BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION

(TRANSPORTATION)

Springfield, Illinois

Wednesday, August 15, 2012

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. DOUGLAS P. SCOTT, Chairman

MS. LULA M. FORD, Commissioner

MS. ERIN M. O'CONNELL-DIAZ, Commissioner

MR. JOHN T. COLGAN, Commissioner

MS. ANN McCabe, Acting Commissioner

By: Lisa K. Hahn, Reporter
CSR #084-002149
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 me in Springfield are Commissioners Ford, O'Connell-Diaz, Colgan and McCabe. I am Chairman Scott. We have a quorum.

Before moving into the agenda, according to Section 1700.10 of Title II of the Administrative Code, this is the time we allow members of the public to address the Commission. Members the public wishing to address the Commission must notify the Chief Clerk's Office at least 24 hours prior to the Commission meeting. According to the Chief Clerk's Office, we have no requests to speak at today's Bench Session.

And, if you could, just for today's meeting only, when folks that are speaking, other than the Commissioners that are speaking, if you would identify yourselves first to help out our court reporter who's helping us out today. So thank you for doing that.
We will start with the Transportation agenda. First is the approval of minutes from our June 27 and July 11 Bench Sessions. Is there a motion to approve these sets of minutes.

COMMISSIONER FORD: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER MCCABE: Second.

CHAIRMAN SCOTT: It's been moved and seconded.

All in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Any opposed?

(No response.)

The vote is five to nothing, and the minutes for our June 27 and July 11 Bench Sessions are approved.

Turning to the Railroad Section, Items RR-1 through RR-8 can be taken together. These items concern Stipulated Agreements regarding public safety improvements at highway-rail grade crossings in Illinois. Before us today are petitions seeking additional time for project completion, additional funding, or a modification requiring a Supplemental
Order. In this case, ALJ Kirkland-Montaque or Staff recommend a Supplemental Order granting the requested relief.

Is there any discussion?

(No response.)

Is there a motion to enter the Supplemental Orders?

COMMISSIONER COLGAN: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.

CHAIRMAN SCOTT: It's been moved and seconded.

All in favor say aye.

COMMISSIONERS: Aye.

COMMISSIONER SCOTT: Any opposed?

(No response.)

The vote is five to nothing, and the Orders are entered. We will use this five to nothing vote for the remainder of the Transportation agenda, unless otherwise noted.

Items RR-9 through RR-14 can also be taken together. These items also concern Stipulated Agreements for public safety improvements at
highway-rail grade crossings in Illinois. In each case, Staff recommends entry of an Order approving the Stipulated Agreement.

Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the Orders are entered.

Now, on to Motor Carriers, Item MC-1 concerns a complaint against VMC Delivery for violations of the Illinois Commercial Relocation of Trespassing Vehicles Law. ALJ Duggan recommends entering an Order dismissing the complaint.

Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the Order is entered and the Complaint is dismissed.

Item MC-2 is Michael Flores' application for a relocation towing operator's employment permit. ALJ Duggan recommends entry of an
Order granting the application.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item MC-3 is Century Towing Service's application for a commercial relocator's license. ALJ Kirkland-Montaque recommends entry of an Order granting the application.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item MC-4 is White Eagle Auto Body's application for the renewal of its commercial relocator's license. Our Transportation counsel recommends entry of an Order granting the renewal.

Is there any discussion?

(No response.)

Are there any objections?
(No response.)

Hearing none, the Order is entered.

Item MC-5 is Rockford Towing's application for the renewal of its commercial relocator's license. Our Transportation counsel recommends entry of an Order setting this matter for hearing.

Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the Order is entered, and this matter will be set for a hearing.

Item MC-6 is Lin-Mar Motors' application for the renewal of its commercial relocator's license. Our Transportation counsel recommends entry of an Order granting renewal.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.
Items MC-7 and MC-8 can be taken together. These items are complaints by S & S Towing against Midnight Services. For each item, ALJ Duggan recommends entry of an Order dismissing the complaint.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the Orders are entered.

Item MC-9 concerns a Petition filed by Area Towing, E & R Towing and Garage, and NRI seeking an increase in relocator towing rates and storage rates. ALJ Kirkland-Montaque recommends entry of an Order allowing for an increase in rates.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the Order is entered.

We have one Administrative item for consideration today. Item AM-1 concerns recovery
manager and employee certification programs submitted for approval by Recovery Specialist Insurance Group under Title 92, Part 1480 of the Administrative Code. Transportation Bureau Chief Matrisch recommends the adoption of the Resolution approving the company's programs.

Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the programs are approved.

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

MR. MATRISCH: Steve Matrisch. No, Chairman.

Thank you.

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

TRANSPORTATION SESSION CONCLUDED