

SAMPLE PETITION

STATE OF INDIANA

INDIANA DEPARTMENT OF TRANSPORTATION

IN THE MATTER OF A PETITION OF)
(company name) FOR AUTHORITY)
TO CONSTRUCT A TRACK TO A NEW)
INSIDE DOCK, NECESSITATING LESS)
THAN LEGAL VERTICAL AND LATERAL)
CLEARANCE ON THE PROPERTY OF)
(company)AT (address), (city), (county), INDIANA.

PETITIONER,

AND

(RAILROAD) AND THE INDIANA UTILITY CONSUMER COUNSELOR FOR THE
STATE OF INDIANA, (ANYONE ELSE DIRECTLY AFFECETED)

RESPONDENT.

PETITION

To the Indiana Department of Transportation,

Comes now (company name) and states as follows:

1. Petitioner respectfully represents that the Petition is filed under the provisions of Indiana Code 8-8-1-11, Indiana Code 8-8-1-12 and the Lateral and Vertical Clearance Requirements 105, Indiana Administrative Code 5-4-1 et seq.

2. Petitioner, a (state of incorporation) corporation, respectfully represents that it is a corporation doing business in the State of Indiana and further that it is proposing to construct, operate, and maintain at its manufacturing plant at (company address,) (city), in (county), Indiana, a new inside dock and track entering building through North Wall of existing warehouse which adjoins its existing sidetrack and serviced by connection with the (railroad name) track and right of way adjoining its property at the aforesaid location.

3. Petitioner, respectfully represents that for proper and efficient operation in the loading and unloading of railroad cars from the aforesaid sidetrack, and for proper protection of goods unloaded and goods to be loaded at said location, it is necessary that less than statutory vertical and lateral clearances be approved in connection with the construction of one track extension and one dock of (company name) manufacturing plant, said vertical and lateral clearances being as follows:

- A. Lateral clearance to edge of loading dock 6'6" instead of lateral clearance of 8'0" extending from north wall of building for 110'0".
- B. Vertical clearance entrance north side of building 18'0" instead of vertical clearance 22'0" and vertical clearance of 19'0" inside of building of a length of 110'0".

All of said clearances are indicated on the blueprint plan attached hereto and marked "Exhibit A". All variances are shown in detail on said blueprint plan. Our plan for modification of an existing building is supported by 8" by 10" color photographs of all quadrants of the clearance area and are marked "Exhibit B."

4. Petitioner represents that the said sidetrack will serve no other industry other than (company name); that the track extension as constructed will not interfere with safe, proper, and efficient operations for railroad switching crews with proper notice and installation of warning signs as specified by 105 Indiana Administrative Code 5-4-1 et seq., Rule 4.1, and essential to the efficiency of the manufacturing operations of (company name).

Wherefore, Petitioner respectfully requests that an order of the Indiana Department of Transportation authorizing and permitting the Petitioner to complete the track extension in the manner herein described and with track clearance as herein set forth be entered.

VERIFICATION

I affirm, under the penalties of perjury, that I have read the foregoing Petition; that I do not have personal knowledge regarding all of its representation; but that the matters set forth herein are true to the best of my knowledge and belief.

This _____ day of (month, (year).

(Company Name)

By: _____
(Name)
(Title)
(Address)
(Email)

CERTIFICATE OF SERVICE

Service of the foregoing was made by placing a copy of the same in the United States Mail, postage prepaid first-class to:

Mr. William Fine, Director
Indiana Office of Utility Consumer Counselor
115 W. Washington Street, Suite 1500 South
Indianapolis, Indiana 46204

Railroad Resident Agent
Address

INDOT District RR Coordinator
Address