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BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

CITY OF WEST ALLIS
CITY CLERK

STATE OF WISCONSIN

Complaint of the City of West Allis for the Repair of the Public Crossing of the Union Pacific Railroad Co. Tracks with STH 59 (W. Greenfield Avenue) in the City of West Allis, Milwaukee County

9040-RX-1331

NOTICE OF INVESTIGATION AND HEARING
AND ASSESSMENT OF COSTS

By letter dated February 18, 2015, the City of West Allis filed a complaint with the Office of the Commissioner of Railroads (OCR) under Wis. Stat. § 86.12 that the Union Pacific Railroad Co. (UP) has failed to maintain in good condition for public travel the public crossing of its tracks with STH 59 (W Greenfield Avenue) in the City of West Allis, Milwaukee County (Crossing No.177 242L / MP 86.34).

The resolution requiring the repairs was adopted on May 12, 2014 and sent to the railroad on June 12, 2014.

The issue for the hearing is whether the railroad has failed to maintain the crossing in good condition and repair for public travel. The City of West Allis shall bear the burden of proof.

If the proceeding described herein is contested, it is deemed to be a Class I proceeding as defined in Wis. Stat. §227.01.

PLEASE NOTE: The Office will hold a public hearing at the West Allis City Hall, Room 220, 7525 W. Greenfield Avenue, West Allis, Wisconsin, on April 21, 2015, at 1:00 p.m.

PLEASE NOTE: The Office finds that the expenses which are reasonably attributable to this investigation will be assessed against the Union Pacific Railroad Co. in accordance with Wis. Stat. § 195.60 and Wis. Admin. Code § RR 2.04.

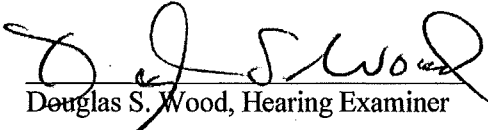
Upon reasonable notice, the Office will accommodate the needs of disabled individuals. Contact the Office at (608) 266-9536, (608) 267-1479/TTY, or (Fax) (608) 261-8220, or by writing to the Office at 610 N. Whitney Way, Room 110, PO Box 7854, Madison, Wisconsin 53707-7854.

The OCR now publishes all notices, orders, proposed decisions and final decisions on the Internet. These documents may be accessed at either <http://ocr.wi.gov/apps40/dockets/default.aspx> or on the Public Service Commission's website at <http://psc.wi.gov/>

If there are any questions regarding this matter, please contact the OCR staff at (608) 266-0276.

Dated at Madison, Wisconsin, April 1, 2015.

By the Office of the Commissioner of Railroads.


Douglas S. Wood, Hearing Examiner