BEFORE THE
ILLINOIS COMMERCE COMMISSION

TRANSPORTATION BENCH SESSION

Chicago, Illinois
January 25, 2012

Met, pursuant to notice, at 10:30 a.m.

BEFORE:

MR. DOUGLAS P. SCOTT, Chairman

MS. LULA M. FORD, Commissioner

MS. ERIN M. O'CONNELL-DIAZ, Commissioner

MR. SHERMAN J. ELLIOTT, Commissioner
(via videoconference)

MR. JOHN T. COLGAN, Acting Commissioner
(via videoconference)

SULLIVAN REPORTING COMPANY, by
Auhdikiam Carney, CSR
License No. 084-004658
CHAIRMAN SCOTT: Pursuant to the provisions of the Illinois Open Meetings Act, I now convene a regularly scheduled Bench Session of the Illinois Commerce Commission. With me in Chicago are Commissions Ford and O'Connell-Diaz, and in Springfield are Commissioners Elliott and Acting Commissioner Colgan. I am Chairman Scott.

We have a quorum.

Starting with the Transportation agenda, we'll begin with the approval of minutes from prior Commission meetings. Up first are minutes from our December 21st Bench Session. I understand amendments have been forwarded.

Is there a motion to amend the minutes?

COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER FORD: Second.

CHAIRMAN SCOTT: Its been moved and seconded.

All in favor say "aye."

(Chorus of ayes.)

Any opposed?
The vote is 5-0 and the amendments to the December 21st minutes are adopted.

Is there a motion to approve the minutes as amended?

COMMISSIONER FORD: So moved.

CHAIRMAN SCOTT: Is there a second.

COMMISSIONER O'CONNELL-DIAZ: Second.

CHAIRMAN SCOTT: All in favor say "aye."

(Chorus of ayes.)

Any opposed?

(No response.)

The vote is 5-0 and the December 21st minutes as amended are approved.

The next up are minutes from our January 5th session.

Is there a motion to approve the minutes?

COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER FORD: Second.

CHAIRMAN SCOTT: It's been moved and seconded.
All in favor say "aye."

(Chorus of ayes.)

Any opposed?

(No response.)

The vote is 5-0 and the January 5th minutes are approved.

On to the Railroad section.

Items R-1 and RR-2 can be taken together. These items concern Stipulated Agreements regarding public safety improvements at highway-rail grade crossings in Alexander County and Cook County. In each case Staff recommends entry of an Order approving the agreement.

Is there any discussion?

(No response.)

Is there a motion to enter the Orders?

COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER FORD: Second.

All in favor say "aye."

(Chorus of ayes.)

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-3 and RR-4 can be taken together. These items are petitions for the authorization of track installation projects in Whiteside County and Rock Island County. In each case the ALJ Kirkland-Montaque recommends entry of an Order granting the petition.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Orders are entered.

On to Motor Carriers.

Items MC 1 through MC 4 can be taken together. These items concern Stipulated Settlement Agreements over alleged violations of the Illinois Commercial Transportation Law. In each case our transportation counsel recommends entry of an Order approving the Settlement Agreement.
Is there any discussion?
(No response.)
Any objections?
(No response.)
Hearing none, the Orders are entered.
Item MC-5 is Charles Lucker's application for renewal of his operator's permit under the Illinois Commercial Relocation of Trespassing Vehicle's Law. ALJ Kirkland-Montaque recommends entry of an Order granting the application.
Is there any discussion?
(No response.)
Any objections?
(No response.)
Hearing none, the Order is entered.
Item MC-6 is Midnight Service's application for renewal for its commercial relocation license. In light of noncompliance with Commission regulations and statutory requirements, our transportation counsel recommends denying the renewal application and entering an Order to set the renewal
application for hearing as provided for in Section 18a-400 of the Illinois Commercial Relocation and Trespassing Vehicles Law.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the renewal application is denied and will be set for a hearing.

Item MC-7 concerns Rendered Services' motion for rehearing concerning violations in connection with an administrative citation issued in 2011. ALJ Kirkland-Montaque recommends that the Company's motion for rehearing be denied.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the rehearing request is denied.

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

MR. MATRISCH: Not this morning, Mr. Chairman.

Thank you.

CHAIRMAN SCOTT: Thank you, sir.

Hearing none, that concludes today's Transportation agenda.