BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION

(TRANSPORTATION)

Chicago, Illinois
Wednesday, January 5, 2011

Met, pursuant to notice, at 3:30 p.m. in
the N808, Eighth Floor, 160 North LaSalle Street,
Chicago, Illinois.

PRESENT:

MANUEL FLORES, Acting Chairman

LULA M. FORD, Commissioner

ERIN M. O'CONNELL-DIAZ, Commissioner

SHERMAN J. ELLIOTT, Commissioner
via videoconference

JOHN T. COLGAN, Acting Commissioner
via videoconference

SULLIVAN REPORTING COMPANY, by
Alisa A. Sawka, CSR
License No. 084-004588
PROCEEDINGS

ACTING CHAIRMAN FLORES: Pursuant to the provisions of the Illinois Open Meetings Act, I now convene a regularly scheduled session -- bench session of the Illinois Commerce Commission. With me in Chicago are Commissioner Ford and O'Connell-Diaz, and with us in Springfield are Commissioners Elliott and Colgan. I am Chairman Flores. We have a quorum.

Before moving into the agenda, according to Section 1700.10 of the Illinois Administrative Code, this is the time we allow the members of the public to address the Commission. Members of the public wishing to address the Commission must notify the Chief Clerk's Office at least 24 hours prior to the bench session. According to the Chief Clerk's Office, we have no requests to speak at today's bench session.

Starting with the Transportation agenda we begin with the approval of minutes from the December 2nd bench session.

I will make a motion to approve the minutes.
Is there a second?

COMMISSIONER FORD: Second.

COMMISSIONER O'CONNELL-DIAZ: Second.

ACTING CHAIRMAN FLORES: It's been moved and seconded.

All in favor say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Any opposed?

(No response.)

ACTING CHAIRMAN FLORES: The vote is 5-0 approving the minutes for December 2nd.

Moving to Railroad's Items RR-1 through RR-3 will be taken together. These items concern stipulated agreements at -- stipulated agreements regarding public safety improvements at highway-rail grade crossings across Illinois. In each case the Staff recommends entry of an order approving the stipulated settlement agreement.

I will make a motion to enter the order.

Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.
ACTING CHAIRMAN FLORES: It's been moved and seconded.

All in favor say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Any opposed?

(No response.)

ACTING CHAIRMAN FLORES: The vote is 5-0 and the Orders are entered.

We will use this 5-0 vote for the remainder of the Transportation agenda unless otherwise noted.

Items RR-4 and RR-5 can be taken together. These two items also concern stipulated agreements regarding public safety improvements at highway-rail grade crossings across Illinois. In both cases Staff recommends entry of a supplemental order approving an extension of time for the projects' completion.

Any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)
ACTING CHAIRMAN FLORES: Hearing none, the supplemental orders are entered.

Now, on to motor carriers. Item MC-1 is Investigation No. 10-0594. This item concerns a stipulated settlement agreement regarding alleged violations of the Personal Property Storage Act by C. March Movers and Transportation Counsel recommends entry of an order accepting the stipulated settlement agreement.

Any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Order is entered and the settlement agreement is approved.

Items MC-2 and MC-3 will be taken together. These items concerns stipulated settlement agreements regarding alleged violations of the Illinois Commercial Transportation Law by Peacock Relocation Systems and Jerry & Sons Enterprises. In both cases our Transportation Counsel recommends
entry of an order accepting the stipulated settlement agreement.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Orders are entered and the settlement agreements are approved.

Item MC-4 is Investigation No. 10-0102. This item concerns alleged violations in Illinois Commercial Transportation Law by Donnie Quinn d/b/a Bloomington-Normal Limousine and Shuttle and working as an independent contractor for Independent Courier Services. The investigation stemming from this matter gave rise to the alleged violations and stipulate settlement agreements that we will address today in Items MC-7 through MC-26, all of which concern other owners/operators working for Independent Courier Services. For this matter our Transportation Counsel recommends entry of an order accepting the stipulated settlement agreement
negotiated between the parties.

Any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the
Order is entered and the settlement agreement is
approved.

Item MC-5 and MC-6 can be taken
together. These items concern stipulated settlement
agreements regarding alleged violations of the
Illinois Commercial Transportation Law by PDQ Courier
and Quality Antique Movers. In both cases our
Transportation Counsel recommends entry of an order
accepting the stipulated settlement agreement.

Any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the
Orders are entered and the settlement agreement are
approved.
MC-7 through MC-26 can be taken together. As referenced, these items concern alleged violations of the Illinois Commercial Transportation Law by various owners/operators working for Independent Courier Services. In each case our Transportation Counsel recommends entry of an order accepting the stipulated settlement agreement negotiated between our Transportation Counsel and the respondent.

Any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Orders are entered and the settlement agreements are approved.

Item MC-27 through MC-29 can be taken together. These items concern stipulated settlement agreements concerning alleged violations of the Illinois Commercial Transportation Law. In each case our Transportation Counsel recommends entry of an order accepting the stipulated settlement agreement.
Any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the

Orders are entered and the settlement agreements are approved.


Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the

Order is entered and the Certificate is granted.

Items MC-31 through MC-34 can be taken together. These items are applications for a renewal of relocator licenses issued under the Illinois
Commercial Relocation of Trespassing Vehicles Law.

In each case Staff recommends entry of an order granting the renewal.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Orders are entered and the renewals are granted.

Item MC-35 through MC-37 can be taken together. These items are applications for operators' permits under the Illinois Commercial Relocation of Trespassing Vehicles Law. In each case Administrative Law Judge Kirkland-Montaque recommends entry of an order approving the application.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Orders are entered and the applications are granted.

Mr. Matrisch, is there any further
business to come before the Commission today?

MR. MATRISCH: Nothing further, Judge.

ACTING CHAIRMAN FLORES: Mr. Matrisch, before you leave, sir, I just again wanted to commend your entire staff for doing outstanding work. And in particular, I also want to thank you for your efforts in Operation Lifesaver. Earlier this week, as you know, we held a press conference at Union Station where we released two important PSAs, one in English and one in Spanish.

I want to also give Commissioner O'Connell-Diaz an opportunity to say a few remarks as she, as she was -- as she is the chair of our Transportation Committee and also very involved in that press conference.

COMMISSIONER O'CONNELL-DIAZ: Well, just again, I'm like a broken record with regard to the activities of our Transportation Sector of the Commission, in particular, the folks that are doing the Operation Lifesaver. I mean, it is exceedingly important work and the more people we can touch with
that information about safety on the railway is just
one of the things that we do at the Commission. And
our group down there just does an excellent job and
we were there with the -- Joe Szabo from the Federal
Transportation Administration. Senator Durbin,
unfortunately, couldn't be with us. However, he
ensures that we continue with the federal funding
that is so necessary for us to be able to improve the
safety situation in our state and, indeed, across the
country.

So it's always a pleasure. It's
always humbling to see the work that goes on in our
communities with our staff out there. So, I --
again, I'm a broken record. But it's always good to
say thank you. So...

MR. MATRISCH: Thank you.

I'd also point out that those public
service announcements, they're going to be posted on
the Commission's Website. So if anyone's interested
in seeing those, they'll be available for individuals
that access the Website.

ACTING CHAIRMAN FLORES: That's great. That
that's great. Thank you again, Mr. Matrisch.  

Very well. Given that there is no further business to come before the Commission today on the Transportation agenda, that concludes our Transportation agenda.

(The Public Utility portion of the proceedings was held at this time and is contained in a separate transcript.)