

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

On the Commissioner's Own Motion for a Determination of the Adequacy of Warning Devices at the Grade Crossing of the Union Pacific Railroad Co. Tracks with STH 67 in the Town of Sharon, Walworth County

9040-RX-1136

FIFTH SUPPLEMENTAL ORDER

The Office of the Commissioner of Railroads (OCR) previously issued a supplemental order that required the installation of 12" LED automatic flashing lights with gates and constant warning time circuitry at the public crossing of the Union Pacific Railroad Co. (UP) tracks with STH 67 in the Town of Sharon, Walworth County by **June 30, 2006** (Crossing No.177 027A / MP 71.71).

With the concurrence of the OCR, the Wisconsin Department of Transportation (DOT) delayed issuing a start notice to the UP until March 30, 2006 to see if issues related to reconstruction of the nearby New Factory Road intersection with STH 67 could be resolved. The issues have not been resolved. The DOT has asked that the deadline be extended due to the delay in issuing the start notice. The Commissioner concurs.

THEREFORE, IT IS ORDERED,

1. That the **Union Pacific Railroad Co.** shall install and maintain **mast-mounted** 12" LED automatic flashing lights with gates, and constant warning time circuitry with 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 STH 67 at-grade in the Town of Sharon, Walworth County by **June 30, 2007** (Crossing No.177 027A / MP 71.71).

2. That jurisdiction is retained.

Dated at Madison, Wisconsin, (April 24, 2006).

By the Office of the Commissioner of Railroads.

Rodney W. Kreunen
Commissioner of Railroads