BEFORE THE
ILLINOIS COMMERCE COMMISSION
REGULAR OPEN MEETING
TRANSPORTATION
Tuesday, March 15, 2017
Chicago, Illinois

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

PRESENT:
BRIEN J. SHEAHAN, Chairman (Telephonically)
SADZI M. OLIVA, Acting Commissioner
SHERINA MAYE EDWARDS, Commissioner
MIGUEL del VALLE, Commissioner
JOHN R. ROSALES, Commissioner

SULLIVAN REPORTING COMPANY, by
BRAD BENJAMIN, CSR
LICENSE NO. 084-004805
COMMISSIONER OLIVA: There are edits to the March 1st, 2017, Regular Open Meeting Minutes. Are there any objections to approving the minutes as edited?

(No response.)

COMMISSIONER OLIVA: Hearing none, the minutes are approved.

Items RR-1 and RR-2 concern Stipulated Agreements regarding improving public safety at railroad crossings. Are there any objections to considering these items together and approving the proposed orders approving the agreements?

(No response.)

COMMISSIONER OLIVA: Hearing none, the orders are approved.

Motor Carriers: Items MC-1 and MC-2 concern stipulated settlement agreements regarding alleged violations of the Illinois Commercial Transportation Law. Are there any objections to considering these items together and approving the
proposed orders approving the agreements?

(No response.)

COMMISSIONER OLIVA: Hearing none, the orders are approved.


Are there any objections to approving the proposed order granting the application?

(No response.)

COMMISSIONER OLIVA: Hearing none, the order is approved.

Item CR-1 concerns an Application for a Class E Recovery Permit.

Are there any objections to approving the proposed order granting the permit?

(No response.)

COMMISSIONER OLIVA: Hearing none, the order is approved.

Administrative Matters: Item AM-1 concerns the fiscal years 2018 through 2022 Crossing Safety Improvement Program 5-Year Plan.
Are there any objections to approving
the plan?

COMMISSIONER del VALLE: (Nonverbal response.)

COMMISSIONER OLIVA: Okay. Please proceed,
Commissioner del Valle.

COMMISSIONER del VALLE: Thank you, Madam Chair.

Do we keep track of fatalities that are not -- railroad-related fatalities that are not crossing fatalities?

MR. STEAD: Yes, we do.

COMMISSIONER del VALLE: That's not included in this report, right?

MR. STEAD: That's correct.

COMMISSIONER del VALLE: Okay. But where -- where do we report those numbers?

MR. STEAD: Every incident that involves a railroad is reported to the Illinois Emergency Management Agency, IEMA. And IEMA sends -- then sends that information to us -- to the Railroad Section, so we can file those statistics on an annual basis for all railroad-related incidents that occur
in Illinois.

COMMISSIONER del VALLE: Are those statistics forwarded to the Commission?

MR. STEAD: No, we normally do not, but we certainly can if you'd like to.

COMMISSIONER del VALLE: No. Because I had an inquiry from a state representative who wanted to know if Grade Crossing Protection Funds could be used for fencing near the railroads and the state rep asked why we don't keep -- or why we do not report numbers -- fatality numbers, that are not related to crossings.

MR. STEAD: Crossing are -- distinct incidents that do not occur at public crossings are considered trespassing incidents. That's not something that we normally publicize or publish. We certainly keep that information, but we don't publish that information anymore.

COMMISSIONER del VALLE: But in responding to that question that was posed to me, I have to assume that the statute is very clear about how Grade Crossing Protection Funds can be used. And that
anything other than what's in the statute would not
be authorized; is that correct?

MR. STEAD: That's correct.

In fact, I had a similar phone
conversation with a staffer from the state
representative earlier this week and provided the
same information. The statute requires or permits
the use of Grade Crossing Protection Funds for safety
improvements at public crossings only.

COMMISSIONER del VALLE: Okay. I'm glad to
hear they talked with you because I did refer them to
you.

Thank you very much.

COMMISSIONER OLIVA: All right. And just for
the record, could the staff member on the phone
please state their name.

(No response.)

COMMISSIONER OLIVA: And just for the record,
could the staff member on the phone please state your
name for the record.

MR. STEAD: Yes. This is Michael Stead,
S-T-E-A-D.
COMMISSIONER OLIVA: All right. So are there any objections to approving the plan?

(No response.)

COMMISSIONER OLIVA: Hearing none, the plan is approved.

Item AM-2 concerns the 2016 Annual Report on hazmat accidents and incidents on the railroads in Illinois.

Are there any objections to approving the report?

(No response.)

COMMISSIONER OLIVA: Hearing none, the report is approved.

(Whereupon, the above matter was adjourned.)