BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION

(TRANSPORTATION)

Wednesday, May 7, 2014
Springfield, Illinois

Met, pursuant to notice, at 10:30 A.M., at
527 East Capitol Avenue, Springfield, Illinois.

PRESENT:

Douglas P. Scott, Chairman

John T. Colgan, Commissioner (in Chicago)

Ann McCabe, Commissioner (in Chicago)

Sherina E. Maye, Commissioner (in Chicago)

Miguel del Valle, Commissioner (in Chicago)

MIDWEST LITIGATION SERVICES, by
Robin A. Enstrom, RPR, CSR
CSR No. 084-002046
CHAIRMAN SCOTT: Pursuant to the provisions of the Open Meetings Act, I now convene a regularly scheduled Bench Session of the Illinois Commerce Commission. With us in Chicago are Commissioner Colgan, Commissioner McCabe, Commissioner del Valle, and Commissioner Maye. In Springfield, I'm Chairman Scott, and we have a quorum.

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 the Commission meetings. According to the Chief Clerk's office, we have no requests to speak at today's Bench Session.

Moving now to the Transportation agenda, we'll begin with the approval of minutes from our April 2nd Bench Session. I understand amendments have been forwarded. Is there a motion to amend the minutes?
COMMISSIONER MAYE: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER COLGAN: Second.

CHAIRMAN SCOTT: Moved by Commissioner Maye. Second by Commissioner Colgan.

All in favor say "Aye."

("Ayes" heard.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is 5-0, and the amendments are adopted.

Is there now a motion to approve the minutes as amended?

COMMISSIONER MCCABE: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER MAYE: Second.

CHAIRMAN SCOTT: Moved by Commissioner McCabe. Second by Commissioner Maye.

All in favor say "Aye."

("Ayes" heard.)

CHAIRMAN SCOTT: Any opposed?

(No response.)
CHAIRMAN SCOTT: The vote is 5-0, and the minutes from our April 2nd Bench Session as amended are approved.

Next we have the approval of minutes from our April 16th Bench Session. I understand amendments have been forwarded. Is there a motion to amend the minutes?

COMMISSIONER COLGAN: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER MCCABE: Second.

CHAIRMAN SCOTT: Moved by Commissioner Colgan. Second by Commissioner McCabe.

All in favor say "Aye."

("Ayes" heard.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: Vote is 5-0, and the amendments are adopted.

Is there now a motion to approve the minutes as amended?

COMMISSIONER MAYE: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER DEL VALLE: Second.
CHAIRMAN SCOTT: Moved by Commissioner Maye. Second by Commissioner del Valle.

All in favor say "Aye."

("Ayes" heard.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is 5-0, and the minutes from our April 16th Bench Session as amended are approved.

Item RR-1 is Docket No. T14-0010.

This is the City of McHenry's petition for authorization to construct and maintain an at-grade pedestrian crossing at McCullom Lake Road in McHenry County. ALJ Duggan recommends entry of an Order granting the requested relief.

Is there any discussion?

(No response.)

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

COMMISSIONER COLGAN: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER MCCABE: Second.

CHAIRMAN SCOTT: Moved by
Commissioner Colgan. Second by Commissioner McCabe.

All in favor say "Aye."

("Ayes" heard.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: Vote is 5-0, and the Order is entered.

We will use this 5-0 vote for the remainder of today's Transportation agenda unless otherwise noted.

Items RR-2 through RR-4 can be taken together. These items are stipulated agreements seeking authorization for safety improvement projects at highway-rail grade crossings across Illinois. In each case our Transportation counsel recommends entry of an Order granting the requested relief.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are entered.
Items RR-5 and RR-6 can be taken together. These items are petitions for authorization to install at-grade pedestrian crosswalks and other stated or requested relief in Logan County. In both cases, ALJ Duggan recommends entry of an Order granting the requested relief. These items will be held for disposition at a future Commission proceeding.

Item RR-7 is Docket No. T11-0097. This is the City of Danville's petition for authorization to install an at-grade pedestrian crosswalk with Union Pacific Railroad Company tracks in Logan County. Petitioner has requested additional time to complete the project, and ALJ Duggan recommends entry of a Supplemental Order granting the requested relief.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Item RR-8 is Docket No. T08-0010. This is Springfield Township, Sangamon County's
petition directing the installation of
at-grade -- of grade crossing protection devices
at Midland and Illinois Railroad grade crossing
in Sangamon County. Petitioner has filed a
motion to withdraw its petition which ALJ Duggan
recommends we grant.

Is there any discussion?
(No response.)

CHAIRMAN SCOTT: Any objections?
(No response.)

CHAIRMAN SCOTT: Hearing none, the
motion is granted and the petition is withdrawn.

On to Motor Carriers, Item MC-1 is
our stipulated settlement agreement concerning
Toto Trucking Incorporated's alleged violations
of the Illinois Commercial Transportation Law.
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
Order is entered.
Item MC-2 is JL Movers Corporation's application for a Certificate of Public Convenience and Necessity under the provisions of 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.

Item MC-3 is Mahmoud Naji's application for an Operator Employment Permit under the provisions of the Illinois Commercial Transportation Law. ALJ Kirkland-Montaque recommends entry of an Order granting the requested permit.

Is there any discussion?
(No response.)

CHAIRMAN SCOTT: Any objections?
(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.
Item MC-4 is Elvis Clayton Morse's application for a Class "E" Recovery Permit pursuant to Section 45 of the Collateral Recovery Act. ALJ Duggan recommends entry of an Order denying the requested permit.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections to denial?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered and the permit is denied.

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

MR. MATRISCH: No, Chairman. Thank you.

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

STATE OF ILLINOIS   
) ss. 
COUNTY OF SANGAMON  

I, ROBIN A. ENSTROM, a Registered Professional Reporter and Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that the foregoing proceedings were taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

ROBIN A. ENSTROM
Illinois CSR No. 084-002046