BEFORE THE

ILLINOIS COMMERCE COMMISSION

BENCH MEETING

(TRANSPORTATION)

Springfield, Illinois

Wednesday, February 25, 2015

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

527 East Capitol Avenue, Springfield, Illinois.

PRESENT:

MR. BRIEN J. SHEAHAN, Chairman

MS. ANN McCABE, Commissioner (by video)

MR. MIGUEL DEL VALLE, Commissioner (by video)

MS. SHERINA E. MAYE, Commissioner (by video)

MIDWEST LITIGATION SERVICES, by

Angela C. Turner, Reporter

CSR #084-004122
CHAIRMAN SHEAHAN: Pursuant to the Open Meetings Act, I will call our February 25, 2015, Bench Session of the Illinois Commerce Commission to order.

Commissioners McCabe, del Valle, and Maye are present in Chicago, and I am present in Springfield. We have a quorum.

We have no public comments; and therefore, will move into our regular Transportation Agenda.

We have a number of non-substantive corrections to the minutes. I believe everyone has had a chance to review the changes.

Is there a motion to approve the minutes of February 11th, as amended?

COMMISSIONER MAYE: So moved.

COMMISSIONER McCabe: Second.

CHAIRMAN SHEAHAN: All those in favor say aye.

(Chorus of ayes.)

CHAIRMAN SHEAHAN: Motion carries 4 to 0.

Items RR-1 through RR-4 all involve stipulated agreements making public safety improvements to highway-rail grade crossings.
Is there any objection to combining and
approving Items RR-1 through RR-4?
(No response.)
CHAIRMAN SHEAHAN: Hearing none, those Orders are approved.

Items MC-1 through MC-6 concern the approval
of stipulated agreements regarding alleged violations
of the Commercial Transportation Law.
Is there any objection to combining and
approving the proposed Orders in MC-1 through MC-6?
(No response.)
CHAIRMAN SHEAHAN: Hearing none, the Orders are approved 4 to 0.

Moving on to our Collateral Recovery Agenda.

Item CR-1 involves the Application for a Class E Recovery Permit from Sandra Lee Paine.
I believe Commissioner del Valle has some edits he would like to propose.
COMMISSIONER DEL VALLE: Yes. Thank you, Mr. Chairman.
The edits can be found in the conclusion in the now listed section of page 4 and findings on page 5. They reverse the PEPO and find the Applicant is fit to hold the permit. First, the edit finds that
although Applicant did not include her earliest conviction in her Application, she did not withhold such information for the purpose of knowingly making a misrepresentation.

Second, the edit finds that although Applicant has a conviction for a misdemeanor, an element of which involves dishonesty, and a felony, the Commission believes it would be unreasonable to deny her the permit when 18 years separate her two convictions, seven years have passed since her last conviction, and there have been no further criminal offenses since then. And she continues to make good faith efforts to comply with the court Order.

The edit concludes that the Applicant has rehabilitated, can safely and responsibly execute her duties of the profession, and is fit to hold the permit.

With that, I move the adoption of the edit.

CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER McCabe: Second.

CHAIRMAN SHEAHAN: All those in favor say aye.

(Chorus of ayes.)

CHAIRMAN SHEAHAN: The amendment carries 4
All those in favor of approving the Order as amended -- actually, let me ask for a motion.

Is there a motion to approve the Order, as amended?

COMMISSIONER MAYE: So moved.

CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER McCABE: Second.

CHAIRMAN SHEAHAN: All those in favor say aye.

(Chorus of ayes.)

CHAIRMAN SHEAHAN: Motion carries 4 to 0.

Item Number CR-2 involves another Application for a Class E Recovery Permit.

Is there any objection to approving the proposed Order?

(No response.)

CHAIRMAN SHEAHAN: Without objection, the Proposed Order is adopted 4 to 0.

TRANSPORTATION SESSION CONCLUDED.
CERTIFICATE OF REPORTER

I, Angela C. Turner, a Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that the meeting aforementioned was held on the time and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

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Angela C. Turner
IL CSR #084-004122