BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION
(TRANSPORTATION)

Springfield, Illinois
Thursday, January 20, 2011

Met, pursuant to notice, at 10:30 a.m. in the
Audiovisual Teleconference Room, Second Floor, Leland
Building, 527 East Capitol Avenue, Springfield,
Illinois.

PRESENT:

MR. MANUEL FLORES, Acting Chairman
(Via teleconference)

MS. LULA M. FORD, Commissioner
(Via teleconference)

MS. ERIN M. O'CONNELL-DIAZ, Commissioner
(Via teleconference)

MR. SHERMAN J. ELLIOTT, Commissioner

MR. JOHN T. COLGAN, Acting Commissioner

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
CSR #084-002710
ACTING CHAIRMAN FLORES: Starting with the Transportation agenda, we will begin with the approval of minutes from the December 15 Bench Session. I will make a motion to approve the minutes. Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.

ACTING CHAIRMAN FLORES: It's been moved and seconded. All in favor say aye.

COMMISSIONERS: Aye.

ACTING CHAIRMAN FLORES: Any opposed?

(No response.)

The vote is 5-0 approving the minutes for December 15.

Moving to the Railroad's agenda, Items RR-1 through RR-3 (T10-0077, T10-0109, T10-0185) will be taken together. These items concern petitions for the authorization of construction and safety improvements at rail crossings at different locations in Cook County. In each case Administrative Law Judge Kirkland-Montaque recommends entry of an Order granting the petition in whole or in part and
authorizing the project.

Is there a motion to -- I will make a
motion to enter the Orders. Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.

ACTING CHAIRMAN FLORES: It's been moved and
seconded. All in favor say aye.

COMMISSIONERS: Aye.

ACTING CHAIRMAN FLORES: Any opposed?

(No response.)

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 through RR-6 (T10-0186, T11-0001, T11-0002) can be taken together. These
items concern Stipulated Agreements regarding public
safety improvements at highway-rail grade crossings
across Illinois. In each case Staff recommends entry
of an Order approving the Stipulated Agreement.

Is there any discussion?

(No response.)
Any objections?

(No response.)

Hearing none, the Orders are entered.

Items RR-7 through RR-9 (T10-0079, T10-0033, T09-0048) can be taken together. These items also concern Stipulated Agreements regarding public safety improvements at highway-rail grade crossings across Illinois. In each case Staff recommends entry of a Supplemental Order approving an extension of time for the project's completion of an increase in the project's cost.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Supplemental Orders are entered.

Administrative matters that we have today, Item AM-1 is a Citation concerning Kansas City Southern Railway Company's alleged failure to maintain existing highway-rail grade crossing surfaces to meet the minimum requirements of 92
Illinois Administrative Code Part 1535. Staff recommends that the Commission enter a Citation Order requiring the company to show cause as to why it hasn't made the necessary repairs.

Is there any discussion?

COMMISSIONER O'CONNELL-DIAZ: Chairman, I just would like to point out that our staff has been diligently working on this since 2008 with many letters going back and forth to the railroad involved, and so it is appropriate for us to act in accordance with their recommendation today.

ACTING CHAIRMAN FLORES: Thank you, Commissioner. Any other comments?

(No response.)

Very well. Any objections?

(No response.)

Hearing none, the Order is entered and the Settlement Agreement is approved.

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

MR. MATRISCH: Nothing further this morning,
Mr. Chairman. Thank you.

ACTING CHAIRMAN FLORES: Thank you very much.

That concludes today's Transportation agenda.

TRANSPORTATION AGENDA CONCLUDED.