

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

In the Matter of the:

Petition of the Wisconsin Department of Transportation for the Establishment of a Public Crossing of the BNSF Railway Company Tracks with Power Plant Road in the Town of Genoa, Vernon County

9020-RX-160

SUPPLEMENTAL ORDER

On November 30, 2007, the Office of the Commissioner of Railroads (OCR) issued an order that required the establishment of a public crossing of Power Plant Road with the BNSF Railway Company (BNSF) tracks located in the Town of Genoa, Vernon County. The order also required the BNSF to install 12" LED automatic flashing lights with gates, constant warning time circuitry. The order set deadlines of October 10, 2008 for the crossing construction and October 31, 2008 for the warning device installation.

By letter dated August 28, 2008, the BNSF filed a request for an extension of time. BNSF states notes that the project plans call for placing the two tracks at the same elevation by raising Main One (Bluffside) by 0.5'. During design the BNSF determined that the adjacent railway bridge over a creek needed to be reconstructed in order to bear the additional weight needed to change the elevation. The alternative of lowering Main Two (riverside) is not feasible and would defeat one of the project goals of reducing the elevation difference between STH 35 and the BNSF tracks.

The additional work to rebuild the bridge has increased the time needed to complete the project. The BNSF request did not specify a new completion date, but indicated the work would be completed in the 2009 construction year. The Commissioner extends the deadlines to June 12 and June 26, 2009.

THEREFORE, IT IS ORDERED,

1. That the **BNSF Railway Company** shall install and maintain a crossing at-grade of **Power Plant Road** with its tracks in accordance with the design plans of the Wisconsin Department of Transportation in the Town of Genoa, Vernon County by **June 12, 2009** (Crossing No. 927 477U).

2. That the **BNSF Railway Company** shall install and maintain 12" LED automatic flashing lights with gates, constant warning time circuitry, and other appropriate appurtenances in accordance with such plans as are filed with and approved by the Office of the Commissioner of Railroads at the crossing of its tracks with **Power Plant Road** at-grade in the Town of Genoa, Vernon County by **June 26, 2009** (Crossing No. 927 477U).

3. That jurisdiction is retained.

Dated at Madison, Wisconsin, (September 12, 2008).

By the Office of the Commissioner of Railroads.

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Roger Breske  
Commissioner of Railroads

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