BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION

(TRANSPORTATION)

Springfield, Illinois
Wednesday, July 28, 2010

Met, pursuant to notice, at 10:30 a.m. in
Hearing Room A, First Floor, Leland Building, 527
East Capitol Avenue, Springfield, Illinois.

PRESENT:

MR. MANUEL FLORES, Acting Chairman

MS. LULA M. FORD, Commissioner

MS. ERIN M. O'CONNELL-DIAZ, Commissioner
(Via teleconference)

MR. SHERMAN J. ELLIOTT, Commissioner

MR. JOHN T. COLGAN, Acting Commissioner

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
CSR #084-002710
PROCEEDINGS

ACTING CHAIRMAN FLORES: Starting with today's Transportation agenda, we have minutes to approve from the June 23 bench session. Is there a motion to approve the June 23 Transportation minutes?

COMMISSIONER ELLIOTT: So move.

ACTING CHAIRMAN FLORES: Is there a second?

COMMISSIONER FORD: Second.

ACTING CHAIRMAN FLORES: It's been moved and seconded. All in favor say aye.

COMMISSIONERS: Aye.

ACTING CHAIRMAN FLORES: All opposed?

The vote is 5-0 and the June 23 minutes are approved.

Up next on our agenda we have minutes from the June 28 regular open meeting. This matter was improperly noticed as the minutes are technically from the June 29 meeting. We will hold approval of these minutes until the next Commission meeting and until after they have been properly noticed.

Starting first with the Railroad portion agenda, Item RR-1, Docket Number T05-0055,
this concerns a petition for approval of a grade level railroad crossing traffic signal interconnection system in Will County. Before us today is a supplemental petition for an extension of time -- I am going to call for a brief recess.

(Whereupon the meeting was in a short recess.)

ACTING CHAIRMAN FLORES: Before we continue, I just want to make sure that we clarify for the record that, well, we already indicated that Commissioner O'Connell-Diaz is joining us from Chicago. So I would like to make a motion to have Commissioner O'Connell-Diaz join us for the purposes of permitting her to join in the meeting. So I will make a motion to allow for Commissioner O'Connell-Diaz to join.

COMMISSIONER ELLIOTT: Second.

ACTING CHAIRMAN FLORES: Motion has been made and seconded. All in favor say aye.

COMMISSIONERS: Aye.

ACTING CHAIRMAN FLORES: Any opposed?

It is 4-0 to allow Commissioner O'Connell-Diaz to join in today's bench session from
Chicago.

So we are now with Docket Number T05-0055. This concerns a petition for approval of a grade level railroad crossing traffic signal interconnection system in Will County. Before us today is a supplemental petition for an extension of time. Administrative Law Judge Kirkland recommends entry of a Supplemental Order approving the petition.

Is there a motion to enter the Supplemental Order?

COMMISSIONER ELLIOTT: So move.

ACTING CHAIRMAN FLORES: Is there a second?

COMMISSIONER FORD: Second.

ACTING CHAIRMAN FLORES: It's been moved and seconded. All in favor say aye.

COMMISSIONERS: Aye.

ACTING CHAIRMAN FLORES: Any opposed?

The vote is 5-0. The Order is entered, and we will use this 5-0 vote for the remainder of the Transportation agenda unless otherwise noted.

Item RR-2 is T10-0088. This concerns
a stipulated agreement regarding improving public
safety at highway-rail grade crossings in Franklin
County. Before us today is a request that a variance
be granted the City of Christopher on this project.
Staff recommends entry of an Order granting the
variance.

Is there any discussion? Any
objections? Hearing none, the Order is entered and
the variance is granted.

Moving up to the Motor Carrier portion
of today's agenda, Items MC-1 and MC-2 (166422MC,
130494MC) can be taken together. These items concern
stipulated settlement agreements concerning alleged
violations of the Illinois Commercial Transportation
Law. In both instances Staff recommends entering an
Order accepting the stipulated settlement agreement.

Is there any discussion? Any
objections? Hearing none, the Orders are entered and
the settlement agreements are approved.

Items MC-3 and MC-4 (151776MC,
167360MC) can be taken together. These items concern
applications from Sims Awesome Moving Company and
Daly Moving and Storage for Certificates of Public Convenience and Necessity under Section 18c-4202 of the Illinois Commercial Transportation Law. For both applicants Administrative Law Judge O'Brien recommends granting a temporary certificate to transport household goods.

Is there any discussion? Any objections? Hearing none, the temporary certificates are granted.

Item MC-5 (97882MC) is an item that we held from the last Transportation agenda. This concerns Winston Elquezabal's application for renewal of the operator's permit under the Illinois Commercial Relocation and Trespassing Vehicles Law. Administrative Law Judge Kirkland-Montaque recommends entry of an Order granting the application for renewal.

Is there any discussion? Any objections? Hearing none, the application is granted.

Administrative Matters, we have one administrative matter to address today. This matter
is a resolution on rules promulgated for implementing Public Acts 95-407 and 95-562 concerning the Commission’s authority over the relocation towing industry. The resolution authorizes the submission of the second notice to the Joint Committee on Administrative Rules, and our Transportation counsel recommends its adoption.

Is there any discussion? Any objection? Hearing none, the resolution is adopted.

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

MR. MATRISCH: Nothing further, Chairman.

Thank you.

ACTING CHAIRMAN FLORES: Sir, thank you very much. Keep up the good work.

That concludes the Transportation agenda.

TRANSPORTATION AGENDA CONCLUDED