: NC County: Portage Community: Stevens Point Highway: Street: Old Highway 18 Rd Railingad: CN Relifroed: CN Religion Trains: 0.00 Railingad: CN Religion Trains: 0.00 Railing Warning Device: PASSIVE Deseld Improvement: FLASHING LTS/CATES Reside Funding Year: Reside Fu										N.S.	2°0 (
Train/Railroad Data (Cont.) Road Traffic Volume Information Road Informat	Descriptive Information Train/Reilroad Data (Cont.) Road Traffic Volume Information Train/Reilroad Data (Cont.) Road Traffic Volume Information Region: NC Night Through Trains: 0.00 Design Year										15.00	Day Through Trains:	
Item	Descriptive Information Country Portage Community Stevens Point Highway 18 Rd Country Portage Community Stevens Point Highway 18 Rd Costs for FLG wtb \$1,000 Costs										\$30,000	Cost of Closure:	
Train/Relitoad Data (Cont.) Roed Traffic Volume In the North Point Night Through Trains: 10.00 Design Year Stevens Point Night Switch Trains: 0.00 Design Year Old Highway 18 Rd	Descriptive Information Train/Relimosd Data (Cont.) Road Traffic Volume						Actual		Actual A	Quadrant		Cost of Grade Separation:	
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Train/Reilroad Data (Cont.) Road Traffic Volume	Descriptive Information Trainive Date 10/25/07 10:57 AM Trainive Date Cont. Trainive Date Cont. Night Through Trainis: 10.00 Design Yet										1.15	Multiplier for FLG w/ Ehn. M & O Costs:	-
Train/Reilroad Data (Cont.) Road Traffic Volume	Descriptive Information Descriptive Information Descriptive Information Descriptive Information County: Portage County: Portage County: Portage Community: Stevens Point Highway: Stevens Point Highway: Stevens Point Highway: # of Main Line Tracks: 1 Specific Volume Information Device: Portage Descriptive Proposed Improvement: PLASHING LTS./GATES Maximum Typical Speed: 50.0 Projected Traffic Proposed Improvement: PLASHING LTS./GATES # of Road Lanes: 2 Base Year: 10: Cost/Effectiveness Data WisDOT Project ID #: # of Road Lanes: 2 Base Year: 10: Cost/Effectiveness Data Urban Rural (U=Urban, R=Rural): Requested Funding Year: Peved Road (1=Yes, 2=No): 1 Base Year: 20: Annual M & O Costs for FL WD: \$1,300 Prosent Value - Avoided Delay/Operating Cost: 1 Base Year: 4.0 Base Year: 5.0 Base Year: 4.0 Base Year: 5.0 Base Yea				90000000		USV	VON	Approach		\$200,000	Initial Cost for Enhanced FLG:	
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Train/Railroad Data (Cont.) Road Traffic Volume Information (cont.) WisDOT	Run Date: 10/25/07 10:57 AM Descriptive Information Train/Reilroad Data (Cont.) Night Through Trains: 10.00 Most recent AADT: 763 Traffic Year AADT (20 years): 2007		_		2007	Base Year + 10:		ad (1=Yes, 2=No):	Paved Ro	!		Requested Funding Year	
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NC Train/Reilroad Data (Cont.) Road Traffic Volume Information (cont.) WisDoT	Run Date: 10/25/07 10:57 AM Descriptive Information County: Portage County: Portage County: Stevens Point Highway: Street: Old Highway 18 Rd Crossing #: 692529E 244.30 Maximum Typical Speed: 50.0 Minimum Turkled Speed: 50.0 Minimum Turkled Speed: 50.0 Minimum Turkled Speed: 50.0 Minimum Turkled Speed: 50.0 Traffic Multiplier: 1.000 Minimum Turkled Speed: 50.0 Minimum Turkled Speed: 50.0 Traffic Multiplier: 1.000 2057 Traffic Multiplier				1	Projected Framc		hway/Crash Data	<u> </u>	ATES		Proposed Improvement	
Train/Reilroad Data (Cont.) Road Traffic Volume Information (cont.)	Run Date: 10/25/07 10:57 AM Descriptive Information		205		Traffic Multiplier:			um Typical Speed:	Minim			Existing Warning Device	
NC Train/Reilroad Data (Cont.) Night Through Trains: 10.00 Portage Portage Day Switch Trains: 0.00 Stevens Point Night Switch Trains: 0.00 Night Switch Trains: 0.00 Stevens Point Night Switch Trains: 0.00 Pesign Year AADT (20 years): 2007 Design Year Design Year 2017 Old Highway 18 Rd # Other Tracks: 0 Additive Traffic: 2037	Run Date: 10/25/07 10:57 AM Descriptive Information	<u>17</u>	204		ar of Additive Traffic:	Yee	60.0	Imetable Speed:	waximun	244 30		Crossing #	
NC Train/Reilroad Data (Cont.) Night Through Trains: 10.00 Portage Day Switch Trains: 0.00 Stevens Point # of Main Line Tracks: 1 Road Traffic Volume Information (cont.) Most recent AADT: 763 Most recent AADT: 763 Traffic Year AADT (20 years): 2007 Design Year Posign Year Specified Growth Rate: 2.67% 2027	Run Date: 10/25/07 10:57 AM Descriptive Information Train/Reilroad Data (Cont.) Transportation Region: NC County: Portage Community: Stevens Point Night Switch Trains: 0.00	7	203		Additive Traffic:		-	# Other Tracks:	•			Raimer	
NC Train/Reilroad Data (Cont.) Night Through Trains: 10.00 Portage Day Switch Trains: 0.00 Stevens Point Night Switch Trains: 0.00 Road Traffic Volume Information (cont.) Most recent AADT: 763 Traffic Year 2007 Design Year AADT (20 years): 2007	Run Date: 10/25/07 10:57 AM Descriptive Information Train/Reilroad Data (Cont.) Transportation Region: NC County: Portage Community: Stevens Point Night Switch Trains: 0.00	7	202		ecified Growth Rate:	န		Main Line Tracks:	#0			Highwa	
NC Night Through Trains: 10.00 Portage Neg Switch Trains: 0.00 Nost recent AADT: 763 Portage Neg Switch Trains: 0.00 Nost recent AADT: 763 Nost recent AADT: 763 Traffic Year Portage	Run Date: 10/25/07 10:57 AM Descriptive Information Train/Reilroad Data (Cont.) Road Traffic Volume Information (cont.)	7	201		Design Year			light Switch Trains:	7			Communit	
Train/Reilroad Data (Cont.) Night Through Trains: 10.00 Road Traffic Volume Information (cont.) Most recent AADT: 763 Traffic Year	Run Date: 10/25/07 10:57 AM Pescriptive Information Train/Reilroad Data (Cont.) Transportation Region: NC Night Through Trains: 10.00 Nost recent AADT: 763 Traffic Year	7	200		er AADT (20 vears):	Design Ye		Day Switch Trains:			y: Portage	Count	
Train/Railmad Date (Cont.)	Run Date: 10/25/07 10:57 AM Train/Ballmed Date (Cont.) Descriptive Information Train/Ballmed Date (Cont.)		Traffic Yes	•	Most recent AADT:	ad Irailic Volume	10.00	the Through Trains:	N _i		NC	Transportation Region	
	Run Date: 10/25/07 10:57 AA							med Data (Cont.)	Train/Rail		P	Descriptive Information	

Retain Passive Passive to Flashing Lights Passive to Flashing Lights/Gates Passive to FLG with Enhancements Passive to Barrier Gate Passive to Grade Sep. Closure alternative	Flashing Lights and Gates Enhanced Flashing Lights and Gates Enhanced Flashing Lights and Gates Enhanced Flashing Lights and Gates S350,800 Barrier Gates \$70,160 Crossing Closure \$0 Results of the B-C Analysis - GradeDec 2000 Procedure - Uses 5	Rasi Case Descing Improvement Action	WisDOT Procedure for Benefit-Cost Analysis of Rail-Highway Crossing Safety Improvements NOTE: Data items in talks are supplemental property of the Indian Region: Run Date: 10/25/07 10:57 AM Descriptive Information. Transportation Region: NC County: Portage Community: Stevens Point Highway: Street: Old Highway: 18 Rd Railroad: CN Railroad
\$1,726,903 \$673,492 \$345,381 \$69,076 \$13,815	\$3,456,347 \$1,485,310 \$1,051,559 \$350,800 \$70,160 \$0 2000 Procedure - Uses 5	PV	Benefit-Cost Analysis of Rail-High Name of Rail-Highway: Street: Old Highway: Railroad: CN Crossing #: 692529E 24 Warning Device: PASSIVE sed Improvement: FLASHING LTS./GATES DOT Project ID #: ted Funding Year: 62/Yeness Data shing Lights (FL): \$120,000 Costs for FL WD: \$1,800 hts/Gates (FLG): \$140,000 osts for FLG WD: \$2,500 disting WD (<40): 20 rfor Existing WD: 1.10 fer Gates (BGS): \$475,000 GS M & O Costs: 1.40 feasure for BGS: 96.00% Incement to FLG: BARRIER CURBS rechtanced FLG: \$200,000 n. M & O Costs: 1.15 for FLG w/ Enh.: rade Separation: Cost of Closure: \$30,000 MisDOT Procedure
A CONTRACTOR	\$143,494 \$143,494 \$143,494 \$143,494 \$143,494 \$10,494		lighway Cros NOTE: Data it M Milepost 244.30 Tes Present Va Total
of in Calculation	\$143,494 \$1,628,803 \$143,494 \$1,95,053 \$143,494 \$143,494 \$143,494 \$143,494 \$13,654 \$143,494 \$143,494 \$143,494 \$143,494 \$143,494 \$143,494 \$143,494 \$143,494	PV of Total Train & Non-Train Crash Costs	TE: Data items in italics are supplemental project Train/Railroad Data (Cont Night Through Trains Day Switch Trains Night Data (Trains Nother Tracks Paved Road (1=Yes, 2=No) Urban Rural (U=Urban, R=Rural) Highway Posted Speed (mph) Percent Trucks Crossing Angle (Degrees)/Quadrant Present Value - Avoided Delay/Operating Cost: Total Crashes (vehicle/brain - last 5 years): Time Period for Crash Data (Yrs.): Road Traffic Volume Information Notation
\$1,053,411 \$1,381,522 \$1,657,827 \$1,713,088	\$1,971,037 \$2,404,787 \$3,105,546 \$3,386,187 \$3,456,347	PV of Avoided Train Crash Benefits	ITrain/Railroad Data (Cont.) Night Through Trains: Day Switch Trains: Night Switch Trains: Pay Main Line Tracks: Waximum Typical Speed: Minimum Typical Speed: Maximum Typical Speed: Minimum Typical Speed:
\$0 \$0 \$0	\$0 \$0 \$0 \$0	PV of Avoided Delay/Increased Operating Cost Benefits	evaluation factors not use Road Tra
\$1,053,411 \$1,381,522 \$1,657,827 \$1,713,088	\$1,971,037 \$2,404,787 \$3,105,546 \$3,386,187 \$3,456,347	PV of Total Benefits (PVB)	Design Year Spe Year + 10: e Year + 20: e Year + 40: e Year + 50: e Year Bramet Base Son the Sing & Imptions: **Tequired** **Tequired**
\$158,439 \$158,439 \$193,388 \$261,396 \$549,743	\$158,439 \$193,388 \$261,396 \$549,743 \$30,000	PV of Total Facility Costs (PVC)	I Traffic Volume Information (cont.) Most recent AADT: 763 Design Year AADT (20 years): Design Year AADT (20 years): Design Year AADT (20 years): Projected Traffic Year of Additive Traffic: Traffic Year Traffic Year Projected Traffic Volumes Base Year + 10: Base Year + 20: Base Year + 30: Base Year + 30: Base Year + 40: Base Year + 50: Base Year + 50: Cossing & cost that would need to come up with some estimate of increased road Crossing & cost that would result from closing the crossing and forcing road uses take other routes. This procedure does not make that calculation. It is procedure does not make that calculation in the cost in the content of the cost make that calculation.
Maximum Payment for Grade Separation: \$158,439 \$1,053,411 \$894,972 \$193,388 \$1,381,522 \$1,188,135 \$261,396 \$1,657,827 \$1,396,431 \$549,743 \$1,713,088 \$1,163,345	\$1,812,598 \$2,211,400 \$2,844,151 \$2,836,444	NPV for Safety Benefits - at Grade Options	2.67% 2.67% AADT 763 1.000 AADT 763 967 1,170 1,374 1,578 1,781 8. 2007 2007 2007 2007 2007 This procedure
\$894,972 \$1,188,135 \$1,396,431 \$1,163,345	\$1,812,598 \$2,211,400 \$2,844,151 \$2,836,444 \$3,426,347	Net Present Benefit (PVB - PVC) (All Benefits)	Treffic Year Forcasts 2007 2017 2027 2037 2047 2057 2057 2057 2057 2057 2057 2057 205
6.65 7.14 6.34 3.12	12.44 12.44 11.88 6.16 115.21	Benefft-Cost Ratio PVB/PVC	r ADT (20 years): Design Year 2007 Additive Traffic: Additive Traffic: ADT (20 years): ADT Factored Traffic ADT (20 years): ADT Factored Traffic ADT (20 years): Annual % Traffic Year ADT Factored Traffic Annual % Annual

Retain Passive Passive to Flashing Lights Passive to Flashing Lights/Gates Passive to FLG with Enhanceme Passive to Barrier Gate Passive to Grade Sep. Closure alternative	Flashing Lights and Gates Flashing Lights and Gates Enhanced Flashing Lights Barrier Gates Crossing Closure Results of the B-C Analysis	Rail-Highway Crossing Impo	Data Input Data Input Initial Cost Initial Cost Expected Initial Cost Expected Initial Cost	
Retain Passive Passive to Flashing Lights Passive to Flashing Lights/Gates Passive to Flashing Lights/Gates Passive to FLG with Enhancements Passive to Barrier Gate Passive to Grade Sep. Closure alternative	Flashing Lights \$1,494 \$1,494 \$1,494 \$1,494 \$1,628,803 \$1,051,559 \$143,494 \$1,195,053 \$143,494 \$1,195,053 \$143,494 \$1,195,053 \$143,494 \$4,94,294 \$4,94,294 \$1,3654	Rail-Highway Crossing Improvement Action Base Case - Passive Device	WisDOT Procedure for Benefit-Cost Analysis of Rail-Highway Crossing Safety Improvements NOTE: Data input NOTE: Data items in italics are supplemental procedure for Benefit (1025/07 10:57 AM Descriptive Information County: Portage Community: Stevens Point Highway: Street: Old Highway 18 Rd Railroad: CN County: Portage Community: Stevens Point Highway: Railroad: CN County: Portage Community: Stevens Point Highway: Railroad: CN County: Portage And Madmun Typical Spent Maximum Typical Spent Typical Spent Maximum Typical Spent	
\$1,726,903 \$673,492 \$345,381 \$69,076 \$13,815	\$1,485,310 \$1,051,559 \$350,800 \$70,160 \$0	PV Train Crash Costs	It-Cost Analysis of Rail-Hig N Run Date: 10/25/07 10:57 AM formation On Region: NC County: Portage formmunity: Stevens Point Highway: Street: Old Highway 18 Rd Railroad: CN Possing #: 682529E Typesing Year. Bing Year. Bing	
rr, Crasn History	\$143,494 \$143,494 \$143,494 \$143,494 \$143,494		Milepost 244.30 Present W Total	
by in Calculation	\$3,599,840 \$1,628,803 \$1,195,053 \$494,294 \$213,654	PV of Total Train & Non-Train Crash Costs	Train/Rallroad Data (Cont. Night Through Trains Night Switch Trains Night Maximum Typical Speed # Other Tracks # of Road Lines Percent Trucks Percent Trucks Crossing Angle (Degrees)/Quadrant Persent Value - Avoided Delay/Operating Cost: Total Crashes (vehicle/brain - last 5 years): Time Period for Crash Data (Yrs.): Road Traffic Volume Information % AADT in Day Hours (6 AM-6 PM): **Approach** **Approach** **Approach** **Approach** **Approach** **Approach** **Actual Required**	
\$1,053,411 \$1,381,522 \$1,657,827 \$1,713,088	\$1,971,037 \$2,404,787 \$3,105,546 \$3,386,187 \$3,456,347	PV of Avoided Train Crash Benefits	Irain/Railroad Data (Cont.) Night Through Trains: Night Through Trains: Night Swritch Trains: Night Swritch Trains: Night Swritch Trains: Waximum Timetable Speed: Maximum Typical Speed: Minimum Typical Speed: Maximum Typical Speed: Minimum Typical Speed: Mini	
\$0 \$0 \$0	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	PV of Avoided Delay/Increased Operating Cost Benefits	1 evaluation fact 1 10.00 1 10.00 1 0	
\$1,053,411 \$1,381,522 \$1,657,827 \$1,713,088	\$1,971,037 \$2,404,787 \$3,105,546 \$3,386,187 \$3,456,347	PV of Total Benefits (PVB)	Road Traffic Volume Information (cont.) Most recent AADT: Design Year AADT (20 years): Design Year AADT (20 years): Additive Traffic: Year of Additive Traffic: Projected Traffic Volumes Traffic Multiplier: Projected Traffic Volumes Traffic Year Base Year + 10: 2007 Base Year + 20: 2017 Base Year + 40: 2027 Base Year + 40: 2027 Base Year + 50: 2037 Base Year for Analysis: 2047 Base Year of Construction: 2 Year of Construction: 3 Year of Construction: 3 Year of Construction: 4 Assumptions: 4 take other routes. 1	
Maximum Pa \$158,439 \$193,388 \$261,396 \$549,743	8,439 8,388 3,388 1,396 1,396 9,743	PV of Total Facility Costs (PVC)	Ifrectly in the WisDOT benefit cost analysis Volume Information (cont.) Most recent AADT: 763 Treffic Year Forcasts	
Maximum Payment for Grade Separation: \$158,439 \$1,053,411 \$894,97; \$193,388 \$1,381,522 \$1,188,13; \$261,396 \$1,657,827 \$1,396,43; \$549,743 \$1,713,088 \$1,163,34;	\$1,812,598 \$2,211,400 \$2,844,151 \$2,836,444	NPV for Safety Benefits - at Grade Options	763 763 763 763 763 763 763 763 763 763	
<u> </u>	\$1,812,598 \$2,211,400 \$2,844,151 \$2,836,444 \$3,426,347	Net Present Benefit (PVB - PVC) (All Benefits)	Traffic Year 2007 2017 2027 2037 2047 2057 2057 2057 1,170 1,1781 Analy Recogning and does not make t	
N/A	12.44 12.44 11.88 6.16 115.21	Benefit-Cost Ratio PVB/PVC	wisdot benefit cost analysis Wisdot AADT Most recent AADT: 763 AADT (20 years): Design Year Additive Traffic: Additive Traffic: Additive Traffic: Additive Traffic: ADT Factored Traffic 2007 Traffic Multiplier: 1.000 Annual % Traffic Year ADT Factored Traffic 2017 967 967 2027 1,170 1,170 211 2037 1,374 1,374 2047 1,578 2057 We wrould need to come up with some estimate of increased road user cost that would result from closing the crossing and forcing road users to take other routes. This procedure does not make that calculation.	

9164-11-682

WisDOT Procedure for Benefit-Cost Analysis of Rail-Highway Crossing Safety Improvements NOTE: Data items in italics are supplemental project evaluation factors not used directly in the WisDOT benefit cost analysis

																																				_				_		_	
Ciosure alternative	Passive to Grade Sep.	Passive to Barrier Gate	Passive to FI G with Enhancements	Passive to Flashing Lights	Retain Passive	Results of the B-C Analysis - GradeDec 2000 Procedure - Uses 5 Yr. Crash History in Calculation	Crossing Closure	1	Barrier Gates	Enhanced Flashing Lights and Gates	Flashing Lights and Catho	Flaching Light	Rass Cost Processing Improvement Action		Results of the B-C Analysis - WsD01 Procedure	Through Trains:	Train/Railroad Data	Cost of Grade Separation:	Extra Ann. M & O costs for FLG w/ Enh.:	Multiplier for FLG w/ Ehn. M & O Costs:	Initial Cost for Enhanced FLG:	Type of Enhancement to FLG:	Effectiveness Measure for BGS:	Multiplier for BGS M & O Costs:	Initial Cost for Barrier Gates (BGS):	M & O Multiplier for Existing WD:	Expected Serv. Life of Existing WD (<40):	Annual M & O Costs for El C WD:	Initial Cost for Electrical Lights (Costs for FL WD:	Initial Cost for Flashing Lights (FL):	Cost/Effectiveness Data	Requested Funding Year.	WisDOT Project ID #:	Proposed improvement:	Existing Warning Davice:	Conseina #-	Deilmed:	rignway:	Community:	County:	I ransportation Region:	Descriptive Information	Data Input Run Date
		\$10.199	\$254,963 \$50,003	\$497,177	\$1,274,814	Procedure - Uses 5	\$0	#10,UT	\$42,000	\$747,422	\$925,611	\$2,205,109	Costs	PV Train Crash	ure	11.00	\$30,000	3000		1.15	\$200,000	BARRIER CURBS	96.00%	1.40	\$475,000	1.10	20	\$1#0,000	\$1,800	\$120,000				FLASHING LTS/GATES	DASCINE	ROSESSE			: Stevens Point	r: Portage	· NC	•	Run Date: 10/25/07 10:45 AM
						Yr. Crash His	\$0	#JU,970	\$55,978 655,078	\$55,978	\$55,978	\$55,978	Costs	<u> </u>				Quadrant								·	Total	,					į	ĒS	244.30	Milepost	A iii						\$
						tory in Calculation	\$0	\$104,512	\$298,646	\$783,400	\$981,589	\$2,261,087	Costs	PV of Total Train & Non-Train Crash				Actual	Quadrant Sight Distances			Approach		% AADT in Day Hours (6 AM-6 PM):	Road Traffic Volume Information	Time Period for Crash Data (Vrs.):	Fresent value - Avoided Delay/Operating Cost: Total Crashes (vehicle/train - lest 5 veers):	Crossing Angle (Degrees)/Quadrant:)	Highway Post	Urban Rural (U=Urban, R=Rural):	Paved Roa		Minimu	Maximu	Maximum	•	# Qf	<u>Ni</u>	-	Nigt	Train/Railro	
	₩1,F04,010	\$1,223,821	\$1,019,851	\$777,636			\$2,205,109	\$2,136,575	\$1,962,441	\$1,477,686	\$1,279,497		Benefits	PV of Avoided Train Crash				Required	inces		***************************************	VOM		irs (6 AM-6 PM):	me Information	rash Data (Yrs.):	Operating Cost:	rees)/Quadrant:	Percent Trucks:	Highway Posted Speed (mph):	Urban, R=Rural):	Paved Road (1=Yes, 2=No):	# of Road I areas	Minimum Typical Speed:	Maximum Typical Speed:	Maximum Timetable Speed:	# Other Tracks:	# of Main Line Tracks:	Night Switch Trains:	Day Switch Trains:	Night Through Trains:	Train/Railroad Data (Cont.)	
	ę		\$0				\$0	6					Benefits	PV of Avoided Delay/Increased Operating Cost				÷	Clearing Sight Distances			USN		75.1%		37 C	3	30-59 degrees	•••	0	70		. p	: 30.0					: 0.00	E 0.00	8.00		
	\$1,204,013	\$1,223,821	\$1,019,851	\$777,636	The state of the s	1,100	\$2.205.109	\$2,156,575	\$1,962,441	\$1,477,686	\$1,279,497		Benefits (PVB)	PV of Total				Required	noes				S.		Notes on the	Dase	General Parameters for the Analysis	Base Year + 50:	Base Year + 40:	Base Year + 30:	Base Year + 20:	Base Year + 10:	Rose Year	Projected Traffic		Year		Spec		Design Year	-	Road Traffic Volume Information (cont.)	
	\$349,743	\$261,396	\$193,388	\$158,439	Wilder Francisco	Maximum Ps	\$30,000	\$549,743	\$261,396	\$193,388	\$158,439			PV of Total Facility Costs						the additional benefit derived from closure	more than 32.5 cents per day for the increased road user cost to exceed	side calculation though that shows road users would only have to incur	take other routes. This procedure does not make that calculation. I did a	cost that would result from closing the crossing and forcing road users to	We would need to come up with some estimate of increased road user	Voor of Construction: 2007	ers for the Analysis	2057	2047	2037	2027	2017	2007	T. R. V.	Traffic Multiplier:		Additive Traffic:		Design Year.	Design Year AADT (20 years):		formation (cont.)	
	\$1,204,013	\$1,223,821	\$1,019,851	\$777,636	Julion to Char	Maximum Payment for Grade Separation:		\$1,606,832	\$1,701,045	\$1,284,299	\$1,121,058	医多线子 医多角	Grade Options	NPV for Safety Benefits - at						fit derived from	ts per day for th	ugh that shows	This procedure	JIt from closing	ome iin with so	507	5	822	728	634	540	446	252		1.000			2.67%			352		
	\$/14,0/2	\$962,425	\$826,463	\$619,197	***	- 13	\$2 175 109	\$1,606,832	\$1,701,045	\$1,284,299	\$1,121,058		Benefits)	Net Present Benefit (PVB - PVC) (All						closure.	ne increased roa	road users would	does not make ti	the crossing and	me estimate of	7	Analy	822	728	634	540	446	AND PRODUCTION		2057	2047	2037	2027	2017	2007	Traffic Year Forcasts		
	2.30	4.68	5.27	4.91		N/A	73.50	3.92	7.51	7.64	8.08		Ratio PVB/PVC	Benefit-Cost							d user cost to exc	ld only have to inc	hat calculation. In	1 forcing road user	increased road us	Real Discount Rate:		1.29	1.48	1.74		2.67	mcrease	Annual %							Forcasts	WISDOT AADT	
				di				500) 11503													eed !	복	dida	3 4	É	3.50%	4						- 1										

Data Input Run Date:	e: 10/25/07 10:45 AM	S .	The results of the second seco	opanana pojoci	evaluation lactors in	ot used directly in the	WISDO! Denem co	st analysis		
Descriptive Information	,		Train/Railn	Train/Railroad Data (Cont.)		Road Traffic Volume Information (cont.)	formation (cont.)			WISDOT AADT
County:	v. Portage		, Ng	Night Through Trains:	8.00	'	• • •	352		Forcasts
Community:			Z ,	Night Switch Trains:	0.00	Design real	Design Tear ANDT (20 years):		2007	
Highway			# of ;	# of Main Line Tracks:	1 66	Spec	Specified Growth Rate:	2.67%	2027	
Stree	Street: Old Highway 18 Rd		-	# Other Tracks:	•				2037	
Railroad		Milepost	Maximum	Maximum Timetable Speed: 60.0	60.0	Year	Year of Additive Traffic:		2047	
Crossing:	•	244.30	Maximu	Maximum Typical Speed: 50.0	50.0		Traffic Multiplier: 1.000	1.000	2057	
Existing vesiming Device: PASSIVE	PASSIVE		Minim	Minimum Typical Speed:	30.0	Projected Traffic				Annual %
Troposed improvement	C FLASHING LIS/GATES	ES		Highway/Crash Data		Volumes	Тайт Уваг	AADT	AADT Factored Traffic	increase
Perioched Funding Year	,			# of Road Lanes:	.	Bese Year:	2007	-266	-822	
Cost/Effectiveness Data			Tayed No	Payed Road (1=1es, 2=No):	7	Ваsе Year + 10:	2017	146	146	2.67
Initial Cost for Flashing Lights (FL):	\$120,000		Highway Dos	Highway Posted Speed (mph):	> 7	Base Year + 20.	702	9	2	
Annual M & O Costs for FL WD:				Percent Trucks:	40	Base Year + 40:	2027	730	750	1./4
Initial Cost for Flashing Lights/Gates (FLG):	\$140,000		Crossing Angle (Degrees)/Quadrant:	grees)/Quadrant:	30-59 degraes	Base Year + 50:	2057	822 822	822	1.29
Annual M & O Costs for FLG WD:		Present \	Present Value - Avoided Delay/Operating Cost:	/Operating Cost:		General Paramete	General Parameters for the Analysis	'	Analy	Analysis Period (Yrs.): 40
M & O Multiplier for Existing WD:	1.10	1018	Time Period for Crash Data (Vm.):	in - last 5 years):	n 0	Base	Base Year for Analysis:	2007	R	Real Discount Rate: 3.50%
Initial Cost for Barrier Gates (BGS):			Road Traffic Volume Information	ime Information	•	Notes on the	We would need to come	come up with so	me estimate of i	We would need to come up with some estimate of increased road user
Effectiveness Measure for BGS:	96.00%		% AADT in Day Hours (6 AM-6 PM):	urs (6 AM-6 PM):	75.1%	Crossing &	cost that would res	ult from closing t	the crossing and	cost that would result from closing the crossing and forcing road users to
Type of Enhancement to FLG:	BARRIER CURBS		Approach	NDW	asu		side calculation the	ugh that shows	road users woul	side calculation though that shows road users would only have to incur
Initial Cost for Enhanced FLG: Multiplier for FLG w/ Ehn. M & O Costs:	\$2 00,000 1.15						more than 32.5 cents per day for the increate additional benefit derived from closure.	its per day for th	ie increased road closure.	more than 32.5 cents per day for the increased road user cost to exceed the additional benefit derived from closure.
Extra Ann. M & O costs for FLG w/ Enh.:			Quadrant Sight Distances	BINC8S	Clearing Sight Distances	incas				
Cost of Closure:	\$30.000	Quadrant	Actual	Required	Actuel	Required				
Train/Railroad Data										
Tostile to the second s	ine in the second									
		PV of Non-	PV of Total Train &	PV of Avoided	PV of Avoided Delay/Increased		PV of Total	NPV for Safety	Net Present	
Rail-Highway Crossing Improvement Action	PV Train Crash Costs	Train Crash Costs	Non-Train Crash Costs	Train Crash Benefits	Operating Cost Benefits	PV of Total Benefits (PVB)	<i></i>		PVC) (All	Benefit-Cost
Base Case - Passive Device	\$2,205,109	\$55,978		一般・ 金属される						
Flashing Lights and Gates	\$925,611 \$727,422	\$55,978 \$55.978	\$981,589 \$783,400	\$1,279,497 \$1,477,686	\$0 \$0	\$1,279,497 \$1,477,686	\$158,439 \$103,399	\$1,121,058	\$1,121,058	8.08 7.67
Enhanced Flashing Lights and Gates	\$242,668	\$55,978		\$1,962,441	\$0	\$1,962,441	\$261,396	\$1,701,045	\$1,701,045	7.51
Called Gales	\$48,534	\$55,978	\$104,512	\$2,156,575	\$0	\$2,156,575	\$549,743	\$1,606,832	\$1,606,832	3.92
Crossing Closure	\$0	\$0	\$0	\$2,205,109	\$0	\$2,205,109	\$30,000		\$2,175,109	73.50
Results of the B-C Analysis - GradeDec 2000 Procedure - Uses 5 Yr. Crash History in Calculation	Procedure - Uses 5	Yr. Crash His	story in Calculation				Maximum Pa	Maximum Payment for Grade Separation:	- 12	NA
Retain Passive Passive to Flashing Lights	\$1,274,814						三號 医二磷		G135	
Passive to Flashing Lights/Gates	\$254.963			\$777,636	\$ \$0	\$777,636	\$158,439	\$777,636	\$619,197	4.91
Passive to FLG with Enhancements	\$50,993			\$1,223,821	\$ 6	\$1,223,821	\$261,396	\$1,223,821	\$962,425	4.68
Passive to Barrier Gate Passive to Grade Sep.	\$10,199			\$1,264,615	\$0	\$1,264,615	\$549,743	\$1,264,615	\$714,872	2.30
Closure alternative		新州								

			•							Closure alternative
2.30	\$714,872	\$1,264,615	\$549,743	\$1,264,615	\$0	\$1,264,615			\$10,199	Passive to Barrier Gate
5.27	\$826,463	9 69		\$1,019,851	\$ \$	\$1,019,851 \$1,223,821			\$254,963 \$50,993	Passive to FLG with Enhancements
4.91	\$619,197	\$777,636	\$158,439	\$777,636	\$0	\$777,636			\$497,177	Passive to Flashing Lights
N/A	0 1	Maximum Payment for Grade Separation:	Maximum F		and the contraction of the second	Andread Commencer of the second commencer of the secon	story in Calculation	o Yr. Crash His	Procedure - Uses \$1 274 814	Retain Passive \$1 274 814 \$25 FT. Crash History in Calculation
73.50	\$2,175,109	nicii ens	\$30,000	\$2,205,109	\$0	\$2,205,109	\$0	\$0	\$0	Crossing Closure
3.92	\$1,606,832	\$1,606,832	\$549,743	\$2,156,575	9	\$2,156,575	\$104,51Z	\$30,970	÷10,001	
7.51	\$1,701,045		\$261,396	\$1,962,441	\$0 \$0	\$1,962,441		\$55,978	\$242,668	Barrier Gates
7.64	\$1,284,299		\$193,388	\$1,477,686	\$0	\$1,477,686		\$55,978	\$727,422	Enhanced Floating Lights and Gates
8.08	\$1.121.058	\$1,121,058	\$158,439	\$1,279,497	\$0	\$1,279,497		\$55,978	\$925,611	Flashing Lights
Kato PVB/PVC	beneins)	Grade Options	(FVC)	Dellerius (FVD)	Silonon			\$55,978	\$2,205,109	Base Case - Passive Device
Benefit-Cost		Benefits - at	Facility Costs	PV of Total	Operating Cost	Benefits	Costs	Costs	Costs	Rail-Highway Crossing Improvement Action
	Benefit (PVB -	<u>~</u>	PV of Total	!	Delay/Increased	PV of Avoided	PV of Total Train &	Train Crash	PV Train Crash	
	Net Present				PV of Avoided			!		
										12
									11.00	GSTILS OF THE PARTY OF THE PART
			-						8	
								1	\$30,000	Cost of Closure:
				Required	Actue/	Required	Actuel	Quadrant		Cost of Grade Separation:
				9/1C8S	Clearing Sight Distances	9/ICBS	Quadrant Sight Distances			Extra Ann. M & O costs for FLG w/ Enh.:
a dael coat to exceed	closure.	efit derived from o	the additional benefit derived from closure						1.15	Multiplier for FLG w/ Ehn. M & O Costs:
side calculation triough that Shows road users would only have to incur	e increased roar	onts per day for the	more than 32.5 ce		130	VUV	Approact		\$200,000	Initial Cost for Enhanced FLG:
side calculation thereby that shows read the marke that calculation, it did a	roed normake u	anna procedure	side colonidation th			A CONTRACTOR OF THE PARTY OF TH	Approach		BARRIER CLIBRO	Type of Enhancement to FI G:
cost that would result from closing the crossing and forcing road users to	the crossing and	Suit from closing t	take other routes	Assumptions:	73.170				96.00%	Effectiveness Measure for BGS:
We would need to come up with some estimate of increased road user	me estimate of i	come up with so	We would need to	Conssion &	75 18		% AADT in Day Hours (6 AM-6 PM):		1.40	Multiplier for BGS M & O Costs:
		2007	Year of Construction: 2007	١.	5	lime Period for Crash Data (Yrs.):	Boad Traffic Vol.		\$475,000	initial Cost for Barrier Gates (BGS):
Real Discount Rate: 3.50%	Re	2007	Base Year for Analysis: 2007	Base	0	in - last 5 years):	lotal Crashes (vehicle/train - last 5 years):	lota	1 10	M & O Multiplier for Existing WD:
Analysis Period (Yrs.): 40	Analy	'	General Parameters for the Analysis	General Paramet		/Operating Cost:	Present Value - Avoided Delay/Operating Cost:	Present \	\$2,500	Expected Son, I to of Existing Vary, (240).
1.29	822		2057	Base Year + 50:	30-59 degrees	grees)/Quadrant:	Crossing Angle (Degrees)/Quadrant:		\$140,000	mider Cost for Flashing Lights/Gates (FLG):
1.48	728	-	2047	Base Year + 40:	4.0	Percent Trucks:			\$1,800	Annual M & O Costs for FL WD:
174	£ 25		2037	Base Year + 30:	0	Highway Posted Speed (mph):	Highway Pos		\$120,000	Initial Cost for Flashing Lights (FL):
2 11	7 4		707	Base Year + 20:	70	Urben Ruraf (U=Urban, R=Ruraf):	Urban Rural (U=	1	•	Cost/Effectiveness Data
242	352	302	200/	Base Year + 10	1	TOTAL CONTRACTOR CONTR	Paved Ro			
increase	AADI Factored Traffic		I ramic Year	Voiumes	b	The state of the s	TRITI			WisDOT Project ID #
Annual %				Projected Traffic	30.0	History/Cash Date: 30.0	Milita	TEQ	E ASHING ITS 101	Proposed Improvement FLASHING ITS GATES
	2057	1.000	Traffic Multiplier: 1.000		34.0	Maximum Typicai Speed; 50.0	waxim	641.00	PARRIET	Existing Warning Dawley Passant
	2047		F of Additive Traffic:			Magniful Intellegence State	TITUTINGEN	OLA ON	- 602520E	Cassing # 600500
	2037		Additive Traffic:		30	# Other Tracks:	Howard II		Silmond: CN	Railmad
	2027	2.67%	Specified Growth Rate:	Spe		# of Main Line I racks:	# 0	ī	· Old Diahumu 10 D	Street
	2017		Design Year:		0.00	Night Switch Trains:	. z		. Suevens Point	Lichary:
	2007		Design Year AADT (20 years):	Design Yea		Day Switch Irains:				Community
Forcasts	Traffic Year	352	Most recent AADT:	!		Negrit i libugh Tains:				County
WISDOT AADT			nformation (cont.)	Road Traffic Volume Information (cont.)	8-	I rain/Kailroad Data (Cont.)	L'ain/Kaili		. r	Transportation Region:
				i :			1	74	5. 10.E007 10.707	Descriptive In
		ost analysis	ne WisDOT benefit o	tot used directly in th	PARIMATION INCIDIS L	phonomer project	The many are emphasized by decirental project evaluation lactors not used directly in the WISDO! benefit cost enalysis		Biin Date: 10/25/07 10:45 AM	Data Input
		•			our livetion for store .	orovements	items in italies are sur	NOTE: Date	vialysis of Nair-	NOTE: Data thanks are supplemental and NOTE: Data thanks in the line are supplemental and NOTE: Data thanks
							onina Safat III.		Inglysis of Dail	WisDOT Properture for Repetit-Cost A
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WisDOT Procedure for Benefit-Cost Analysis of Rail-Highway Crossing Safety Improvements NOTE: Data items in italics are supplemental project evaluation factors not used directly in the WisDOT benefit cost analysis

							The second secon			
										Passive to Grade Sep.
2.30	\$714,872	\$1,264,615	\$549,743	\$1,264,615	\$0	\$1,264,615			\$10,199	Passive to Barrier Gate
4.68	\$962,425	\$1,223,821	\$261,396	\$1,223,821	\$0	\$1,223,821			\$50,993	Passive to FLG with Enhancements
5.27	\$826 463	\$1,019,851	\$193,388	\$1.019.851	\$0	\$1,019,851			\$254,963	Passive to Flashing Lights/Gates
4.91	\$610 107	\$777 636	\$158 439	\$777 636	\$0	\$777.636			\$497,177	Passive to Flashing Lights
NA L	41	Maximum Payment for Grade Separation:	Maximum P			A Bake management of the state of the	The Class Control of the Carculation		\$1.274.814	Retain Passive
/3.50			\$30,000	\$2,205,109	***	\$2,200,108	istony in Calculation	S Yr Crach His	Procedure - Lises	Results of the B-C Analysis - GradeDec 2000 Procedure - Uses 5
73.50	200		9	3 305	3	\$2 205 100			\$	Crossing Closure
3.92	\$1,606,832	\$1,606,832	\$549,743	\$2,156,575	ě	\$Z, 100,070	\$104,512	, ,,,,,,,	#10,JU	
7.51	\$1,701,045	\$1,701,045	\$261,396	\$1,962,441	5	\$1,962,441			\$44,000 \$42,000	Barrier Gates
7.64	\$1,284,299	\$1,284,299	\$193,388	\$1,477,686	8 8	\$1,477,686			033 CVC#	Enhanced Flashing Lights and Cates
8.08	\$1,121,058	\$1,121,058	\$158,439	\$1,279,497	\$6	\$1,279,497			\$50,011	Flashing Lights and Cates
0.00				distribution and the second second second place and the second se	ment of the state	201 020 10	•		#P.700, 10t	Flashing I inhts
Ratio PVB/PVC	Benefits)	Grade Options	(PVC)	Benefits (PVB)	Benems	benents		1	\$2 205 100	Base Case - Passive Davice
Benefit-Cost		Benefits - at	Facility Costs	PV of lotal	Operating Cost	USBI CIRSI	Non-Iram Crash	Tialli Clasii	Control Cidali	Rail-Highway Crossing Improvement Action
	Benefit (PVB -	<u> </u>			Delay/Increased	PV of Avoided	PV of Total Train &	PV of Non-	DV Train Crash	
		-			DV of Avoided					
						-			III.	Sering of the Market Single of the Sering Se
							-	<u> </u>	11.00	悍
				-						Train/Railroad Data
				1.000000	, 10000				\$30,000	Cost of Closure:
					Actual	Required	Actual	Quadrant		Cost of Grade Separation:
					Clearing Sight Distances		Quadrant Sight Distances			Extra Ann. M & O costs for FLG w/ Enh.:
	closure.	efit derived from	the additional benefit derived from closure						1.15	Multiplier for FLG w/ Ehn. M & O Costs:
more than 32.5 cents per day for the increased road user cost to exceed	he increased road	nts per day for th	more than 32.5 cer							Initial Cost for Enhanced FLG:
side calculation though that shows road users would only have to incur	road users would	ough that shows	side calculation the	The second secon	USD	чам	Approach			Type of Enhancement to FLG:
take other routes. This procedure does not make that calculation. I did a	does not make the	This procedure	take other routes.	Assumptions:		The second secon	Season Williams Commence of the Artist Commen			Ellocarollogo Modedio 101 DGG.
cost that would result from closing the crossing and forcing road users to	the crossing and	sult from closing	cost that would res		/5.1%		% AAD I IN Day Hours (6 AM-6 PM):		95 32 C	Effectiveness Measure for RCO:
We would need to come up with some estimate of increased road user	ome estimate of it	come up with sc	We would need to	0		•	P AADT I DE LE COMME HINDHINGH			Multiplier for BGS M & O Coete:
		2007	Year of Construction: 2007	1	Ü		Dood Traffic Vol.			Initial Cost for Barrier Cates (BCC):
Real Discount Rate: 3.50%	Re	2007	Base Year for Analysis: 2007	Base			Time Paint (- Charles Sears):	100	٠.	M & O Multiplier for Existing WD.
	Analy	la,	General Parameters for the Analysis	General Paramet	•		Total Cashoo (solids being costs	Figaciii	20 6	Expected Serv. I if a of Existing Will (<40):
J.	822	822	2057	Base Year + 50:	SU-SY Degrees	••	Crossing Angle (Degrees/Julearant)		-	Annual M.& O Coets for El G.WD:
1.48	728	728	2047	Base Year + 40:	4.0	• • •			-	Initial Cost for Elashing Lights/Cates (ELC):
1.74	634	634	2037	Base Year + 30:	0		Highway Pot			Applied M.B. O Costs for El Min.
2.11		540	2027	Base Year + 20:			Cipali Tulal (C		- 1	Initial Cost for Floring 1 inhth (F) \
2.57		446	2017	Base Year + 10:	J +	- 1	Payed Ro	1		Cost/Effectiveness Data
	302	352	700/	Dase Year.	7	# Of Puggi Lailway.				
INCIDENT INCIDENT	AND PACIFICATION	250	Hallic I dai	* Ordings	b	The state of the s	1			WishOT Dreiger ID #
Annual %	To the same of Tables		Timetta Vann	Projected France	00:0	Hinhway/Crash Data		TES	FLASHING LTS./G	Proposed Improvement FLASHING TS./GATES
Assisted	-00.1			Designated Tention	30 n	Tunical Street			PASSIVE	Existing Warning Device: PASSIVE
	2057	1.000			50.0	Maximum Typical Speed: 50.0	Maxim	244.30	Crossing #: 692529E	Crossing+
	2047		Year of Additive Traffic:	уват Уваг	60.0	Maximum Timetable Speed: 60.0	Maximum	Milepost		Railroad:
	2037				0	# Other Tracks:	•	ã	t: Old Highway 18 Rd	Street
	2027	2.67%		Spec	_	# of Main Line Tracks:	# Q			Highway:
	2017	-	Design Year:		0.00	Night Switch Trains:	z		y: Stevens Point	Community:
	2007		Design Year AADT (20 years):	Design Yea	0.00	Day Switch Trains: 0.00			y: Portage	County:
Forcasts	Traffic Year	352			8.00		Nig		₽. NC	Transportation Region:
WisDOT AADT			formation (cont.)	Road Traffic Volume Information (cont.)	Roa	Train/Railroad Data (Cont.)	Train/Rail:		þ	Descriptive Information
								A	Run Date: 10/25/07 10:45 AM	Cata input Run Date
		ost analysis	e WISDO! benem CL	ctors not used directly in the WISDOT benefit cost analysis		Popering in project evaluation tal	Trains and su	1011		

WisDOT Procedure for Benefit-Cost Analysis of Rail-Highway Crossing Safety Improvements

NOTE: Data items in Italics are supplemental project evaluation factors not used directly in the WisDOT benefit cost analysis

Data Input

Run Date: 10/25/07 10:45 AM

Descriptive Information Transportation Region: NC County: Portage Community: Stevens Point Highway: Street: Old Highway: Street: Old Highway: Railroad: CN Crossing #: 692529E Existing Warming Device: PASSIVE Proposed Improvement: FLASHING LTS WISDOT Project ID #: Regissies Fanding Year: Cost/Effectiveness Data Initial Cost for Flashing Lights (FL): \$120,000 Annual M & O Costs for FL WD: \$1,800 Initial Cost for Flashing Lights/Gates (FLG): \$2,500 Expected Serv. Life of Existing WD (<40): 20 M & O Multiplier for Existing WD: 1.10 Initial Cost for Barrier Gates (BGS): \$475,000 Multiplier for BGS M & O Costs: 1.40	Point Way 18 Rd	liapost 4.30 Present Vs	Irain/Railroad Data (Cont.) Night Through Trains Day Switch Trains Day Switch Trains Night Switch Trains A of Main Line Tracks # of Main Line Tracks # of Main Line Tracks # of Main Typical Speed Minimum Typical Speed Minimum Typical Speed Minimum Typical Speed Minimum Typical Speed Maximum Typical Speed Minimum Ty		8.00 0.00 0.00 1 1 0 60.0 50.0 30.0 30.0 30.0 30.59 degrees	Road Traffic Volume Information (cont.) Most recent AADT: 3 Design Year AADT (20 years): Design Year AADT (20 years): Design Year AADT (20 years): Design Year: Specified Growth Rate: Additive Traffic: Year of Additive Traffic: Traffic Multiplier: 1 Projected Traffic Volumes Traffic Year Projected Traffic Volumes Traffic Year 2007 Base Year + 10: 2017 Base Year + 20: 2027 Base Year + 30: 2037 Base Year + 40: 2047 Base Year + 50: 2047 Base Year + 50: 2047 General Parameters for the Analysis: 2 Year of Construction: 2 Notes on the We would need to c Crossing & cost that would resu	Nolume Information (cont.) Most recent AADT: Design Year AADT (20 years): Additive Traffic: Year of Additive Traffic: Traffic Multiplier: Sear + 10: 2017 ear + 20: 2027 ear + 20: 2037 ear + 40: 2047 ear + 50: 2047 ear + 50: 2047 ear + 50: Year of Construction: That We would need to get that would resign to the construction: That would need to get that would resign th	352 2.67% 2.67% AADT 352 352 446 540 634 728 822 12007 2007 2007 2007 2007 2007 2007 2	Traffic Year 2007 2017 2017 2017 2027 2027 2037 2047 2057 2057 2057 2057 2057 2057 2057 205	Most recent AADT: 352 Traffic Year Forcasts
Type of Enhancement to FLG: BAI Initial Cost for Enhanced FLG: \$20 Multiplier for FLG w/ Ehn. M & O Costs: 1.11. Extra Ann. M & O costs for FLG w/ Enh.: Cost of Grade Separation: Cost of Closure: \$30 Italin/Railroad Data Day Through Trains: 11.0	\$200,000 1.15 \$30,000	Quadrant	Approach Quadrant Sight Distances Actual	MDV inces Required	VSD Clearing Sight Distances Actual	Required	side calculation though that shows road us more than 32.5 cents per day for the increa the additional benefit derived from closure	ough that shows nts per day for th efit derived from o	road users woul le increased roa closure.	side calculation though that shows road users would only have to incur more than 32.5 cents per day for the increased road user cost to exceed the additional benefit derived from closure.
rossing Improvement Action			PV of Total Train & Non-Train Crash Costs \$2,261,087	PV of Avoided Train Crash Benefits	PV of Avoided Delay/Increased Operating Cost Benefits	PV of Total Berrefits (PVB)	PV of Total Facility Costs (PVC)		Net Present Benefit (PVB - PVC) (All Benefits)	Benefit-Cost Retio PVB/PVC
Flashing Lights Flashing Lights and Gates Enhanced Flashing Lights and Gates Barrier Gates	\$925,611 \$727,422 \$242,668 \$48,534	\$55,978 \$55,978 \$55,978 \$55,978	\$981,589 \$783,400 \$298,646 \$104,512	\$1,279,497 \$1,477,686 \$1,962,441 \$2,156,575	\$ \$ \$ \$0 \$0	\$1,279,497 \$1,477,686 \$1,962,441 \$2,156,575	\$158,439 \$193,388 \$261,396 \$549,743	\$1,121,058 \$1,284,299 \$1,701,045 \$1,606,832	\$1,121,058 \$1,284,299 \$1,701,045 \$1,606,832	8.08 7.64 7.51 3.92
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Retain Passive Passive to Flashing Lights Passive to Flashing Lights/Gates Passive to FLG with Enhancements Passive to Barrier Gate Passive to Grade Sep.	\$1,274,963 \$497,177 \$254,963 \$50,993 \$10,199	i Cidsi niso	ny in canculation	\$777,636 \$1,019,851 \$1,223,821 \$1,264,615	\$0 \$0	\$777,636 \$1,019,851 \$1,223,821 \$1,264,615	\$158,439 \$193,388 \$261,396 \$549,743	Maximum Payment for Grade Separation: \$158,439 \$777,636 \$619,19; \$193,388 \$1,019,851 \$826,46; \$261,396 \$1,223,821 \$962,42; \$549,743 \$1,264,615 \$714,87	10 01 00 7	N/A 4.91 5.27 4.68 2.30

Running, Tom RR

From: Erler Ken [Ken.Erler@sentry.com]

Sent: Thursday, September 27, 2007 2:42 PM

To: Running, Tom RR

Subject: 9164 RX 682

Mr. Running, thank you for looking at this file, regarding the planned Portage County closing at Old Highway 18.

Please send any file documents to me at my home fax at 715.345.0270, or my home email at kenmeg@charter.net.

Ken Erler

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Warning: Computer viruses can be transmitted via e-mail. Sentry accepts no liability or responsibility for any damage caused by any virus transmitted with this e-mail.

Ken, the second paga is the politican
by the railroad. Note that the CN" is
the parent company of the unsconsin Central Ltd.
He parent company of the unsconsin Central Ltd.
Note also that we have a file established
Note also that we have a file established
for this case. You can arrange to have a
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Recd. OCR 12-26-07

9164-RX-682

THIS PETITION IS INTENDED FOR THE SOLE

PURPOSE TO KEEP OLD HY. 18 TOWN OF STOCKTON

CROSSING AT R.R. TRACK OPEN TO ALL TRAFFIC

AND NOT TO BE USED FOR ANY OTHER PURPOSE.

The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action.

1299 Redge Rd Custer 3282 County 1 Mast Was bourin 5759 Porter R. 4880 RED FOX Trail Strens Print 6910 Old Highway 18 HWI STOCKTOC Glanda Rossica 69.05 Old Hay 18 StF+ Susan L. anderson 235 Education Rd. Custon WIS4423 Collected by:

The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action.

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6503. 57 H. STEVEN POINT Wis

marilyn Liesch

Debra Sisk

2798 BJ Cart Stevens Point

2829 gurbank Rh Dtevn Point

Bruce Felmeten

G724 aaktree Rd Print

7479 Bolling Hills Rd

June Bitt

M Sommer

MRS RUSS Wennedy are Plaver

The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action.

Mary Murphy 7197 10th St. Stockton 1997 Whenevalle St. Pt. Jason D'Acchieli 1616 East Ave Steves Pt. Charlie Rossier 6905 Old Hay 18
hyndi Benz-Dean 3977 Oker Ct St.Pt Trans Melonowski 3109 Mennesola St. Ft. Jason D'Acchioli 1616 East Ave Stever Pt.
Jason D'Acchieli 1616 East Ave Steves Pt
Jason D'Achieli 1616 East Ave Stevers Pt
Charlie Rossier 6905 Old Hay 18
September 1970 ARY
JUS [™] ANDE

The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action.

Bonnie Kososwar AARK Mall byl Corporations Kay braing Marie Kigmer Patricia Elsenroth Marish Skyl

2658 BJ Ct. St Rt.

8303 6t ST. STIV.

N367 Edgewood Rd Custer WI
54423

131 Cty Rd K Amberst

576 Forder CK Steven Son

N2483 W Columbia Lk Rd Wingson

8206 Oak St. Custer Wi 94413

430 March Bluffed Steven RV

Collected by:

Marcia Janowski

NW 23

We, the citizens of the town of Stockton and all surrounding areas are opposed to the closing of the public crossing of the Wisconsin Central tracks with Old Highway 18 road in the town of Stockton.

The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action.

Tom Johnson
Rushin Ehlenpeak
Michele Simonis
Steven Standt Olson
Andy Schultz
Dan Emily
Michele Lange

1924 Madison, Stevens Per'nd.
1924 Madison, Stevens Pt.
3464 County Road & Roshaft
3216 LEARLY AVE. Pour.
3216 Learly AVE. Pour.
3216 Learly Ava
381 Shannon Ct. #2
9895 Clysts, amount god vine.
5753 Alguma St. Ptiming.
34 Shadan Woods - It pays a lange.

Collected by:

The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action.

Mach Jungela WWW A	5570 APPLEWOOD CT ST. PT. 2687 Hay Merdow Ln, St. PT 425 Sunsed Blud, St. PJ.
	SERVINININ AND AND AND AND AND AND AND AND AND AN
	JUSTIN ANDERS

Mr. 24

We, the citizens of the town of Stockton and all surrounding areas are opposed to the closing of the public crossing of the Wisconsin

Central tracks with Old Highway 18 road in the town of Stockton.

The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action.

Many Trainor

Jim Trainor

Jim Trainor

Stocket Trecurence

Linda Milser

Pan Roberts

Sil Roberts

Korry formers

Mary Pat Dian

245 Arden hows line, Grapher
1316 Ellis St., Stevens Point
1316 Ellis St., Stevens Point
1840 N. Prespect, Hikea
610 Bobs Dr. Dover
511 Leunard St. Stevens Point
511 Leunard St., St. Pt.
432 Beorgia St. N. Stevens Point
432 Deorgia St. N. Stevens Point

Collected by:

Nov. 18

We, the citizens of the town of Stockton and all surrounding areas are opposed to the closing of the public crossing of the Wisconsin Central tracks with Old Highway 18 road in the town of Stockton.

The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action.

Patria Cal Bakw Joeg Beyer Variefautolis" John Wester John Chesthalor Billou sersk. KATHRYN ST. CLAIR JAMES ST. CLAIR Kan Jamell

Collected by: Wareia Janowsk 509 (WWOOD AVE ST. PT.

5639 Repent St St PT

1961 PLOVER ST. ST. PT.

5508 WOODL AND STATE

5861 S. 18th Aur, West Pend

1201. N. Reserve Dr. St. Pt.

1719 Jefferson - Stevens

N6573 23th Ave Wild Rose

N6573 23th Ave Wild Rose

1543 Holiday Gr., Stevens

JUSTIN J. ANDERSON

The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action.

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Collected by:

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Terri Hahn 516 Autum Cart Stews Point WD
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Mr.21

We, the citizens of the town of Stockton and all surrounding areas are opposed to the closing of the public crossing of the Wisconsin Central tracks with Old Highway 18 road in the town of Stockton.

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We, the people, need to contest this action.

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314 w Onyton St. Madison
9218 Oak Hollow Dr Bowlett Tr 75889
1515 Benton Blod Swinner, GA
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Collected by:
Maria Janowshi

The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action.

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2417 Simonis St. Stevens Point
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Collected by:

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ANDERSON Witness by:

Jun / 10-10-10

The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action.

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Collected by:

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JUSTIN J.

Collected by:

Marcin Janowski

by: In 10-10

2007

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Wan Mary 6915 Country Burney Laws St. Pt. 5499.

Philip Pictory 322 Pinerest Give - Park Ridge

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Collected by:

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Mrs. 16 2007

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We, the people, need to contest this action.

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Collected by: Marcia Janoushi

Mr. 17

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Florian Sigman 1517 Michigan Ave 51. Pt,

Sorriane Sigman 1517 Michigan Ave 51. Pt,

But Clemente 2700 Reservedt Plover

Kevin Brenster 329 LZAHY AVE 51. Pt.

Vicki Lifferi 2351 Ravitour D. Plever.

Jan Helissa Kepan 2901 Fifth Ave 8t. Pt.

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Collected by:

Mor. 17

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Collected by:

Rhody J. Studinski S533 WALTER ST. ST. PT.

Anify Scanduria 3502 Yvonne Dr. StPt

Jenet Piltz 1210 Airline Rd. Plwar

Cunice Zwicke 6729 Oak Tree. Rd St. Pt.

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Kim Bodin 620 Leb's Drive Plnur

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JUSTIN J.

March 23, 2006

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We, the people, need to contest this action.

Mul Channes! 6780 ORK +120 Rd

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1251 Jordan Rd SIPI.

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The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

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3651 Huga Dr. PLOVER, W;

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908 County Rd E Stevens Point a

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JAN 10-10-10

The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action.

Down W. Wicharski 1330 Fox Lave Plover

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Glin & John 5095 Ellis St.

Jean & Clark N3971 11th three Hancocks

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The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action. MONZOE CENTURY WIS 10217 CO. RD. B. Aubenst We

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We, the people, need to contest this action.

Robert Adam

625 Evelyn a. St. Pt. WI

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We, the people, need to contest this action.

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10379 Cty Rd O Amherstw1

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1040 Woodland Ct Nover, WI F4967

3100 Lampsion Dr. St. Point, 54481

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1987 St. 1176 Dr. Vantoma 5498254481

Collected by: Maria Janowski

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Collected by

Tom Lumby

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Tim Larvey

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We, the people, need to contest this action.

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Roger Hamilton

Prohad Barshi 2841 Hickory Dr. PLOVER

Christine Jarshi 2841 Heckey Dr. plover

Meyorie Rette 1494 Jorun Rd Town of Hull

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Olaf Enfow 416 Wis Raid Wisher

Perman haminshi 1418 East Grandau Roslold w. 54473

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Janathon 2 Story Locust Dr. Plover W.

Collected by: Maria Janowski

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Roger Rove	3544 Golden Pail Ln. Cistor
DavesLowink	481 West ClarkStreet St. Pt.
Sara Slowinski	481 West ClarkStret. St. Pt
Ron Mac Disc	1209 MAIN ST St. P.
Ruth MacDonald	1909 Main St. St. At.
Tillian Paul	5549 Oakwood ave. St. Pt.
Councy & Spencer	5248 Regent St. St. Pt
to theles	4048 SIMONIS ST. ST. PT.
alisa barretto	· · · · · · · · · · · · · · · · · · ·
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Collected by: Maria Janowski

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Jean Morris

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Participation

Jack Junts

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The closure would be an inconvenience to all local residents. It also would put a damper on the access to all local surrounding businesses. We feel to protect and promote public safety at the crossing is the financial responsibility of Wisconsin Central.

We, the people, need to contest this action.

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We, the people, need to contest this action.

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Collected by:

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TRAFFIC COUNTS Old Hwy 18 **DATES** May 9, 2007 to May 16, 2007 Starting at 3:30 PM

	DAY 1	DAY 2	DAY 3	DAY 4	DAY 5	DAY 6	DAY 7	DAY 8	
	9-May	10-May	11-May	12-May	13-May	14-May	15-May	16-May	Peak Hour
	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Average
1:00 AM		2	9	4	4	0	1	3	
,2:00 AM		2	2	0	1	1	2	2	
3:00 AM		0	2	2	3	0	0	0	
4:00 AM		1	0	2	5	1	0	1	
5:00 AM		· 5	0	0	1	1	0	0	
6:00 AM		3	8	4	0	6	6	7	
7:00 AM		16	22	7	10	32	22	16	18
8:00 AM		15	20	20	9	15	13	9	14
9:00 AM		21	16	28	7	10	14	19	16
10:00 AM		19	19	20	19	20	15	11	
11:00 AM		24	14	29	18	21	18	13	
12:00 PM		26	15	37	29	29	23	14	
1:00 PM		29	16	38	19	22	23	26	
2:00 PM		25	19	30	20	25	21	25	
3:00 PM		25	37	18	26	20	34	32	
4:00 PM	37	30	35	26	16	26	33		29
5:00 PM	41	31	34	32	27	29	34		33
6:00 PM	17	31	41	16	23	14	32		25
7:00 PM	15	15	26	11	22	19	24		
8:00 PM	23	33	12	19	19	22	13		
9:00 PM	13	7	20	13	5	8	14		
10:00 PM	5	7	8	13	7	2	6		
11:00 PM	7	4	3	16	4	0	1		
12:00 AM	3	0	10	7	3	2	2		
TOTALS	161	371	388	392	297	325	351	178	2463
12 AM Peak Hour Weekday Average 22 PM Peak Hour								354.8	

PATRICIA CAL BAKER

ATTORNEY AT LAW

1501 Clark Street • Stevens Point, Wisconsin 54481
(715) 344-9828 • (877) 344-9828 • Fax (715) 344-3336 • pcbakerLAW@sbcglobal.net

Ree'd. 5-5-08

May 2, 2008

Mr. Rodney Kreunen Office of the Commissioner of Railroads 610 North Whitney Way, Room 110 Madison, WI 53708

RE: Docket Number: 9164-RX-682

Wisconsin Central Ltd. Petition: Old Highway 18, MP 244.30 (U.S. DOT #692529E) & Smokey Road, MP 239.60 (U.S.DOT #692521A)

Dear Commissioner Kreunen:

I am withdrawing from representation of the Heartland Bike & Nordic Ski Club ("Club") of Portage County for the Contested Hearing on the Petition by Canadian National.

As you may have suspected, I am a member of the Club and was representing the Club in a *Pro bono* capacity. At this time, I have found that my personal practice, as well as my position as a part-time Assistant District Attorney in Waushara County, is making it impossible to continue representation in an effective manner. The last thing that I wish to do is not be able to zealously advocate for a client because of other time commitments.

I am confident that Mr. Jack Freiss will be able to continue in a very effective manner on behalf of the Club. I ask that you interact with him and direct future correspondence to his address. I appreciate your understanding in this matter.

Sincerely.

Patricia Cal Baker

Cc: - Mr Wally Schmidt, Club President

- Mr. Jack Freiss. 1917 College Avenue, Stevens Point, WI 54481
- Atty. Tom Healey, Canadian National
- Atty. David A. Ray, First Law Group SC
- Atty. Douglas S. Wood, Office of the Commissioner of Railroads

RWK



GERALD 'BRIEN*
THOMAS W. BERTZ
RONALD T. SKRENES**
RUSSELL T. GOLLA*
ROBERT F. KONKOL
TORREN K. PIES
NADINE I. DAVY
RICK A. FLUGAUR

ROBERT J. SHANNON BRIAN G. FORMELLA AMY J. EDDY RICHARD H. FULLER DAVID M. JAMES KEITH J. PILGER DONNA L. GINZL OF COUL ... JOHN E. SHANNON, JR. MAURICE G. RICE, JR.

In Memoriam: Hiram D. Anderson, Jr. 1946-2006 Years of Excellence

*Certified Civil Trial Specialist by National Board of Trial Advocacy

**Certified Estate Planning Law Specialist by Estate Law Specialist Board, Inc.

BRIAN G. FORMELLA 1257 MAIN STREET P.O. BOX 228 STEVENS POINT, WI 54481-0228 Recd. 5-14-08

E-MAIL bgf@andlaw.com URL http://www.andlaw.com FAX 715/344-1012 TEL 715/344-0890

May 8, 2008

VIA FAX and U.S. MAIL 608/261-8220

(copy,

Mr. Rodney Kreunen, Commissioner Office of Commissioner of Railroads 610 North Whitney Way, Room 110 Madison, WI 53708

Mr. Douglas S. Wood, Legal Counsel Office of Commissioner of Railroads 610 North Whitney Way, Room 110 Madison, WI 53708

In Re: Docket Number 9164-RX-682

Petition of Wisconsin Central Ltd. For Closure of Public Crossings of its Tracks with Old Highway 18 and Smokey Road in the Town of Stockton

Portage County
Our File No.: 24,341

Dear Mr. Wood:

Enclosed please find this law firm's Notice of Retainer by the undersigned on behalf of Heartland Bike and Nordic Ski Club regarding the above-referenced matter. I would request that all subsequent correspondence and documents be forwarded to me. By copy of this letter, counsel for Canadian National Railway and the Town of Stockton have been notified of the same.

Sincerely,

ANDERSON, O'BRIEN BERT SKRENES & GOLLA

Brian G. Formella

THE TRUSTED CENTRAL WISCONSIN LAW FIRM FOR OVER 120 YEARS

J. A.

Mr. Rodney Kreunen, Commissioner Mr. Douglas S. Wood, Counsel May 8, 2008 Page 2

BGF:san/304659 Enclosure

cc: Mr. Thomas J. Healey, Counsel Canadian National Railway 17641 South Ashland Avenue Homewood, IL 60430-1339

> Mr. David A. Ray, Counsel First Law Group, S.C. 2900 Hoover Avenue, #A Stevens Point, WI 54481-5678

Heartland Bike & Nordic Ski Club

(all w/enclosure)

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS STATE OF WISCONSIN

NOTICE OF RETAINER

In the Matter of the:

Petition of the Wisconsin Central Ltd for the Closure of the Public Crossings of its Tracks with Old Highway 18 and Smokey Road in the Town of Stockton, Portage County, Wisconsin.

Docket No.: 9164-RX-682

NOW COMES THE HEARTLAND BIKE & NORDIC SKI CLUB, by its attorneys, Anderson, O'Brien, Bertz, Skrenes and Golla, by Brian G. Formella, who is a party in the upcoming contested Hearing with the above-listed docket number. This law firm has been retained as legal counsel, following the withdrawal from representation of Heartland Bike & Nordic Ski Club by Attorney Patricia Cal Baker, and will be representing the Heartland Bike & Nordic Ski Club in this action, all pleadings, letters and correspondence should be served or delivered to the undersigned at the address listed below.

Signed this 8th day of May, 2008.

ANDERSON, O'BRIEN, BI

SKRENES & GOLLA

By: Brian G. Formella

Wisconsin State Bar No.: 1012637

1257 Main Street

P.O. Box 228

Stevens Point, WI 54481 Telephone: (715) 344-0890

Fax: (715) 344-1012



ATTORNEYS AT LAW Est. 1886

A. O'BRIEN* THOMAS W. BERTZ RONALD T. SKRENES** RUSSELL T. GOLLA* ROBERT F. KONKOL TORREN K. PIES NADINE I. DAVY RICK A. FLUGAUR

ROBERT J. SHANNON BRIAN G. FORMELLA AMY J. EDDY RICHARD H. FULLER DAVID M. JAMES KEITH J. PILGER DONNA L. GINZL

OF C. SEL: JOHN E. SHANNON, JR. MAURICE G. RICE, JR.

IN MEMORIAM: HIRAM D. ANDERSON, JR. 1946-2006

lears of Excellence

*Certified Civil Trial Specialist by National Board of Trial Advocacy **Certified Estate Planning Law Specialist by Estate Law Specialist Board, Inc.

Becid. 5-12-128

Brian G. Formella 1257 MAIN STREET P.O. Box 228 STEVENS POINT, WI 54481-0228

May 9, 2008

E-MAIL andlaw@andlaw.com **URL** http://www.andlaw.com **FAX** 715/344-1012 TEL 715/344-0890

Mr. Douglas S. Wood Office of Commissioner of Railroads 610 Whitney Way **Room 110** PO Box 8968 Madison, WI 53708-8968

Re:

Docket Number 9164-RX-682

Petition of Wisconsin Central Ltd. For Closure of Public Crossings of its

Track with Old Highway 18 and Smokey Road,

Town of Stockton, Portage County, WI

Our File No. 24,341

Dear Mr. Wood:

The Heartland Bike and Nordic Ski Club ("Heartland"), a party to this matter, would like to go on record supporting the Town of Stockton's ("Town") proposal to hold separate hearings on the two crossings in question. It is unclear to us why these two very different crossings are being joined, as the only thing they have in common is that they exist in the Town. From our standpoint, these are a few of the ways these crossings differ and why the hearing should be separated:

- 1. Contrary to what Wisconsin Central Ltd. ("WCL") claims, these crossings are not in the same proximity of each other. Smokey Road ("Smokey") is approximately 4.5 miles from Old Highway 18 ("OH18") with 3 crossings in between: Stockton Road, County Highway J, and Custer Road. This is unlike Stockton Road and OH18 crossings, which are less than one-half mile from the other, and County Highway K and Five Corners crossings, which are both at-grade and 1 mile apart.
- 2. Smokey, as the Town has pointed out, is a grade-separated crossing, and OH18 is an at-grade crossing. Because of this, each crossing has very different issues and safety concerns.

dehal

Mr. Douglas S. Wood May 9, 2008 Page 2

- 3. From a bicycling standpoint, these crossings have nothing in common:
 - OH18, from State Highway 10 in Stevens Point to Custer Road, is an officially designated Bike Route; Smokey Road is not.
 - OH18 is a major east/west corridor for bicycles, particularly those commuting on bikes; Smokey Road, being a north/south road that terminates at Highway 10, is not a bicycle route or even a road that bicyclists would use north of 6th Street where the crossing exists.
 - Regarding this, we estimate the AADT for bicycles on OH18 is 26; on Smokey it is close to zero.
- 4. There is no nexus between these two crossings and the closing of one will not affect, in any way, the motor and non-motor vehicle traffic patterns of the other. This is very different from the strong connection between the crossings at Five Corners Road and Highway K, where the closing of Five Corners would affect the traffic patterns of the Highway K crossing, or OH18 and Stockton Road, where the closing of OH18 would affect the traffic patterns of the Stockton Road crossing.
- 5. Heartland, along with the Town, has lined up 22 expert witnesses to testify specifically to the need for OH18 to stay open and to talk about how the safety of the crossing can be improved. Our schedule for these witnesses contemplates using the entire evening and the full next day of the hearing for OH18. To my knowledge, with the exception of the Town Board and Heartland representatives, none of the witnesses scheduled to testify at the Smokey hearing are also testifying at the OH18 hearing. As indicated above, these are very different crossings each requiring very different expert testimony and documentary evidence.

Based on this, Heartland Bike and Nordic Ski Club respectfully requests two separate hearing dates for each of these crossings, with OH18 being scheduled first.

Thank you for your time and consideration in this regard.

Very truly yours,

ANDERSON, O'BRIEN, BERTZ

SKRENES & GOLLA

By: Brian G. Formella

Mr. Douglas S. Wood May 9, 2008 Page 3

BGF:san/304704

cc: Heartland Bike & Nordic Ski Club

Attorney David A. Ray
Attorney Thomas J. Healey

RWK

Wood, Doug RR

Tom.Healey@cn.ca From:

Monday, May 05, 2008 1:57 PM Sent:

To: Wood, Doug RR

Terry Lee; David A. Ray; Jeanne Dodge; Wally Schmitt; Brian Formella; jfriess@spacs.k12.wi.us Cc:

Subject: Fw: Docket Number: 9164-RX-682 Old Hwy 18 / Smokey Road

Doug:

Please accept this informal response as WCL's indication that it has no objection to your office awaiting the submission of Heartland Bike and Nordic Ski Club's position statement on bifurcation.

Tom

---- Forwarded by Tom Healey/HEALEY03/IL/CNR/CA on 05/05/2008 01:54 PM ----

Jack Friess <jfriess@spacs.k12.wi.us>

To "Wood, Doug RR" <Doug.Wood@psc.state.wi.us>

cc Tom Healey <Tom.Healey@cn.ca>, Terry Lee <terry.lee21@cn.ca>, "David A. Ray" <ray@firstlawgroup.com>, Jeanne Dodge <jdodge@msworldnet.com>, Wally Schmitt 05/05/2008 12:41 PM

<wschmitt@nwhealth.edu>, Brian Formella <bgf@andlaw.com>

Subject Docket Number: 9164-RX-682 Old Hwy 18 / Smokey Road

Mr. Doug Wood Office of Commissioner of Railroads

Re: 9164-RX-682

Dear Mr. Wood:

Please accept this correspondence with my apologies. We are in the process of obtaining new legal counsel who will be representing our organization in this matter and who, we are hopeful, will be in touch with your office before the end of this week.

The Heartland Bike and Nordic Ski Club has prepared and will submit to you through USPS by Saturday, May 10th (to arrive in your office by Monday, May 12th), a position statement regarding bifurcating the hearing for Old Highway 18 and Smokey Road. If you haven't made your decision already, we hope this information will be helpful for you in deciding this important

Respectfully,

Jack Friess, Chief Negotiator Heartland Bike and Nordic Ski Club

www.cn.ca

Rec'd 4-30-08

April 28, 2008

Law

Thomas J. Healey Counsel - Regulatory

17641 S. Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom.healey@cn.ca

Mr. Doug Wood Office of the Commissioner of Railroads 610 Whitney Way **Room 110** P.O. Box 8968 Madison, WI 53708-8968

Re:

9164-RX-682

Smokey Road and Old Hwy 18, Town of Stockton

Dear Mr. Wood:

I am in receipt of David Ray's letter of April 24, 2008 regarding the referenced docket. While Wisconsin Central Ltd. maintains its previously-stated reasons for believing that the referenced matters should remain consolidated into one hearing, we have no objection to the entirety of Mr. Ray's April 24, 2008 letter remaining in the docket to reflect the Town's opposition to that stance.

Thank you for your attention to this matter.

Very truly yours,

Thomas J. Healey

cc:

David A. Ray **Patricia Baker** Terry Lee

Orig: DW CC: RWK



2900 Hoover Avenue, Suite A Stevens Point, Wisconsin 54481-5678

A Limited Liability Service Corporation

Telephone 715-341-7855 Facsimile 715-341-7255 E-mail ray@firstlawgroup.com

David A. Ray Attorney at Law Recd. 4-28-08

Marlene M. Vircks Legal Assistant

April 24, 2008

Doug Wood
Office of the Commissioner of Railroads
610 Whitney Way
PO Box 8968
Madison WI 53708-8968

DOCKET NO. 9164-RX-682 OLD HIGHWAY 18 AND SMOKEY ROAD

Dear Mr. Wood:

I have attorney Healey's letter of April 18, 2008. My recollection is somewhat different than his of how things transpired during settlement discussions, and I explained that to him following his receipt of my April 15, 2008, letter and before he prepared his April 18 letter to you.

That having been said, I have no objection to what attorney Healey proposes in his April 18 letter. I interpret his parenthetical "with a notation of the Town's request for bifurcated hearing" to mean that my April 15 request for separate hearings on the petitions for these two crossings stands. So that the record is clear, my client makes that request for the following reasons, substantially repeated from my April 15 letter:

The issues involved with these two crossings are different. One is grade separated (Smokey Road); the other is not. One involves road elevation and angle issues (Old Highway 18); the other does not. One involves many safety issues (Old Highway 18); the other does not.

At the hearings, different witnesses will present evidence on each crossing. It is not efficient to have witnesses who will testify about one crossing sit and wait while all of the evidence is presented on the other crossing. As much as we try to create and stick to a schedule for these kinds of hearings, that is often much easier said than done. For all these reasons, it makes sense to have separate hearings.

Several years ago, that is how the OCR appeared to view the situation. On its own motion, the OCR filed for an investigation and a hearing concerning the potential closure of the public crossing of the tracks at Old Highway 18. The railroad moved for and was granted postponement to conduct discovery. After a period of time, the railroad filed a petition requesting the closings of both Old Highway 18 and Smokey Road crossings. A hearing date was scheduled. The town then filed petitions requesting that both crossings be kept open.

Doug Wood April 24, 2008 Page 2

Based on the foregoing considerations only, the town requests that a hearing be scheduled on the Old Highway 18 crossing petitions. After those petitions are decided, the parties and your office can determine the best way to proceed, if at all, regarding the grade separated Smokey Road crossing. Thank you again for you attention to this request.

Sincerely,

FIRST LAW GROUP S.C.

A limited liability service corporation

David A. Ray

DAR

C: Tom Healey
Patricia Cal Baker
Town of Stockton

www.cn.ca

Rec'd. OCR 4-23-08

April 18, 2008

Law

Thomas J. Healey Counsel - Regulatory

17641 S. Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom.healey@cn.ca

Mr. Doug Wood Office of the Commissioner of Railroads 610 Whitney Way Room 110 P.O. Box 8968 Madison, WI 53708-8968

Re:

9164-RX-682

Smokey Road and Old Hwy 18, Town of Stockton

Dear Mr. Wood:

I am in receipt of David Ray's letter of April 15, 2008 regarding the referenced docket, and wish to bring to your attention two issues. First, Wisconsin Central Ltd. ("WCL") does not agree with the Town of Stockton's position that the present docket should be divided into two hearings. WCL believes that many of the witnesses regarding each crossing (and, most likely, all of WCL's witnesses) will be the same. More fundamentally, it is unclear how a valid decision can be reached on one crossing without taking into account the effect that a modification of that crossing will have on the other crossing. In short, the proximity to the crossings dictates that they be considered in conjunction.

Second, Mr. Ray's letter was written in disregard of the agreement of the parties when they commenced what were intended to be good faith settlement discussions. Specifically, at the beginning of those discussions, the parties agreed (as if often done to encourage candor during settlement discussions) that anything said during the meeting would be held in confidence and not used in this docket. Mr. Ray unmistakably indicated his understanding of that agreement on behalf of

Mr. Doug Wood April 18, 2008 p. 2

the Town prior to the commencement of discussions. Several passages of Mr. Ray's letter characterize his recollection of the contents of those discussions, in violation of that agreement. Without attempting to correct what WCL believes to be mischaracterization of the discussions put forth by Mr. Ray, WCL respectfully requests that Mr. Ray's letter be stricken from the docket (with a notation of the Town's request for bifurcated hearing), and that an order be entered preventing the parties from further disclosures of confidential settlement discussions.

Thank you for your attention to this matter.

Very truly yours,

Thomas J. Healey

cc:

David A. Ray Patricia Baker Terry Lee Ruk



2900 Hoover Avenue, Suite A Stevens Point, Wisconsin 54481-5678

A Limited Liability Service Corporation

Telephone 715-341-7855 Facsimile 715-341-7255 E-mail buzza@firstlawgroup.com

> Ellen Hardin Legal Assistant

E. John Buzza Attorney at Law

Rec'd 4-17-08

April 15, 2008

Doug Wood
Office of the Commissioner of Railroads
610 Whitney Way
PO Box 8968
Madison WI 53708-8968

DOCKET NO. 9164-RX-682 OLD HIGHWAY 18 AND SMOKEY ROAD

Dear Mr. Wood:

On the issue of resetting these matters for hearing, I write on behalf of the Town of Stockton to request that the petitions on these two crossings be scheduled for separate hearings, as was initially the case. In the town's recent negotiation conversations with the railroad, the town learned what it had suspected all along—the railroad was using one of these crossings as a bargaining chip for the other. While there is nothing wrong with that conceptually for negotiations purposes, it is certainly not a basis upon which to make scheduling decisions for hearings on railroad crossing closing petitions.

The issues involved with these two crossings are different. One is grade separated (Smokey Road); the other is not. One involves road elevation and angle issues (Old Highway 18); the other does not. One involves many safety issues (Old Highway 18); the other does not.

At the hearings, different witnesses will present evidence on each crossing. It is not efficient to have witnesses who will testify about one crossing have to sit and wait while all of the evidence is presented on the other crossing. As much as we try to create and stick to a schedule for these kinds of hearings, that is often much easier said than done. Because of these types of concerns as well as the fact that the issues involved with each crossing are different, it makes sense to have separate hearings.

Several years ago, that is how the OCR appeared to view the situation. On its own motion, the OCR filed for an investigation and a hearing concerning the potential closure of the public crossing of the tracks at Old Highway 18. The railroad moved for and was granted postponement to conduct discovery. After quite some time, and apparently after analyzing the situations regarding all crossings in the area, the railroad filed a petition requesting the closings of both Old Highway 18 and Smokey Road crossings. A hearing date was scheduled. The town then filed petitions requesting that both crossings be kept open. The next hearing date was postponed so the parties could explore settlement options. In negotiations, the railroad made its

Doug Wood April 15, 2008 Page 2 of 2

offer of funds on the Old Highway 18 crossing conditional upon the town agreeing to allow the Smokey Road crossing to be closed. The town is not willing to accept that proposal. The town also requested that the railroad agree to address the two crossings separately due to the factual and practical differences noted above. By attorney Healey's March 28, 2008, letter, the railroad is not willing to do that.

The town requests that a hearing be scheduled on the Old Highway 18 crossing petitions only. After those petitions are decided, the parties and your office can determine the best way to proceed, if at all, regarding the grade separated Smokey Road crossing. Thank you.

Sincerely,

FIRST LAW GROUP S.C. A limited liability service corporation

David A. Ray

DAR/gr

C: Tom Healey Patricia Cal Baker Town of Stockton

> Orig! Dew CC: RWK



A Limited Liability Service Corporation

9164-RX-682 (faxed copy)

2900 Hoover Avenue, Suite A Stevens Point, Wisconsin 54481-5678

E. John Buzza Attorney at Law Telephone 715-341-7855 Facsimile 715-341-7255 E-mail buzza@firstlawgroup.com

> Ellen Hardin Legal Assistant

April 15, 2008

Doug Wood
Office of the Commissioner of Railroads
610 Whitney Way
PO Box 8968
Madison WI 53708-8968

DOCKET NO. 9164-RX-682 OLD HIGHWAY 18 AND SMOKEY ROAD

Dear Mr. Wood:

On the issue of resetting these matters for hearing, I write on behalf of the Town of Stockton to request that the petitions on these two crossings be scheduled for separate hearings, as was initially the case. In the town's recent negotiation conversations with the railroad, the town learned what it had suspected all along—the railroad was using one of these crossings as a bargaining chip for the other. While there is nothing wrong with that conceptually for negotiations purposes, it is certainly not a basis upon which to make scheduling decisions for hearings on railroad crossing closing petitions.

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Doug Wood April 15, 2008 Page 2 of 2

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The town requests that a hearing be scheduled on the Old Highway 18 crossing petitions only. After those petitions are decided, the parties and your office can determine the best way to proceed, if at all, regarding the grade separated Smokey Road crossing. Thank you.

Sincerely,

FIRST LAW GROUP S.C. A limited liability service corporation

David A. Ray

DAR/gr

C: Tom Healey Patricia Cal Baker Town of Stockton

RWK



2900 Hoover Avenue, Suite A Stevens Point, Wisconsin 54481-5678

FIRST LAW GROUPSC A Limited Liability Service Corporation

Telephone 715-341-7855 Facsimile 715-341-7255 E-mail staff@firstlawgroup.com

FACSIMILE COVER SHEET

TOTAL NUMBER OF PAGES (including this cover sheet): ________

If checked here, original documents will follow by mail.

TO:

Douglas S. Wood

FIRM:

Office of the Commissioner of

Railroads

DATE:

April 15, 2008

FAX NO.:

608.261.8220

FROM:

David A. Ray

FILE:

Town of Stockton re: Canadian

National Railroad

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MESSAGE

Attached please find correspondence.

www.cn.ca

Rec'd. 4-1-08

March 28, 2008

Law

Thomas J. Healey Counsel - Regulatory

17641 S. Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom.healey@cn.ca

Mr. Doug Wood Office of the Commissioner of Railroads 610 Whitney Way **Room 110** P.O. Box 8968 Madison, WI 53708-8968

Re:

9164-RX-682

Smokey Road and Old Hwy 18, Town of Stockton

Dear Mr. Wood:

Wisconsin Central Ltd. has been advised by counsel for the Town of Stockton that the Town has voted to reject our proposal to secure the Town's agreement for modifications to the referenced crossings. Therefore, I believe that settlement discussions have concluded, and this matter should be reset for hearing.

Please contact me if you have any questions.

Very truly yours,

Thomas J. Healey

CC:

David A. Ray Patricia Baker Terry Lee RWK

Lehner, Debra RR

File cop 4 9/64-RX-1082

From: Sent:

Jack Friess [jfriess@spacs.k12.wi.us] Monday, February 11, 2008 3:21 PM

To:

Wood, Doug RR

Cc:

Molepske, Louis; Lassa, Julie; Kelly, Jessica; McKinny, Chris; 'Tom.Healey@cn.ca';

'ray@firstlawgroup.com'; Patricia Cal Baker; 'NVine@gannett.com';

'MMacombe@gannett.com'; 'ecluc390@uwsp.edu'; 'asuth202@uwsp.edu'; Deb Sisk; John Gardner; 'info@co.portage.wi.us'; 'mail@wdux.net'; Vigue, Brian - Office of Governor Jim Doyle; Vruwink, Amy Sue; Morrison, Mark; Bolitho, James; Baer, Gregory; Tom Domres (domrestg@tkda.com); 'Jack Friess'; Lehner, Debra RR; Kraemer, Bonnie RR; Jeanne

Dodge

Subject:

Re: Stockton Railroad Hearing is POSTPONED

Mr. Wood:

Were we consulted prior to your decision to postpone this hearing now?

[Note my phone number: 715-340-3132.] We, the Town of Stockton, City of Stevens Point, and the Heartland Bike Club, have 200 plus exhibits, 3 engineers, and 21 witnesses, many on your Cc: list, that have been preparing for and are ready for this hearing. This postponement, at this late date, is a huge inconvenience for many people here in Portage County, not to mention Madison, Rhinelander, etc.

We do not understand why Portage County is included in the list of those with whom CN wants to conduct negotiations. The County is not a party to this matter and has no jurisdiction on this Township road.

The railroad has not contacted us yet and the last we heard, about a month ago, they wanted to go to hearing. What is going on?

Jack

Jack Friess, Team Leader Old Highway 18 Defense Team

At 02:18 PM 2/11/2008 -0600, you wrote:

The hearing in Stockton on the closure of the Old Highway 18 and Smoky Road crossings scheduled for this Wednesday evening and Thursday morning are being postponed. The notice (below) is being mailed today (Monday).

In the Matter of the:

Petition of the Wisconsin Central Ltd. for the Closure of the Public Crossings of Its Tracks with Old Highway 18 and Smokey Road in the Town of Stockton, Portage County

9164-RX-682

NOTICE OF POSTPONEMENT

The hearing scheduled in this matter for February 13 and 14, 2008 is hereby postponed. A new hearing notice with a new date and time will be sent separately. The railroad proposes to discuss a mutually acceptable

resolution with the Town of Stockton, Portage County, and Heartland Bike & Nordic Ski Club. Any agreement that requires alteration or closure of any public rail-highway crossing will require a public hearing.

By letter dated September 4, 2007, the Wisconsin Central Ltd. (WCL) filed a petition with the Office of the Commissioner of Railroads (OCR) under

§§195.28 and 195.29, Stats., for the closure of the public crossings of its tracks with Old Highway 18 (crossing no. 692 529E) and Smokey Road (crossing no. 692 521A) in the Town of Stockton, Portage County. Old Highway 18 is an at-grade crossing and Smokey Road is a grade-separated crossing.

Closing a crossing means that the roadway would be terminated at the tracks and would be permanently closed to public travel. Jurisdiction: Secs. 195.28 and 195.29, Stats.

Please contact the OCR staff with any questions, at (608) 266-7607.
Dated at Madison, Wisconsin,
By the Office of the Commissioner of Railroads.
Douglas S. Wood, Hearing Examiner

9164N682 four

Douglas Wood
Legal Counsel
Office of the Commissioner of Railroads
610 N. Whitney Way, Room 110
Madison, WI 53705
608-266-9536
608-261-8220 (fax)
doug.wood@psc.state.wi.us
http://ocr.wi.gov

Attachment Converted: "C:\Documents and Settings\Gregg Hansel\Desktop\Attachments\9164n682 four.doc"

9/64- 14-682

Wisconsin State Senate 24th Senate District



Serving Wood, Portage, Adams Waushara, Marathon & Marquette

Rec'd 2-22-08

JULIE LASSA STATE SENATOR

February 18, 2008

Commissioner Rodney Kreunen Office of the Commissioner of Railroads 610 N. Whitney Way, Room 110 P.O. Box 8968 Madison, WI 53708-8968

Dear Commissioner Kreunen,

I would like to take this opportunity to express a number of concerns, raised by Stevens Point area residents that have contacted my office, regarding the potential grade-separated crossing closing at Smokey Road in the Town of Stockton.

The Wisconsin Central Ltd. (WCL) petitioned your office to close this crossing, which would effectively block all vehicle and bicycle traffic going North/South on Smokey Road at this crossing. The Town of Stockton and many area residents are opposed to this closing for a variety of reasons including issues of convenience, movement of farm equipment, and access for emergency services and school buses.

Since this is a grade-separated crossing, there are no safety concerns with allowing it to remain open. However, many officials from the Stockton area have expressed their concerns about the negative impacts a closure would create. The Tomorrow River School District believes that this closure would increase the travel time of their school bus routes and they have safety concerns about children being on the bus for extended amounts of time. The Portage County Emergency Management Office and the Stockton Fire Department believe that this closure could have a negative impact on their emergency response time. The Portage County Sheriff's Department also opposes the closure, as it would increase their emergency response time as well.

While you examine the Smokey Road crossing, I would ask that you consider the negative impact a closure would cause. I am concerned that a complete closure would have detrimental effects on the area's functional and recreational transportation. There are also numerous safety issues associated with closing the crossing while none exist in allowing it to remain open. It seems to me that the negative affect of closing the crossing at Smokey Road far out weight any benefit of a closure.

Thank you for your consideration. Please do not hesitate to contact me if you would like to discuss this issue further.

Sincerely,

JULIE LASSA

State Senator

24th Senate District

OFFICE: State Capitol, P.O. Box 7882, Madison, WI 53707-7882 **PHONE:** (608) 266-3123 **TOLL-FREE:** 1-800-925-7491 **E-MAIL:** sen.lassa@legis.state.wi.us **DISTRICT NUMBER:** (715) 342-3806

Orta: DW CC: RWK. TR

Da) Jele 9/64-RX-682

Richard Filtz 2418 Stockton Road Stevens Point, WI 54481 715 544-4085

Rec'd. 2-11-08

Rodney Kreunen, Commissioner of Railroads 610 North Whitney Way, Suite 110 P.O. Box 8968 Madison, WI 53708

RE: Closure of Old Highway 18 Road Crossing (Docket #9164-RX-682)

Dear Mr. Kreunen:

I own the land adjacent to Northeast of the Canadian National/Wisconsin Central, Ltd's tracks near the Old Highway 18 Road rail crossing at Burbank Road in the Town of Stockton. I am very concerned about the petition of the CN/WCL to close this crossing, and am writing to voice my strong opposition this proposal.

I do not think closing this crossing will improve safety and convenience for those, like myself who have lived here my entire life and a third generation farmer. If the crossing is closed and Old Highway 18 Road is closed there, we will be forced onto very busy and less save roads like Highway 10 and eight miles extra round trip for farm equipment. Also by the closure of this crossing and Old Highway 18 Road would bring me close to bankruptcy, due to my current farming practice.

Mostly, I would like to inform you, in response to rumors that I have heard about a road or roads being built north of the tracks from the crossing to Stockton Road, that I am not in favor of such proposal(s) to build access roads. And further, land that I own will undoubtedly be needed for such road(s), IS NOT FOR SALE at this time for this purpose. I will use my legal rights that I can to prevent a road being built on land that I own, so I can continue my current farming practice.

I will be at the February 13^{th} and 14^{th} hearing to voice my opposition to the closing of this rail crossing.

Sincerely, Richard Fift

Richard Filtz

Cc: Terry Lee, CN
Mike Bronk, Town of Stockton
County of Portage/City of Stevens Point

Ruk

called a left message
re postponement 2-11-08;
will add to mail less
to receive just the documents.
- mailed copy of Notice
of Postponement 2-11-08

Lehner, Debra RR

Fele 9/64-RX-682

From:

Wood, Doug RR

Sent:

Monday, February 11, 2008 2:19 PM

To:

Molepske, Louis; Lassa, Julie; Kelly, Jessica; McKinny, Chris; 'Tom.Healey@cn.ca';

'ray@firstlawgroup.com'; Patricia Cal Baker; 'NVine@gannett.com';

'MMacombe@gannett.com'; 'ecluc390@uwsp.edu'; 'asuth202@uwsp.edu'; Deb Sisk; John Gardner; 'info@co.portage.wi.us'; 'mail@wdux.net'; Vigue, Brian - Office of Governor Jim

Doyle; Vruwink, Amy Sue; Morrison, Mark; Bolitho, James; Baer, Gregory

Cc:

Tom Domres (domrestg@tkda.com); 'Jack Friess'; Lehner, Debra RR; Kraemer, Bonnie RR

Subject:

Stockton Railroad Hearing is POSTPONED

Importance:

High

Attachments:

9164n682 four.doc

The hearing in Stockton on the closure of the Old Highway 18 and Smoky Road crossings scheduled for this Wednesday evening and Thursday morning are being postponed. The notice (below) is being

> 9164n682 four.doc (48 KB)

mailed today (Monday)

In the Matter of the:

Petition of the Wisconsin Central Ltd. for the Closure of the Public Crossings of Its Tracks with Old Highway 18 and Smokey Road in the Town of Stockton, Portage County

9164-RX-682

NOTICE OF POSTPONEMENT

The hearing scheduled in this matter for February 13 and 14, 2008 is hereby postponed. A new hearing notice with a new date and time will be sent separately. The railroad proposes to discuss a mutually acceptable resolution with the Town of Stockton, Portage County, and Heartland Bike & Nordic Ski Club. Any agreement that requires alteration or closure of any public rail-highway crossing will require a public hearing.

By letter dated September 4, 2007, the Wisconsin Central Ltd. (WCL) filed a petition with the Office of the Commissioner of Railroads (OCR) under §§195.28 and 195.29, Stats., for the closure of the public crossings of its tracks with Old Highway 18 (crossing no. 692 529E) and Smokey Road (crossing no. 692 521A) in the Town of Stockton, Portage County. Old Highway 18 is an at-grade crossing and Smokey Road is a grade-separated crossing.

Closing a crossing means that the roadway would be terminated at the tracks and would be permanently closed to public travel. Jurisdiction: Secs. 195.28 and 195.29, Stats.

Please contact the OCR staff with any questions, at (608) 266-7607.	

Dated at Madison, Wisconsin, _

By the Office of the Commissioner of Railroads.

Douglas S. Wood, Hearing Examiner

9164N682 four

Douglas Wood Legal Counsel Office of the Commissioner of Railroads 610 N. Whitney Way, Room 110 Madison, WI 53705 608-266-9536 608-261-8220 (fax) doug.wood@psc.state.wi.us http://ocr.wi.gov 02-11-08;02:16PN;CN LAW HOMEWOOD 708_332_4361

www.cn.ca

Law

Thomas J. Healey Counsel - Regulatory

17641 S. Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom.healey@cn.ca

February 11, 2008

VIA TELEFAX 608-261-8220

Commission Rodney Kreunen Office of the Commissioner of Railroads 610 N. Whitney Way Room 110 Madison, WI 53708

Re:

Petition for an order directing the closure of two existing crossings in Portage County, WI

- Old Highway 18, MP 244.30 (U.S. DOT #692529E)
- Smokey Road, MP 239.60 (U.S. DOT #692521A)

Dear Commissioner Kreunen:

In preparing this matter for hearing, WCL believes that it has identified a potential for reaching a negotiated resolution with all, or at least most, of the interested parties to this docket. We therefore respectfully request that the hearing on this matter be continued for a period of thirty (30) days to allow the parties to meet and, in good faith, explore common grounds of interest for the purpose of reaching a negotiated resolution.

Very truly yours

Thomas J. Healey

CC:

Dave Ray Patricia Baker

RWK

TERRY D LEE PE ENG PLNG WISCONSIN CENTRAL LTD 1625 DEPOT ST STEVENS POINT WI 54481

MICHAEL LIEN
WISCONSIN CENTRAL LTD
1625 DEPOT ST
STEVENS POINT WI 54481

THOMAS HEALEY REG COUNSEL CANADIAN NATIONAL 17641 S ASHLAND AVE HOMEWOOD IL 60430

TIM DENEEN DIR UNITED TRANSPORTATION UNION WIS LEGISLATIVE BD LO 056 7 N PINCKNEY ST STE 320 MADISON WI 53703-4262

POLICY ASST TRANSPORTATION OFFICE OF THE GOVERNOR 115 E EXEC OFFICE STATE CAPITOL MADISON WI 53702

KIRK BROWN OFFICE OF THE GOVERNOR RM 115 EAST STATE CAPITOL MADISON WI 53702

ANTHONY M DIMOND CHAIRMAN BROTHERHOOD OF LOCOMOTIVE ENG WIS STATE LEGISLATIVE BD E9775 BUCKHORN RD REEDSBURG WI 53959

MARIE HELMINIAK TOWN CLERK TOWN OF STOCKTON 7252 6TH ST CUSTER WI 54423

MICHAEL BRONK TOWN CHAIRMAN TOWN OF STOCKTON 7613 ROLLING HILLS RD CUSTER WI 54423

9164-RX-682

BILL WERONKE JR HWY COMMISSIONER PORTAGE COUNTY HIGHWAY DEPT 800 PLOVER RD PLOVER WI 54467

SENATOR JULIE LASSA SENATE DISTRICT 24 RM 323 SOUTH STATE CAPITOL MADISON WI 53702

REP LOUIS MOLEPSKE JR ASSEMBLY DISTRICT 71 RM 111 NORTH STATE CAPITOL MADISON WI 53702

REP AMY SUE VRUWINK ASSEMBLY DIST 70 RM 112 NORTH STATE CAPITOL MADISON WI 53702

DAVID RAY ATTY FIRST LAW GROUP 2900 HOOVER AVENUE STE A STEVENS POINT WI 54481-5678

WILL STITES
425 BUKOLT AVE
STEVENS POINT WI 54481

JOHN GARDNER DIR CITY OF STEVENS POINT PLANNING DEPT 1515 STRONGS AVE STEVENS POINT WI 54481

WALLY SCHMITT PRES HEARTLAND BIKE & NORDIC SKI CLUB 924 SONGBIRD LAND E7 STEVENS POINT WI 54481

JOHN MOE CITY CLERK CITY OF STEVENS POINT 1515 STRONGS AVE STEVENS POINT WI 54481-3594

9164-RX-682

DEBRA SISK 2798 BJ CT STEVENS POINT WI 54481

LILLIAN AND JOSEPH PAUL 5549 OAKWOOD AVE STEVENS POINT WI 54481

PATRICIA CAL BAKER ATTY HEARTLAND BIKE & NORDIC SKI CLUB 1501 CLARK ST STEVENS POINT WI 54481

CASEY & MARION JANOWSKI 2829 BURBANK RD STEVENS POINT WI 54481-9766

NEWS:

STEVENS POINT JOURNAL NEWS DEPT 1200 3RD CT STEVENS POINT WI 54481-2835

WIZD NEWS DEPT PO BOX 850 PLOVER WI 54467-0850

DENNIS DALSKY ASSIGN EDITOR WSAW TV 1114 GRAND AVE WAUSAU WI 54402

9164-RX-682

E-MAIL:

KIM TOLLERS - DOT

KEITH WENDT - DOT

DAVID BALDWIN - CENTRAL SIGNAL

MIKE BARRON – RAILROAD TERRY LEE - RAILROAD DAVE CRADER – RAILROAD JACK PALACH – RAILROAD JOHN RATH – RAILROAD TOM HEALEY – RAILROAD

JACK FRIES - Jack@heartlandclub.org

(Del also 2-11-08 e-mail copies Doug sent X Cosy on top of mail list)

STAFF:

DSW, TR, RWK

2/11/08DAL 9164ML682

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

In the Matter of the:

Petition of the Wisconsin Central Ltd. for the Closure of the Public Crossings of Its Tracks with Old Highway 18 and Smokey Road in the Town of Stockton, Portage County

9164-RX-682

NOTICE OF POSTPONEMENT

The hearing scheduled in this matter for February 13 and 14, 2008 is hereby postponed. A new hearing notice with a new date and time will be sent separately. The railroad proposes to discuss a mutually acceptable resolution with the Town of Stockton, Portage County, and Heartland Bike & Nordic Ski Club. Any agreement that requires alterations or closure of any public rail-highway crossing will require a public hearing.

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Closing a crossing means that the roadway would be terminated at the tracks and would be permanently closed to public travel. Jurisdiction: Secs. 195.28 and 195.29, Stats.

Dated at Madison, Wisconsin,	FEB 1 1 2008	

Please contact the OCR staff with any questions, at (608) 266-7607.

By the Office of the Commissioner of Railroads.

Douglas S. Wood, Hearing Examiner

9164N682 four

FIRST LAW GROUPsc A Limited Liability Service Corporation

2900 Hoover Avenue, Suite A Stevens Point. Wisconsin 54481-5678

David A. Ray Attorney at Law

Telephone 715-341-7855 Facsimile 715-341-7255 E-mail ray@firstlawgroup.com

> Marlene M. Vircks Legal Assistant

Recid. 2-1-08

January 30, 2008

Office of the Commissioner of Railroads Commissioner Rodney Kreunen 610 N. Whitney Way Room 110 PO Box 8968 Madison WI 53708

DOCKET NO. 9164-RX-682 OLD HIGHWAY 18 AND SMOKEY ROAD

Dear Commissioner Kreunen:

Our firm represents the Town of Stockton, the municipality in which the above two crossings are located. In connection with the upcoming hearings (February 13-14, 2008) regarding these two crossings, it has come to my attention that one "proposal" is to extend Old Highway 18 to Stockton Road on the north side of the existing tracks.

My understanding is that this "proposal" was brought up in the form of some verbal comments made by the Portage County Highway Commissioner. So that everyone is clear, this suggestion is not an option that the Town of Stockton has ever included as an agenda item for possible action at any of its meetings.

Sincerely,

FIRST LAW GROUP S.C.

A limited liability service corporation

DAR

C:

Town of Stockton Thomas J. Healey Patricia Cal Baker

RWK

Block in Bond on the same **ं** इस्ति हो स्रोत्स्य **८०३३ ,** १००० - १००० - १००० - १०००

Table of electropy and the

>Jack Friess, Team Leader

9164-RX-682

Wood, Doug RR From: Friday, February 01, 2008 12:36 PM Sent: 'Jack Friess'; 'Debra.Sisk@uwsp.edu' To: Patricia Cal Baker; Lehner, Debra RR Cc: RE: Stockton service list Subject: We will keep Debra Sisk on our mailing list. ----Original Message----From: Jack Friess [mailto:jfriess@spacs.k12.wi.us] Sent: Friday, February 01, 2008 12:33 PM To: Wood, Doug RR Cc: Patricia Cal Baker Subject: RE: Stockton service list >Subject: RE: Stockton service list >Date: Fri, 1 Feb 2008 08:32:43 -0600 >From: "Sisk, Debra" <Debra.Sisk@uwsp.edu> >To: "Jack Friess" <jfriess@spacs.k12.wi.us> >Good morning. >I am not affiliated with any bike club; however, I am against the >closing of the RR crossing at Old Hwy 18 (please see attached). I >would like to be on your email list, to know what is happening on this >subject. > >Debra Sisk >----Original Message---->From: Jack Friess [mailto:jfriess@spacs.k12.wi.us] >Sent: Thursday, January 31, 2008 5:04 PM >To: Patricia Cal Baker >Cc: Wood, Doug; Sisk, Debra >Subject: RE: Stockton service list >Re: http://www.uwsp.edu/cnr/watersheds/Staff/staffpages/dsisk.htm > >Trish: >I checked our records and Deb Sisk is not currently affiliated with the >Heartland Bike Club. A quick Internet search and I found this (above >link), which could be her since she is in Stevens Point. I copied her >on this so maybe she will contact the OCR to confirm she still would >like to be on the mailing list. Hope this helps. > Jack >

```
>Old Highway 18 Defense Team
>715-340-3132
>
>
>On Thu, 31 Jan 2008, Patricia Cal Baker wrote:
>> Hi Doug
>>>
>> That is fine. Will Stites is a club member as are Wally and Jack.
>You can
>> discontinue all of the above and I will serve as the distribution
>point.
 >>
 >> By copy of this email to Jack I am asking that he tell me who Deb
 >> Sisk
 >is,
 >> as that name does not ring a bell for me and I don't believe that she
 >> affiliated with our group. Jack, will you let me know?
 >>
 >> Thanks
 >>
 >> Trish
 >>
 >>
 >> Patricia Cal Baker
 >> Attorney at law
 >> 1501 Clark Street
 >> Stevens Point, WI 54481
 >> 715-344-9828 voice
 >> 715-344-3336 fax
 >>
  >>
  >> From: Wood, Doug RR [mailto:Doug.Wood@psc.state.wi.us]
  >> Sent: Thursday, January 31, 2008 12:41 PM
  >> To: 'pcbakerlaw@sbcglobal.net'
  >> Subject: Stockton service list
  >>
  >> Patricia,
  >> We are sending out the notice granting party status. We already have
  >Wally
  >> Schmitt and Jack Fries from the club on our distribution list. We
  >> prefer to only send one copy to the Club and let you distribute as
  >> appropriate. We are concerned about the mailing list getting large if
  >a lot
  >> of members ask to be added.
  >>
```

```
>> We also have a Will States and a Debra Sisk on the mailing list. Are
>they
>> club members?
>> We will send the notice of party status to the current list, but drop
>> club members after that and only send copies to you.
>>
>> Doug
>>
>> Douglas Wood
>> Legal Counsel
>> Office of the Commissioner of Railroads 610 N. Whitney Way, Room 110
 >> Madison, WI 53705
 >> 608-266-9536
 >> 608-261-8220 (fax)
 >> doug.wood@psc.state.wi.us
 >> http://ocr.wi.gov
 >>
 >
 >Attachment Converted: "C:\Documents and Settings\Gregg
 Hansel\Desktop\Attachments\Rail Road Crossing.doc"
 >
```

file 9164-RX-682 Jan 25,2008 Recd. 1-31-08 Commissioner Kreunen, We are writing This letter because we offore the cloting of the RR crossing the Word Stockton. my wife of Iron and aperates Caseip Unchard 2829 Burbank Rd. Which is affrontely 4 mile south of this crossing since most of our customer traffic is derected to our medas of his crossing is derected to our medas of his server to the server of th orehard by signs permitted by the state along Hwy 10 near July Citizens Bank, this would make a tremendous farkelig for our business during the harvest season. We've been here for 40 years and 80-85% of our business comes from that direction. Other problems that would also be affected by closing this crossing would be the agricultural forming that degends on using that particular points to farm guigement form guigement to the fields in that area. I another large factor in closing that errors in closing that crossing is the bound residences and feaple That live south + east to get to their place of employment and do business in steven Point. Closing this crossing would mean (added to me dest additional Traffle to use Hwy 10 1-31-08 pm)4

to get to and from town, which would increase the traffer flow during the drive terms - making Hwy 10 busies, which is already were crowded.

Before making your decision we hope your will take these factors into consideration to heep the crossing open.

Linearely.

Carey - Marcia Janowski.

Carey: Olikaid

L829 Burbank Rd

Stevens Print, Wi. 54481

STATE OF WISCONSIN

In the Matter of the:

Petition of the Wisconsin Central Ltd. for the Closure of the Public Crossings of Its Tracks with Old Highway 18 and Smokey Road in the Town of Stockton, Portage County

9164-RX-682

NOTICE OF ADMISSION AS A PARTY

By letter motion dated January 22, 2008, the Heartland Bike & Nordic Ski Club (Heartland) requested that it be recognized as 'party' in this matter pursuant to RR 1.0001 (5) Admin. Code and S. 227.44 (2m) Stats. By letter dated January 25, 2008, the Wisconsin Central Ltd. (WCL) stated that it has no objection to the admission of Heartland as a party.

Heartland has a membership of approximately 100 members who bicycle on the roadways in the Portage County area, particularly rural roadways, for recreation and transportation. Heartland also has members who commute by bicycle year-round. Heartland members specifically use both the Old Highway 18 and Smokey Road crossings, although the Old Highway 18 route is the more important of the two.

The hearing examiner concludes that the Heartland members collectively meet the required 'substantial interest' test and certifies the Heartland Bike & Nordic Ski Club as a party in this matter.

Attorney Patricia Cal Baker filed a notice of retainer and will represent Heartland. Her address is:

Patricia Cal Baker 1501 Clark Street Stevens Point, WI 54481

Dated at Madison, Wisconsin, __JAN 3 1 2008

By the Office of the Commissioner of Railroads.

Douglas S. Wood, Hearing Examine

9164admission682

1080, 9164-RX-682

Rec'd. 1-28-08

www.cn.ca

Law

Thomas J. Healey Counsel - Regulatory

17641 S. Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom.healey@cn.ca

January 25, 2008

Commissioner Rodney Kreunen Office of the Commissioner of Railroads 610 N. Whitney Way Room 110 Madison, WI 53708-8968

Re:

OCR Docket No. 9164-RX-682 Old Hwy 18 and Smokey Road

Dear Commissioner Kreunen:

Please be advised that Wisconsin Central Ltd. has no objection to the January 22, 2008 request of Heartland Bike & Nordic Ski Club of Portage County to appear at the February 13 and 14, 2008 hearing on this docket as a party.

Please contact me if you have any questions.

Very truly yours,

Thomas J. Healey

CC:

Patricia Cal Baker David A. Ray Terry Lee PATRICIA CAL BAKER

ATTORNEY AT LAW

Becid. 1-28-08

January 22, 2008

Mr. Rodney Kreunen Office of the Commissioner of Railroads 610 North Whitney Way, Room 110 Madison, WI 53708

RE:

Docket Number: 9164-RX-682

Motion for "Party" status at Hearing on Wisconsin Central Ltd. Petition for Closing of: Old Highway 18, MP 244.30 (U.S. DOT #692529E)

Smokey Road, MP 239.60 (U.S.DOT #692521A)

Dear Commissioner Kreunen:

I have been retained to represent the Heartland Bike & Nordic Ski Club of Portage County for the Contested Hearing on the Petition by Canadian National to close these two railroad crossings.

Pursuant to Wisconsin Administrative Code RR1.001(5) and Wis. Stats. 227.44(2m) we seek "Party" status in the upcoming contested hearing that has been scheduled to hear said petition.

Heartland Club is a group of approximately 100 avid bicyclists who feel that Old Highway 18 is a central bicycle corridor to the eastern half of our county and who have substantial interests which will be affected by the closings of either of these railroad crossings. While we are concerned about the Smokey Road Crossing, we are more concerned about the closure of the Old 18 crossing, as it handles a significant number bicycles (nearly 14% of the total vehicle traffic) and is also a part of the City of Stevens Point's bicycle route structure literally connecting the eastern half of the county to the metropolitan area.

We have approximately eight (8) witnesses that we intend to present at the hearing and feel that "Party" status will enable us to present the testimony and evidence in a more orderly fashion, for the purposes of the hearing, as well.

Letter to Mr. Rodney Kreunen Office of the Commissioner of Railroads January 19, 2008 Page two

I am notifying the other parties in the case, Central Wisconsin Ltd., represented by Mr. Tom Healy, and the Town of Stockton, via attorney David Ray, by copy of this letter and affidavit.

Sincerely,

Patricia Cal Baker Attorney at law

State Bar no.: 1023356

PATRICIA CAL BAKER

1/22/08

Cc:

Mr. Tom Healey,

Counsel

Canadian National

17641 South Ashland Avenue

Homewood, Il 60430-1339

Atty. David A. Ray

First Law Group SC

2900 Hoover Ave # A

Stevens Point, WI 54481-5678

Mr. Douglas S. Wood

Legal Counsel

Office of the Commissioner of Railroads

610 North Whitney Way - Room 110

P.O. Box 8968

Madison, WI 53708

(copy sent to Ruk)

Thank you for your connects, in den 1/17/08

telephone call. Hope these documents suffice.

Jush Buka

STATE OF WISCONSIN

In the Matter of the:

Petition of the Wisconsin Central Ltd. for the Closure of the Public Crossings of its Tracks with Old Highway 18 and Smokey Road in the Town of Stockton, Portage County

Docket No.: 9164-RX-682

Affidavit of Walt Schmitt Supporting Heartland Bike & Nordic Ski Club's request for "Party" Status in the above named Proceeding

State of Wisconsin	·)	
)	S
Portage County).	

I swear the following is true upon penalty of perjury.

- 1. My name is Walt Schmitt, I am the elected President of the Heartland Bike & Nordic Ski Club (hereafter "the Club"). We have approximately 100 avid bicyclist members, who enjoy all of the back country roads in Portage County for commuting and recreational purposes approximately eight (8) months of each year.
- 2. The Heartland Bike & Nordic Ski Club opposes the closure of the Old Highway 18 Railroad Crossing as the highway is a designated a State Bicycle Route and also it is a major bicycle corridor from the eastern half of Portage County into downtown Stevens Point.
- 2. The Club also has a number of members which are year-round commuters from the eastern half of the county into the city, who use Old Highway 18 on a daily basis for their commute into the city.
- 3. The Club is concerned for the safety and convenience of its members because if Old Highway 18 were to be closed, the alternative routes are U.S. Highway 10, (a road that has a 65 mile per hour speed limit) and County Highway HH, a busy, four-lane road that has no designated shoulder for bicycle riding.

Affidavit of Walt Schmitt January 22, 2008 Page two

- 4. The Club supports a rebuilding and upgrade of the Old Highway 18 Crossing that would improve its safety and enhance access to the eastern half of Portage County by bicycle.
- 5. The Club has asked one of its members, a local attorney, Patricia Cal Baker, to represent the Club's interests at the Hearing set for February 13th & 14th.
- 6. The Club wishes to present testimony supporting its position on the closure from approximately eight (8) local professionals who will provide evidence to assist the Office of the Commissioner of Railroads in making an informed decision about the potential closure of Old Highway 18 and how it will affect the safety and the convenience of Portage County bicycling enthusiasts.

Signed this _____ day of January, 2008

Walt Sehmitt President

2008

Heartland Bike and Nordic Ski Club

Subscribed & sworn to before me this

Notary Public, State of Wisconsin.

My Commission is permanent

-)—day of

STATE OF WISCONSIN

NOTICE OF RETAINER

In the Matter of the:

Petition of the Wisconsin Central Ltd. for the Closure of the Public Crossings of its Tracks with Old Highway 18 and Smokey Road in the Town of Stockton, Portage County

Docket No.: 9164-RX-682

NOW COMES THE HEARTLAND BIKE & NORDIC SKI CLUB, by its attorney Patricia Cal Baker, who is petitioning the Office of the Commissioner of Railroads for "party" status in the upcoming contested Hearing with the above listed docket number. As Attorney Patricia Cal Baker has been retained as legal counsel and will be representing the Club in this action all pleadings, letters, and correspondence should be served or delivered to her directly at the address listed below.

Signed this January 22, 2008

Patricia Cal Baker Attorney At law

State Bar no.: 1023356

1501 Clark Street Stevens Point, WI. 54481 715-344-9828 voice 715-344-3336 facsimile Wisconsin State Senate 24th Senate District



Serving Wood, Portage, Adams Waushara, Marathon & Marquette

Rec'd 12-26-07

JULIE LASSA STATE SENATOR

December 20, 2007

Commissioner Rodney Kreunen Office of the Commissioner of Railroads 610 N. Whitney Way, Room 110 P.O. Box 8968 Madison, WI 53708-8968

Dear Commissioner Kreunen,

One of my constituents from the 24th senate district who owns a business in the Town of Stockton has sent my office a petition that is signed by area residents who are opposed to the potential grade crossing closing at Old Highway 18 and Burbank Road in the Town of Stockton. Casey Janowski, who owns Casey's Orchard on Burbank Road, collected these signatures and sent this petition to my office. I would like to request on behalf of this constituent that this petition be submitted for consideration during your review for closure of the crossing at Old Highway 18.

Thank you for your consideration. Please do not hesitate to contact me if you would like to discuss this issue further.

Sincerely,

JULIE LASSA State Senator 24th Senate District

STATE OF WISCONSIN

In the Matter of the:

Petition of the Wisconsin Central Ltd. for the Closure of the Public Crossings of Its Tracks with Old Highway 18 and Smokey Road in the Town of Stockton, Portage County

9164-RX-682

NOTICE OF INVESTIGATION AND **RESCHEDULED HEARING**AND ASSESSMENT OF COSTS

By letter dated September 4, 2007, the Wisconsin Central Ltd. (WCL) filed a petition with the Office of the Commissioner of Railroads (OCR) under §§195.28 and 195.29, Stats., for the closure of the public crossings of its tracks with Old Highway 18 (crossing no. 692 529E) and Smokey Road (crossing no. 692 521A) in the Town of Stockton, Portage County. Old Highway 18 is an at-grade crossing and Smokey Road is a grade-separated crossing.

Closing a crossing means that the roadway would be terminated at the tracks and would be permanently closed to public travel.

Jurisdiction:

Secs. 195.28 and 195.29, Stats.

The issues for the hearing are:

- 1. Would closure of each crossing promote public safety and convenience?
- 2. If the Old Highway 18 crossing remains open, what warning devices would be necessary to adequately protect and promote public safety?
 - 3. How shall the costs of the crossing closure be apportioned?

The Wisconsin Central Ltd. shall have the burden of proof on all issues.

If this proceeding is contested, it is deemed to be a Class I proceeding as defined in §227.01, Stats.

PLEASE NOTE: The Office will hold a public hearing at the Stockton Town Hall, 7252 6th Street, Custer, Wisconsin, on February 13, 2008, at 6:30 p.m. and continuing if necessary on February 14, 2008 at 9:30 a.m.

PLEASE NOTE: The Office finds that the expenses which are reasonably attributable to this investigation will be assessed against the Wisconsin Central Ltd. in accordance with §195.60, Stats., and RR 2.04.

Upon reasonable notice, the Office will accommodate the needs of disabled individuals. Contact the Office at (608) 266-9536, (608) 267-1479/TTY, or (Fax) (608) 261-8220, or by writing to the Office at 610 N. Whitney Way, Room 110, PO Box 8968, Madison, Wisconsin 53708-8968.

Please contact the OCR staff with any questions, at (608) 266-7607.

Dated at Madison, Wisco	nsin, DEC	13	2007	

By the Office of the Commissioner of Railroads.

Douglas S. Wood, Hearing Examiner

9164N682 three

5160 4164-RX-682



HEARTLAND BIKE AND NORDIC SKI CLUB

www.heartlandclub.org

924 Songbird Land E7 Stevens Point WI 54481 715-570-5745 wschmitt@nwhealth.edu

Wally Schmitt, President

Commissioner Rodney Kreunen Office of the Commissioner of Railroads 610 North Whitney Way, Suite 110 PO Box 8968 Madison, WI 53708-8968

Rec'd. 12-6-07

November 30, 2007

Re: Docket No. 9164-RX-682

Dear Commissioner Kreunen:

I am writing in regards to the proposed closing of the rail crossing at Old Highway 18 Road and Burbank Road. I am president of the Heartland Bike Club and an avid cyclist. Old Highway 18 Road is a major route for us to access the rural, lower volume roads east of Stevens Point. These are great roads for cycling and often our group rides and many other local bicyclists travel this direction via Old Highway 18 Road.

We estimate that bicycle traffic makes up between 7% and 16% of the total volume of traffic on this road, depending on the time of year. We believe this is a very significant, and perhaps unusually high, percentage. The Wisconsin DOT recognizes this road as a major and preferred bicycle route in Portage County.

Closing this crossing without providing an adequate alternative for bicyclist would have a very detrimental effect on our Club and all cycling in Stevens Point. My major concern is that closing Old Highway 18 Road will force cyclists to use US Highway 10 and County Highway HH to travel east. These are very unsuitable and dangerous roads for bikes and I'm worried about the safety of myself, our Club members, and the other hundreds of commuter and recreational bicyclist in our area.

My hope is that the crossing remains open with modifications made to enhance the safety of the intersection and crossing, so that we don't lose this corridor to the excellent cycling roads east of Stevens Point.

I appreciate your consideration of this issue and look forward to establishing a plan that will work for all parties involved.

Sincerely,

Wally Schmitt, President

Heartland Bike & Nordic Ski Club

Promotion of Bicycling & Nordic Skiing In Central Wisconsin

Dedicated to the

C: RWK

mi2-13-0



Serving Wood, Portage, Adams Waushara, Marathon & Marquette

JULIE LASSA

Rec'd 12-04-07 STATE SENATOR

November 27, 2007

Commissioner Rodney Kreunen Office of the Commissioner of Railroads 610 N. Whitney Way, Room 110 P.O. Box 8968 Madison, WI 53708-8968

Dear Commissioner Kreunen.

I would like to take this opportunity to express some concerns that many Stevens Point area residents have about the potential grade crossing closing at Old Highway 18 and Burbank Road in the Town of Stockton.

The City of Stevens Point and the Town of Stockton are opposed to this closing for a variety of reasons including issues of convenience, movement of farm equipment, and access for emergency services and school buses. In addition, Old Highway 18 is a vital bicycling link connecting the Stevens Point-Whiting-Plover urbanized area to the villages of Amherst Junction, Amherst, and Nelsonville, and to a network of rural roads that is prized by both local and visiting cyclists.

The Wisconsin Central Ltd. (WCL) petitioned your office to close this crossing, which would effectively block all vehicle and bicycle traffic on Old Highway 18. While I fully support improving the safety of this crossing, I am concerned that a complete closing would have detrimental effects on the area's functional and recreational transportation.

The Town of Stockton has proposed a road layout redesign for Old Highway 18 to improve the safety at the crossing. Stockton would consider paying for the construction costs of this alteration and would likely request that WCL be directed to pay the costs of any lights and new safety equipment ordered to be installed at the crossing.

In addition, some members of the Heartland Bike and Nordic Ski Club have proposed a number of other possible solutions to improve safety while keeping the bike route open. Their suggestions include (1) remodeling the crossing so bikes can cross but motor vehicles cannot; (2) extending OH18 north of the tracks to Stockton Rd. (or placing a bike-pedestrian path there); (3) creating a bike and pedestrian underpass (or an underpass to accommodate all traffic) at the crossing; or (4) simply installing lights and gates.

While I value and respect WCL's desire to promote rail-crossing safety, I ask that you consider the other possible solutions proposed by the Town of Stockton and area residents when making your decision about closure. I agree that the safety of this crossing needs to be improved, but I hope that this could be achieved without completely cutting off all vehicle and bicycle access to this important route.

Thank you for your consideration. Please do not hesitate to contact me if you would like to discuss this issue further.

Sincerely

JULIE LASSA State Senator

24th Senate District

Orig: file 9144-PX-682 CC: DW, TR, RWH City of Stevens Point 1515 Strongs Avenue Stevens Point, WI 54481-3594

FAX 715-346-1498

Rec'd 12-04-07



John Moe City Clerk

715-346-1569

STATE OF WISCONSIN)
COUNTY OF PORTAGE)

I, John Moe, duly elected City Clerk of the City of Stevens Point, Wisconsin, a Municipal Corporation, do hereby certify that the attached document is a true and accurate copy of the Resolution opposing the closure of the railroad crossing at Old Highway 18/Burbank Road, adopted by the Common Council on November 19, 2007.

IN WITNESS WHEREOF, I have hereto set my hand and the seal of said City at the City of Stevens Point, Wisconsin, this 28th day of November, 2007.

John Moe. City Clerk

(Seal)

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(add d 10 / 12-13-07

Peold 12-04-07

RESOLUTION

Opposing Closure of Railroad Crossing at Old Highway 18/Burbank Road

WHEREAS, the citizens of the City of Stevens Point and points east use the eastwest road in the Town of Stockton, Portage County, Wisconsin known as Old Highway 18 Road; and

WHEREAS, the Wisconsin Central Ltd. railroad filed a petition with the Office of the Commissioner of Railroads under §§195.28 and §§195.29, Wisconsin Statutes, for the closure of the public at-grade crossing of its tracks with Old Highway 18 Road (crossing no. 692529E) in the Town of Stockton, Portage County; and

WHEREAS, Old Highway 18 Road is an important rural minor collector road carrying significant volumes of local bicycle, car, truck, school bus, and farm vehicle traffic, and is an important link for local businesses to the surrounding urban and rural areas; and

WHEREAS, closing this crossing without providing another road to maintain the access Old Highway 18 Road now provides will worsen public safety as vehicle traffic is forced to use the more congested highways of US Highway 10 and County Highway HH; and

WHEREAS, using the proposed alternate grade-separated crossing 0.4 miles to the east of Burbank Road on Stockton Road will worsen public safety as this underpass is inadequate to handle some emergency, truck, and farm vehicle traffic; and

WHEREAS, the safety of the rail crossing on Old Highway 18 Road at Burbank Road can be greatly improved by reengineering/rebuilding the intersection and/or by adding automatic signal lights and gates; and

WHEREAS, this area is the only area for future City growth, all other areas being eliminated due to environmental or geological constraints; and

WHEREAS, the Comprehensive Plan projects significant City expansion in the area of the existing crossing; and

WHEREAS, closure of this crossing will result in 3.1 miles between the nearest full-service crossings in this future expansion area compared to an average crossing spacing of 0.5 miles in the City of Stevens Point; and

WHEREAS, accepted engineering standards recommend arterial spacing of one-half mile in urban settings, and

WHEREAS, closure of this crossing will result in a significant impediment to future city growth limiting increase of City tax base; and

WHEREAS, The City of Stevens Point is the primary ambulance provider and provides fire and rescues protection mutual aid to the Town of Stockton and closure of this intersection will result in longer response times

NOW, THEREFORE, BE IT RESOLVED, the Common Council of The City Of Stevens Point, Wisconsin recommends the rail crossing at Old Highway 18 Road and Burbank Road remain open to vehicle traffic and it be improved by realigning or rebuilding the intersection and/or by adding automatic signal lights and gates.

APPROVED:

Andrew Halverson, Mayor

ATTEST:

John Moe, City Clerk

Dated: November 19, 2007 Passed: November 19, 2007 Bec'd. 11-26-07

November 21, 2007

Commissioner Rodney Kreunen Office of the Commissioner of Rail Road 610 North Whitney Way, Room 110 Madison, WI 53708

This letter is written with concern involving the suggested closing the rail road crossing on Burbank and Old 18 in the town of Stockton. Not only would this closing be of great inconvenience to the local residents, it also brings up the concern of emergency vehicles arriving on time when needed. Another concern about closing this crossing is that emergency vehicles may have to go down Burbank Road, which becomes very drifted with snow in the winter; this is a very dangerous situation for fast moving vehicles. Not only would emergency vehicles be involved but also the inconvenience and time restraint of the school bus service. There is also concern of the local apple orchard being able to keep up their business. We really need to support our local businesses, especially the ones that provide fresh produce. It just does not seem right that one company (the Rail Road) would have the power to inconvenience so may people. The road is all ready there and I feel it should stay for the reasons mentioned above and all the other good reasons one I may be missing.

I think the real solution would be to focus on making the current crossing safer by altering the area for better visibility and installing crossing gates or an under or over pass.

Delra Sisk Debra Sisk

2798 BJ Court

Stevens Point, WI 54481

c: RWK

(added to) 12-13-07

file 9164-RX-682

STATE OF WISCONSIN

in the Matter of the:

Petition of the Wisconsin Central Ltd. for the Closure of the Public Crossings of Its Tracks with Old Highway 18 and Smokey Road in the Town of Stockton, Portage County

9164-RX-682

NOTICE OF POSTPONEMENT

The hearing currently scheduled in this matter for December 4th and 5th is hereby postponed. The Town of Stockton requested more time to prepare for the hearing and to develop alternative engineering plans for Old Highway 18. A new hearing date will be set by a separate notice. It is anticipated that the new hearing date will be in February 2008.

By letter dated September 4, 2007, the Wisconsin Central Ltd. (WCL) filed a petition with the Office of the Commissioner of Railroads (OCR) under §§195.28 and 195.29, Stats., for the closure of the public crossings of its tracks with Old Highway 18 (crossing no. 692 529E) and Smokey Road (crossing no. 692 521A) in the Town of Stockton, Portage County. Old Highway 18 is an at-grade crossing and Smokey Road is a grade-separated crossing.

Closing a crossing means that the roadway would be terminated at the tracks and would be permanently closed to public travel.

Jurisdiction: Secs. 195.28 and 195.29, Stats.

Please contact the OCR staff with any questions at (608) 266-7607.

Dated at Madison, Wisconsin, NOV 1 9 2007

By the Office of the Commissioner of Railroads.

Douglas S. Wood, Hearing Examiner

9164N682 two



9164-RX-682 file

2900 Hoover Avenue, Suite A Stevens Point, Wisconsin 54481-5678

David A. Ray Attorney at Law Telephone 715-341-7855 Facsimile 715-341-7255 E-mail ray@firstlawgroup.com

> Mariene M. Vircks Legal Assistant

Rec'd. 11-15-07

November 14, 2007

Office of the Commissioner of Railroads Commissioner Rodney Kreunen 610 N. Whitney Way Room 110 PO Box 8968 Madison WI 53708

PETITION FOR AN ORDER ALLOWING THE EXISTING CROSSING IN PORTAGE COUNTY, WISCONSIN AT OLD HIGHWAY 18, MP 244.30 (U.S. DOT #692529E) TO REMAIN OPEN, OR ALTERNATIVELY, DIRECTING THE ALTERATION OF THE DESIGN OF SAID CROSSING

AND

PETITION FOR AN ORDER ALLOWING THE EXISTING CROSSING IN PORTAGE COUNTY, WISCONSIN AT SMOKEY ROAD, MP 239.60 (U.S. DOT #692521A) TO REMAIN OPEN

Dear Commission Kreunen:

Our firm represents the Town of Stockton, the municipality in which the above two crossings are located. Pursuant to Wis. Stat. §195.29, the Town of Stockton petitions your office as follows regarding these crossings:

 Old Highway 18 Crossing: For an order permitting the crossing to remain open and denying Wisconsin Central Ltd. (WCL) petition for an order directing the closure of said crossing. In the alternative, Stockton petitions your office for an order directing an investigation into improving the safety of this crossing and, if appropriate, for the alteration of the design and layout of the crossing in order to improve the crossing's safety.

Pursuant to RR1.025(2), I enclose a very preliminary concept plan outlined an aerial photo of the crossing. The photo illustrates one layout redesign option for Old Highway 18 at this crossing. Depending upon the extent of layout and location changes for Old Highway 18, Stockton would propose to complete construction of any road layout and location modifications during calendar year 2008. Stockton plans to include the possible alteration of the Old Highway 18 road layout in the

immediate vicinity of this crossing in its 2008 road budget. Depending upon the nature and extent of any such alterations ordered by the commission, Stockton would consider paying for the road layout and construction costs associated with the alteration of Old Highway 18 at this crossing. Stockton would also likely request and propose that WCL be directed to pay the costs of any lights and other new safety equipment ordered to be installed at this crossing.

2. Smokey Road: For an order permitting this grade separated crossing to remain open and denying WCL's petition requesting the closure of Smokey Road and the Smokey Road crossing.

I realize that hearing on WCL's petitions has been scheduled for December 4-5, 2007. However, multiple people and entities have contacted the town recently expressing their concerns and wishes that both of these crossings remain open. These contacts as well as the town's deliberations on the topic warrant a postponement (perhaps 90 days) and rescheduling of the hearing. Common sense indicates that additional investigation will confirm that modest alterations will more than adequately address safety concerns as to the Old Highway 18 crossing. As for the Smokey Road crossing, there are no safety issues involved; that crossing is grade separated (tracks over road).

Thank you for your review and consideration of this request.

Sincerely,

FIRST LAW GROUP S.C. A limited liability service corporation

David A. Ray

DAR:gr Enclosure

C: Town of Stockton w/encl
Thomas J. Heeley w/encl
RWK

Lon med /

5549 Oakwood ane jile-9164-RX-682 -Stevens Point, WI54481 Aec'd. 11-13-07 November 9, 2007 Commissioner Rodney Kreunen Office of the Commission of Railroads 610 N. Whitney Way Room 110 Madison, WI 53708 Ke: Old Hwy 18 RR Crossing Dear Mr. Kreunen: We strenuously object to the proposal for Closing Old Highway 18 railroad crossing for the following reasons: 1. The "safety" rationale advanced for the closing is specious. J. Closure would eliminate an important beking access to eastern points. 3. The closing would place in jeopordy the livelyhood of small businesses. Hoping you weel reconsider their Sincerely, Lilian Paul, Joseph Saul C: RWK

Wood, Doug RR

From:

Morrison, Mark [mark.morrison@dot.state.wi.us]

Friday, November 09, 2007 12:28 PM Sent:

Wood, Doug RR To: FW: Traffic Counts Subject:

FYI

----Original Message----

From: Morrison, Mark

Sent: Friday, November 09, 2007 12:28 PM

To: 'Jack Friess'

Subject: RE: Traffic Counts

I don't think that was me, but I do have WisDOT's 2006 Wisconsin Highway Traffic Volume Data book dated August 2007. For USH 10 it shows 23500 near the interchange with I-39 and 15100 near CTH J. CTH HH shows 3400 near the interchange with I-39 and 2000 at CTH J.

----Original Message-----

From: Jack Friess [mailto:jfriess@spacs.k12.wi.us]

Sent: Friday, November 09, 2007 12:09 PM

To: Morrison, Mark

Subject: RE: Traffic Counts

Mark:

A while back you gave to me over the phone 2005 traffic counts for US Hwy 10, County Hwy HH, and Stockton Road. Could you point me to your source for these figures? Thanks.

Jack

Jack Friess, Team Leader Old Highway 18 Defense Team 715-340-3132

At 03:22 PM 11/8/2007 -0600, you wrote:

>Yes, the CN would be the one to contact about getting a more accurate >estimate of the actual signal costs.

>----Original Message----

>From: Morrison, Mark

>Sent: Thursday, November 08, 2007 2:47 PM

>To: 'Jack Friess'

>Subject: RE: Signal Costs

>I'll know more about funding after tomorrow morning's meeting, but the 2008 >program is full and the 2009 program is close to full if it isn't already >full.

>----Original Message-----

>From: Jack Friess [mailto:jfriess@spacs.k12.wi.us]

```
>Sent: Thursday, November 08, 2007 2:37 PM
>To: Morrison, Mark
>Subject: RE: Signal Costs
>No, go ahead and talk technical. I love it! With a job title of
> "Technology Integrator" I'd be in sad shape (or perhaps our school system
>would) if I was skidish of technical terms and concepts!! I understand
>now why you were "quoting" a higher than normal amount. Do you think the
>RR (WCL) would be able to help us to get the number within $5,000 for
>budgeting purposes?
>Also, do you know is there any DOT/OCR money for 2008 for lights and gates
>for a crossing with a benefit/cost of $2.2 mil?
>
       Jack
>On Thu, 8 Nov 2007, Morrison, Mark wrote:
>> A standard set of lights and gates with constant warning time circuitry is
>> around $150,000. The cost could go up depending upon circuitry on the
>> tracks, which has nothing to do with the configuration of the
>> roadway/crossing. The reason I think the costs might be higher is the
>> proximity of the turnout for the second track just west of the crossing
>and
>> the possibility of train control signals being in the approach circuit to
>> the crossing. I hope I'm not speaking too technically on the subject.
>> ----Original Message-----
>> From: Jack Friess [mailto:jfriess@spacs.k12.wi.us]
>> Sent: Thursday, November 08, 2007 11:45 AM
>> To: Morrison, Mark
>> Subject: Re: Signal Costs
>>
>>
>> Mark:
>> Okay. The Township is looking into re-engineering and rebuilding that
>> intersection by changing the geometry and the approach slops to 1 percent
>> or less at the crossing.
>>
>> On the north side OH18 eastbound would be moved/straightened slightly to
>> the north to a "T" corner with a stop sign with "Stop here went gates are
>> down"; right turn; then 55' to the gates; 5 degree skew.
>> On the south side a similar arangement, with the slop decreased to 1
>> percent at the tracks. OH18 westbound would bend to the south, then back
>> to Burbank to a "T" intersection with stop sign with "Stop here went gates
>> are down"; right turn; then at least 55' to gates.
>>
>> On Burbank northbound straight to stop sign at corner with OH18 with
>> "Right turn no stop" and with "Stop here went gates are down"; straight
>> ahead 55' or more to gates.
>>
>> Hope you get the picture....
>>
>> So at the crossing itself, it should be a pretty standard crossing--1
>> percent or less grade, skew of 5 degrees, lights and gates visable from
>> all three stop signs. Now would it be more in the range of about $140,00?
```

```
>> Jack
>>
>> On Thu, 8 Nov 2007, Morrison, Mark wrote:
>>
>> Lights and gates at that location should run between $150,000 and
>> $200,000.
>>>
>> Mark Morrison
>>> (608)266-2941
>>>
>>
```



fin 9/64-RX-682

Recid. 10-29-09

Wisconsin Legislature

P.O. BOX 8952 • MADISON, WI 53708

October 24, 2007

Commissioner Rodney Kreunen Office of the Commissioner of Railroads 610 North Whitney Way, Room 110 P.O. Box 8968 Madison, WI 53708

Dear Commissioner Kreunen,

We would like to take this opportunity to bring to your attention a situation of concern for residents in the Stevens Point area.

The Wisconsin Central Railroad has petitioned your office to close the grade crossings at Old Highway 18 and Burbank Road near Stevens Point. If this crossing were to be closed, it would affect bicycling routes in the area. With the limited number of crossings linking Stevens Point to the surrounding rural area, bicyclists depend on this crossing as part of a practical, safe, and convenient biking route.

Many local officials and residents have expressed their desire to maintain a safe and convenient railroad crossing at this intersection that will help to preserve this bicycle transportation network. While we understand that there may be issues with the safety of this crossing, we hope that alternatives to closing off this crossing may be viable.

We are confident that your office will take every precaution in protecting reasonable bike routes in this area, and would like to encourage you to consider keeping this crossing open. If your office is considering alternative crossing plans, we would very much appreciate hearing about these proposals.

Thank you for your time and consideration. Please feel free to contact us personally if we can be of further assistance in this matter.

Sincerely,

Amy Sue Vruwink

State Representative 70th Assembly District

State Representative

71st Assembly District

(on ml

C: RWK

9164-RY-682

Running, Tom RR

From:

Jack Friess [jfriess@spacs.k12.wi.us]

Sent:

Wednesday, October 24, 2007 4:30 AM

To:

Running, Tom RR; terry.lee21@cn.ca; jdodge@msworldnet.com;

stockton@msworldnet.com; Ken Erler; Trish Baker

Subject:

Missing Chart; Old Hwy 18 [692529E]

Attachments:

AppB-OldHwy18-data.xls; ATT415616.txt





AppB-OldHwy18- ATT415616.txt lata.xls (20 KB).. (234 B)

Hi:

I received this yesterday from Tom Domres, TKDA. This chart was missing from my copy of the "Old Highway 18 Closure Study", so I'm supposing from yours too?

Jack

Jack Friess, Member Steering Committee / OH18 TaskForce Heartland Bike & Nordic Ski Club

Lehner, Debra RR

From:

Wood, Doug RR

Sent:

Friday, October 12, 2007 9:57 AM

To:

Lehner, Debra RR

Subject:

Mailing list 9164-RX-682

Please add to 9164-RX-682 mailing list:

John Gardner, Director

City of Stevens Point Planning Department

1515 Strongs Ave. Stevens Point, WI 54481

Thanks.

Douglas Wood Legal Counsel Office of the Commissioner of Railroads 610 N. Whitney Way, Room 110 Madison, WI 53705 608-266-9536 608-261-8220 (fax) doug.wood@psc.state.wi.us http://ocr.wi.gov

Méile 9164-RX-682

www.cn.ca

Recid. 9-6-07

September 4, 2007

Law

Thomas J. Healey Counsel - Regulatory

17641 S. Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom.healey@cn.ca

Commission Rodney Kreunen
Office of the Commissioner of Railroads
610 N. Whitney Way
Room 110
Madison, WI 53708

Re:

Petition for an order directing the closure of two existing crossings in Portage County, WI

- Old Highway 18, MP 244.30 (U.S. DOT #692529E) 9/64ーペメーし34

- Smokey Road, MP 239.60 (U.S. DOT #692521A)

Dear Commissioner Kreunen:

Pursuant to §195.29 of the Wisconsin Statutes, Wisconsin Central Ltd. ("WCL") petitions your office for an order directing the closure of the existing at grade crossing of Old Highway 18 with the WCL tracks at milepost 244.30 in Portage County, Wisconsin. Additionally, WCL petitions your office for an order directing the closure of the existing grade separated crossing of Smokey Road with the WCL tracks at milepost 239.60 in Portage County, Wisconsin. WCL believes that public safety will be promoted through the closure of these existing crossings. As a convenience for all concerned, WCL also believes that the hearings on these two petitions should be joined into one hearing on both petitions, due to the proximity of the two crossings to one another and the likelihood that interested parties will wish to attend both proceedings.

Engineering studies of the Old Highway 18 and Smokey Road crossings, their existing usages, and the likely impact of their closure have been supplied to the Commission under separate cover.

WCL appreciates the assistance of the Commission on this petition. Feel free to contact me if you have questions.

Very truly yours,

Thomas J. Healey

CC:

Terry Lee Tom Domres $R \omega K$

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(added to ml list) 13-07

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www.cn.ca

Recid. 9-6-07

September 4, 2007

Law

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Commission Rodney Kreunen
Office of the Commissioner of Railroads
610 N. Whitney Way
Room 110
Madison, WI 53708

Re:

Petition for an order directing the closure of two existing crossings in Portage County, WI

- Old Highway 18, MP 244.30 (U.S. DOT #692529E) 9/6イーペメーし3サ

- Smokey Road, MP 239.60 (U.S. DOT #692521A)

Dear Commissioner Kreunen:

Pursuant to §195.29 of the Wisconsin Statutes, Wisconsin Central Ltd. ("WCL") petitions your office for an order directing the closure of the existing at grade crossing of Old Highway 18 with the WCL tracks at milepost 244.30 in Portage County, Wisconsin. Additionally, WCL petitions your office for an order directing the closure of the existing grade separated crossing of Smokey Road with the WCL tracks at milepost 239.60 in Portage County, Wisconsin. WCL believes that public safety will be promoted through the closure of these existing crossings. As a convenience for all concerned, WCL also believes that the hearings on these two petitions should be joined into one hearing on both petitions, due to the proximity of the two crossings to one another and the likelihood that interested parties will wish to attend both proceedings.

Engineering studies of the Old Highway 18 and Smokey Road crossings, their existing usages, and the likely impact of their closure have been supplied to the Commission under separate cover.

WCL appreciates the assistance of the Commission on this petition. Feel free to contact me if you have questions.

Very truly yours,

Thomas J. Healey

CC:

Terry Lee Tom Domres

RWK

STATE OF WISCONSIN

In the Matter of the:

Petition of the Wisconsin Central Ltd. for the Closure of the Public Crossings of Its Tracks with Old Highway 18 and Smokey Road in the Town of Stockton, Portage County

9164-RX-682

NOTICE OF INVESTIGATION AND HEARING AND ASSESSMENT OF COSTS

By letter dated September 4, 2007, the Wisconsin Central Ltd. (WCL) filed a petition with the Office of the Commissioner of Railroads (OCR) under §§195.28 and 195.29, Stats., for the closure of the public crossings of its tracks with Old Highway 18 (crossing no. 692 529E) and Smokey Road (crossing no. 692 521A) in the Town of Stockton, Portage County. Old Highway 18 is an at-grade crossing and Smokey Road is a grade-separated crossing.

Closing a crossing means that the roadway would be terminated at the tracks and would be permanently closed to public travel.

Jurisdiction:

Secs. 195.28 and 195.29, Stats.

The issues for the hearing are:

- 1. Would closure of each crossing promote public safety and convenience?
- 2. If the Old Highway 18 crossing remains open, what warning devices would be necessary to adequately protect and promote public safety?
 - 3. How shall the costs of the crossing closure be apportioned?

The Wisconsin Central Ltd. shall have the burden of proof on all issues.

If this proceeding is contested, it is deemed to be a Class I proceeding as defined in §227.01, Stats.

PLEASE NOTE: The Office will hold a public hearing at the Stockton Town Hall, 7252 6th Street, Custer, Wisconsin, on December 4, 2007, at 6:30 p.m. and continuing if necessary on December 5, 2007 at 9:30 a.m.

PLEASE NOTE: The Office finds that the expenses which are reasonably attributable to this investigation will be assessed against the Wisconsin Central Ltd. in accordance with §195.60, Stats., and RR 2.04.

Upon reasonable notice, the Office will accommodate the needs of disabled individuals. Contact the Office at (608) 266-9536, (608) 267-1479/TTY, or (Fax) (608) 261-8220, or by writing to the Office at 610 N. Whitney Way, Room 110, PO Box 8968, Madison, Wisconsin 53708-8968.

Please contact the OCR staff with any questions, at (608) 266-7607.

Dated at Madison, Wisconsin,	SEP 1 2 2007

By the Office of the Commissioner of Railroads.

Douglas S. Wood, Hearing Examiner

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