BEFORE THE

ILLINOIS COMMERCE COMMISSION

BENCH SESSION

(TRANSPORTATION)

Wednesday, January 28, 2015
Chicago, Illinois

Met, pursuant to notice, at 10:30 A.M.,
at 160 North La Salle Street, Chicago, Illinois.

PRESENT:

BRIEN J. SHEAHAN, Acting Chairman

ANN McCabe, Commissioner

SHERINA E. MAYE, Commissioner

MIGUEL DEL VALLE, Commissioner

SULLIVAN REPORTING COMPANY, by
PATRICIA WESLEY
CSR NO. 084-002170


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ACTING CHAIRMAN SHEAHAN: All right. Pursuant to the provisions of the Open Meetings Act, I now convene a special open meeting of the Illinois Commerce Commission.

With me in Chicago are Commissioners McCabe, del Valle and Maye. I am Chairman Sheahan. We have a quorum.

Before moving into the agenda, according to Section 1700.10 of the Title 2 of the Administrative Code, this is the time we usually consider public comments.

Members of the public wishing to address the Commission must notify the Chief Clerk's office at least 24 hours prior to Commission meetings. According to the Chief Clerk's office, we have no granted requests to speak at today's Bench Session.

We will move to the Transportation agenda, and we will begin with the approval of the minutes from our January 14th Bench Session.

Is there a motion to approve the minutes?
COMMISSIONER McCabe: So moved.

ACTING CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER del Valle: Seconded.

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

All those in favor, say aye.

(Chorus of ayes.)

Any opposed.

(No response.)

The vote is 4 to 0 and the Minutes of January 14th are approved.

Item No. RR-1 is Docket No. T14-0076.

This is our citation with respect to OmniTRAX Inc., managed railroads, Illinois Railway, LLC and Chicago Rail link, LLC, for failure to maintain various highway-rail grade crossing surfaces in accordance with the requirements of 92 Illinois Administrative Code Part 1535.203.

Prior to hearing, Staff filed a motion to dismiss stating that all the necessary repairs have now been made.

Administrative Law Judge Duggan
recommends entry of an Order dismissing the proceeding.

Is there any discussion?

(No response.)

Is there a motion to enter the Order?

COMMISSIONER del VALLE: Moved.

ACTING CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER McCabe: Seconded.

ACTING CHAIRMAN SHEAHAN: All in favor, say aye.

(Chorus of ayes.)

Any opposed?

(No response.)

The vote is 4 to 0. The Order is entered.

With leave of the Commission, I'll ask for unanimous consent of the following items.

Item No. RR-2 is Docket No. T14-0105. This is Illinois Central Railroad Company's petition seeking authorization to construct a modification of an existing grade separation structure in unincorporated Will County, Illinois.

ALJ Kirkland-Montague recommends entry
of an Order granting the requested relief.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, without objection, the Order is entered.

Item Nos. RR-3 through RR-5 can be considered together. These items are stipulated agreements seeking authorization for safety improvement projects in Madison and Vermilion County. In each case Staff recommends entry of a supplemental or second supplemental Order granting the parties additional time to complete the projects.

Is there any discussion?

(No response.)

Is there any objection combining and approving these items?

(No response.)

Hearing none, the supplemental Orders are entered.
Moving on to motor carriers, Items MC-1 through MC-4 can be considered together. These items are stipulated settlement agreements concerning alleged violations of the Illinois Collateral Recovery Act or Illinois Commercial Transportation Law.

In each case transportation counsel recommends entry of an Order accepting the stipulated settlement agreement.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Without objection, the motions are combined and approved, and the Orders are entered.

Item No. MC-5 is Docket No. 208924 MC. This is Red Carpet Relo LLC d/b/a Best Friend Moving & Storage's Application for a Certificate of Public Convenience and Necessity under the Illinois Commercial Transportation Law.

ALJ Kirkland-Montague recommends entry of an Order granting the requested relief.
Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is granted.

Items MC-6 and 7 can be considered together. These items are Applications for Renewal of Commercial Relocation Towing Licenses pursuant to Section 401 of the Illinois Commercial Relocation of Trespassing Vehicles Law.

In both cases our transportation counsel recommends entry of an Order granting the requested renewal.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Without objection, the Orders are entered.

Moving now to Collateral Recovery, Item No. CR-1 has been pulled from our agenda.

Item No. CR-2 is Docket No. 187792 MC.
This is David Garret Mitchell's Application for a Class "E" Recovery Permit pursuant to Section 45 of the Collateral Recovery Act and 92 Illinois Administrative Code 1480.50C.

ALJ Kirkland-Montague recommends entry of an Order granting the requested certificate.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Without objection, the Order is entered.

Are there any further transportation business to come before the Commission today?

MR. MATRISCH: No.

(Whereupon, the above matter was adjourned.)