BEFORE THE

ILLINOIS COMMERCE COMMISSION

TRANSPORTATION REGULAR OPEN MEETING

Wednesday, June 26, 2019

Chicago, Illinois

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

PRESENT:

CARRIE ZALEWSKI, Chairman
SADZI M. OLIVA, Commissioner
MARIA S. BOCANEGRA, Acting Commissioner
D. ETHAN KIMBREL, Commissioner
BRIEN J. SHEAHAN, Commissioner (Telephonically)

SULLIVAN REPORTING COMPANY
BY: JO ANN KROLICKI, CSR
License No. 084-002215
CHAIRMAN ZALEWSKI: Good morning. I have 10:32. Under the Open Meetings Act, I would like to call the June 26, 2019, Regular Open Meeting to order.

Are we ready to proceed in Springfield?

THE CHIEF CLERK: Yes, we are.

CHAIRMAN ZALEWSKI: Thank you.

Commissioners Bocanegra, Kimbrel, and Oliva are with me in Chicago. We have a quorum.

Commissioner Sheahan is seeking to participate by phone. Commissioner Sheahan, are you with us?

COMMISSIONER SHEAHAN: I am. Thank you.

CHAIRMAN ZALEWSKI: Are there any objections to allowing Commissioner Sheahan to participate by phone?

(No response.)

CHAIRMAN ZALEWSKI: Hearing none, Commissioner Sheahan is granted permission to participate by phone.

We have no requests to speak filed
with the Commission as required by Commission procedures. However, if there are members who do want to speak, we do have a signup sheet, if there's a last minute request, at the front of the room, and we will have speakers address the Commission at the end after the agenda is completed.

We now move on to our transportation agenda.

There are no edits to the May 30, 2019, and June 12, 2019, Regular Open Meeting Minutes. Are there any objections to approving the Minutes?

(No response.)

CHAIRMAN ZALEWSKI: Hearing none, the Minutes are approved.

Moving on to our railroad items. Items RR-1 through RR-5 concern various public safety projects. Are there any objections to considering these items together and approving the Proposed Orders?

(No response.)

CHAIRMAN ZALEWSKI: Hearing none, the
Orders are approved.

Moving on to our motor carrier items.

Items MC-1 through MC-3 concern stipulated settlement agreements on alleged violations of the Illinois Commercial Transportation Law.

Are there any objections to considering these items together and approving the Proposed Orders?

(No response.)

CHAIRMAN ZALEWSKI: Hearing none, the Orders are approved.

Item MC-4 concerns applications for renewal of a Commercial Relocation Towing License for B & R Towing.

Are there any objections to approving the Proposed Order that grants the renewal?

(No response.)

CHAIRMAN ZALEWSKI: Hearing none, the Order is approved.

Item MC-5 concerns Superior Transport & Relocation's Application for a Common Carrier
Certificate of Public Convenience and Necessity to Transport Household Goods.

Are there any objections to approving the Proposed Order that grants the certificate?

(No response.)

CHAIRMAN ZALEWSKI: Hearing none, the Order is approved.

Moving on to our collateral recovery items.

Item TR-1 concerns Applications for a Class E Recovery Permit. There are substantive edits to the Order. The Order as edited grants the application, but with a one-year probation period finding that the Applicant's criminal record and failure to pay fines warrants additional oversight due to public safety concerns.

I move the proposed edits. Is there a second?

COMMISSIONER OLIVA: Second.

CHAIRMAN ZALEWSKI: Any discussion?

COMMISSIONER BOCANEGRA: Yes, thank you, Chairwoman.
I would like to take this opportunity to express my disagreement with the majority on this matter. Having carefully considered the record as a whole, I would vote to deny this Applicant's permit. In so finding, I would rely in part and adopt in part the Staff's recommendation that this Applicant should be denied based upon the nature of his offense and his failure to pay the outstanding fine.

First, the prior offense involved a confrontational situation that resulted in a physical altercation and harm to this individual. In my view, this permit involves direct and potentially charged confrontations with individuals similar to the circumstances surrounding this Applicant's prior offense.

Second, I would agree with Staff that this permit should be denied based upon the fact that this Applicant has failed to pay any portion of his outstanding restitution associated with this particular offense. This failure to pay in my opinion is a factor to be considered and is a complete disregard for the rule of law.
I am concerned this Applicant will exercise the same disregard with respect to the granting of this permit. For those reasons, I would vote to deny the permit. Thank you.

CHAIRMAN ZALEWSKI: Thank you.

Any other comments?

(No response.)

CHAIRMAN ZALEWSKI: All in favor of approving the Proposed Edits, say aye.

(Chorus of ayes.)

CHAIRMAN ZALEWSKI: All opposed, say nay.

COMMISSIONER BOCANEGRA: Nay.

CHAIRMAN ZALEWSKI: The ayes have it, the edits are approved.

I move to approve the Proposed Order as edited. Is there a second?

COMMISSIONER OLIVA: Second.

CHAIRMAN ZALEWSKI: All those in favor of the Order, say aye.

(Chorus of ayes.)

CHAIRMAN ZALEWSKI: All opposed, say nay.
COMMISSIONER BOCANEGRA: Nay.

CHAIRMAN ZALEWSKI: The ayes have it. The Order is approved.

Moving on to our administrative matters.

Item AM-1, which is Docket Number 161368 MC, Sub 5, concerns Pier 60, Inc.'s, Emergency Motion For Rehearing and Reconsideration of a Denial of a Carrier's Application for Permitted Household Goods Authority. This item will be held for a later disposition and a denial of the authority pending the Commission's review.

This concludes our transportation agenda.

(WHEREUPON, the meeting was adjourned.)