BEFORE THE

ILLINOIS COMMERCE COMMISSION

BENCH SESSION

(TRANSPORTATION)

Chicago, Illinois

Wednesday, March 6, 2013

Met, pursuant to notice, at 11:45 a.m.
in the Main Hearing Room, 160 North LaSalle Street,
Chicago, Illinois.

PRESENT:

MR. DOUGLAS P. SCOTT, Chairman

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

MR. JOHN T. COLGAN, Commissioner (by phone)

MS. ANN McCABE, Commissioner

MR. MIGUEL del VALLE, Commissioner

L.A. COURT REPORTERS by

Kari Wiedenhaupt, Reporter

CSR# 084-004725
CHAIRMAN SCOTT: Is everything ready in Springfield?

JUDGE WALLACE: Yes, it is.

CHAIRMAN SCOTT: Good.

Pursuant to the provisions of the Open Meetings Act, I now convene a regularly scheduled Bench Session of the Illinois Commerce Commission.

With me in Chicago are Commissioner O'Connell-Diaz, Commissioner McCabe, and Acting Commissioner del Valle. I am Chairman Scott. We have a quorum.

I believe Commissioner Colgan was standing by on the phone and is not there any longer. Is that correct?

COMMISSIONER COLGAN: No. I'm here.

CHAIRMAN SCOTT: You are still here? Okay.

Under the Commission's rules, we'll have to vote to allow Commissioner Colgan to participate by phone. I move to allow his participation by phone.

Is there a second?

COMMISSIONER MCCABE: Second.

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

(Chorus of ayes.)

CHAIRMAN SCOTT:  Any opposed?

(No response.)

CHAIRMAN SCOTT:  The vote is four to nothing and Commissioner Colgan may participate in today's meeting by phone.

First of all, I want to apologize to everybody.  I don't know if first I am apologizing for the snow, but I am apologizing for getting back into town -- my 3:00 flight yesterday afternoon just landed about an hour ago at O'Hare.

So Before moving into the agenda, according to Section 1700.10 of Title 2 of the Administrative Code, this is the time we allow 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 Commission meetings. According to the Chief Clerk's office, we have two -- actually we have three requests to speak at today's Bench Session.
(Whereupon, two people spoke on public utility issues.)

CHAIRMAN SCOTT: That will then conclude the public comment portion of today's meeting.

Moving now to the Transportation agenda, we'll begin with the approval of minutes from our February 21st Bench Session.

Is there a motion to approve the minutes?

COMMISSIONER MCCABE: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.

CHAIRMAN SCOTT: It's been moved and seconded.

All in favor, say aye.

(Chorus of ayes.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: Then the vote is five to nothing, and the minutes from our February 21st Bench Session are approved.

On to the Railroad portion of today's agenda, Item RR-1 is Docket No. T12-0005. This is a
petition seeking permission to construct a road extension crossing railroad tracks and related improvements in the Village of Sauget. ALJ Kirkland-Montaque recommends entry of an Order granting the petition consistent with Staff's suggested changes.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Is there a motion to enter the Order?

COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER MCCABE: Second.

CHAIRMAN SCOTT: It's been moved and seconded.

All in favor, say eye.

(Chorus of ayes.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is five to nothing, and the Order is entered. We will use this five to nothing vote for the remainder of today's Transportation agenda unless otherwise noted.
Items RR-2 through RR-5 can be taken together. These items concern stipulated agreements for public safety improvements at highway-rail grade crossings across Illinois. In each case, Staff recommends entry of an Order approving the agreement.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are entered.

Items RR-6 and RR-7 can be taken together. These items also concern stipulated agreements for public safety improvements at highway-rail grade crossings across Illinois. In each case, Staff recommends entry of a Supplemental Order granting additional time and/or funding for the project's completion.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?
CHAIRMAN SCOTT: Hearing none, the Orders are entered.

Item RR-8 is Docket No. T12-0095.

This is a petition seeking permission to construct an overpass in the city of Galesburg. ALJ Duggan recommends entry of a Supplemental Order granting a requested contribution reallocation between the parties.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

On to Motor Carriers. Items MC-1 through MC-4 can be taken together. These items are the stipulated settlement agreements for alleged violations of the Illinois Commercial Transportation Law. In each case, our transportation counsel recommends entry of an Order accepting the settlement agreement.
Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are entered.

Item MC-5 is Universal Moving Solutions' application for a certificate under the Illinois Commercial Transportation Law. ALJ Kirkland-Montaque recommends entry of an Order granting the application.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Moving now to Collateral Recovery.

Items CR-1 through CR-5 can be taken together. These items are applications for licensure as a recovery agency, recovery agency manager, or repossessor under the Collateral Recovery Act. In each case, ALJ
Kirkland-Montaque recommends entry of an Order granting the application.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are entered.

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

MR. MATRISCH: No, Chairman. Thank you.

CHAIRMAN SCOTT: Thank you. Hearing none, that concludes today's Transportation agenda.