BEFORE THE
ILLINOIS COMMERCE COMMISSION

REGULAR OPEN MEETING

(TRANSPORTATION)

Chicago, Illinois
Thursday, July 7, 2011

Met, pursuant to notice, at 10:30 a.m. in
the N808, Eighth Floor, 160 North LaSalle Street,
Chicago, Illinois.

PRESENT:

DOUGLAS P. SCOTT, Chairman

LULA M. FORD, Commissioner

ERIN M. O'CONNELL-DIAZ, Commissioner

SHERMAN J. ELLIOTT, Commissioner
via teleconference

JOHN T. COLGAN, Acting Commissioner
via teleconference

SULLIVAN REPORTING COMPANY, by
Alisa A. Sawka, CSR, RPR
License No. 084-004588
CHAIRMAN SCOTT: Pursuant to the provisions of the Illinois Open Meetings Act, I now convene a regularly scheduled Bench Session of the Illinois Commerce Commission. With us in Springfield is Commissioner Elliott and Acting Commissioner Colgan. With me in Chicago are Commissioners Ford and O'Connell-Diaz. I'm Chairman Scott. 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 Bench Session. According to the Chief Clerk's Office, we have no requests to speak at today's session.

We'll start with the Transportation Agenda with the approval of minutes from prior Commission meetings. Up first are the minutes from our May 4th Bench Session.
Is there a motion to approve the minutes?

COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER FORD: Second.

CHAIRMAN SCOTT: It's moved and seconded.

All in favor say, aye.

(Chorus of ayes.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is 5 to nothing and the May 4th Bench Session Minutes are approved.

Up next are minutes from our May 18th Bench Session.

Is there a motion to approve the minutes?

COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER FORD: 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 5 to nothing and the May 18th Bench Session Minutes are approved.

And last up are minutes from our June 2nd Bench Session.

Is there a motion to approve the minutes?

COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER FORD: 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 5 to nothing and the June 2nd Bench Session Minutes are approved.

Next up the Railroad Section of today's agenda. Items RR-1 and RR-2 "(T11-0087 and T11-0088)" can be taken together. These items concern stipulated agreements regarding public safety
improvements at highway rail grade crossings in Coles County and Winnebago County. In each case Staff recommends that the Commission enter an Order approving the stipulated agreement.

Is there a motion to enter the Orders?

COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN SCOTT: Is there a second?

ACTING COMMISSIONER COLGAN: 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 5 to nothing and the Orders are entered.

We will use this 5 to nothing vote for the remainder of the Transportation Agenda unless otherwise noted.

Item RR-3 is Docket No. T10-0138.

This item concerns a Petition Seeking Authority for improvements at a railroad crossing in Cook County.

ALJ Duggan recommends that the Commission enter an
Order authorizing the project.

Is there any discussion?

(Chorus of ayes.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Items RR-4 through RR-6 "(T10-0088, T09-0058 and T10-0005)" can be taken together. These items concern stipulated agreements regarding public safety improvements at highway rail grade crossings across Illinois. In each case Staff recommends the Commission enter a Supplemental Order granting additional time or funding associated with the project's completion.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Supplemental Orders are entered.

Item RR-7 is Docket No. T10-0162.
This item concerns an eminent domain petition filed by IDOT. The Commission entered an Order in this matter on April 12th but that Order failed to include a referenced exhibit. ALJ Kirkland-Montaque recommends that the Commission enter an amended Order properly attaching that exhibit.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the amended Order is entered.

On to Motor Carriers. Item MC-1 involves a stipulated settlement agreement concerning alleged violations of the Illinois Commercial Transportation Law by AGW Logistics. Our Transportation Counsel recommends entry of an Order accepting the stipulated settlement agreement.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)
CHAIRMAN SCOTT: Hearing none, the Order is entered and the settlement agreement is approved.

Items MC-2 and MC-3 can be taken together. These items are applications for household goods property motor carrier authority filed by Leif Johnson Moving and Two Men and a Truck. In each case ALJ Duggan recommends that the Commission enter 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 and the applications are approved.

Item MC-4 concerns an application for transferring a household goods motor carrier certificate from Hagemaster Motor Service to Fox Movers. ALJ Kirkland-Montague recommends that the Commission enter an Order approving the Certificate transfer.

Is there any discussion?

(No response.)
CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered and the transfer is approved.

Item MC-5 is G&B Services & Recovery's Application for a Commercial Relocator Motor Carrier Authority. ALJ Kirkland-Montague recommends that the Commission enter an Order approving the application.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objection?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered and the application is approved.

Items MC-6 and MC-7 can be taken together. These items are Applications for Renewal of Commercial Relocation Towing Licenses granted to Red's Body Shop and Northwest Recovery. In each case our Transportation Counsel recommends that the Commission enter an Order granting the renewal.

Is there any discussion?

(No response.)
CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are entered and the license renewals are approved.

Item MC-8 concerns a complaint filed by Northwest Recovery against Red's Body Shop. Northwest Recovery has since filed a motion to dismiss the complaint as moot in light of a recent rulemaking and ALJ Kirkland-Montaque recommends that the Commission enter an Order dismissing the complaint.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered and the complaint is dismissed.

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

MR. MATRISCH: Nothing further, Chairman.

Thank you.

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

(Whereupon, the Public Utility Portion is contained in a separate transcript.)