BEFORE THE

ILLINOIS COMMERCE COMMISSION

TRANSPORTATION REGULAR OPEN MEETING

Wednesday, September 12, 2018

Chicago, Illinois

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

PRESENT:

BRIEN J. SHEAHAN, Chairman

SADZI M. OLIVA, Commissioner (via telephonically)

JOHN R. ROSALES, Commissioner

D. ETHAN KIMBREL, Commissioner (via videoconference)

ANASTASIA PALIVOS, Acting Commissioner

SULLIVAN REPORTING COMPANY, by
BRAD BENJAMIN, CSR
LICENSE NO. 084-004805
CHAIRMAN SHEAHAN: Good morning. Are we ready to proceed in Springfield?

CHIEF CLERK: Yes, we are.

CHAIRMAN SHEAHAN: Pursuant to the Open Meetings Act, I call the September 12th, 2018, Regular Open Meeting to Order. Commissioner Rosales and Acting Commissioner Palivos are with me in Chicago. We have a quorum.

Commissioner Oliva is seeking to participate by phone.

Commissioner Oliva, are you with us?

COMMISSIONER OLIVA: Yes, I am.

(No response.)

CHAIRMAN SHEAHAN: Are there any objections to allowing Commissioner Oliva to participate by phone?

(No response.)

CHAIRMAN SHEAHAN: Hearing none, Commissioner Oliva is granted permission to participate by phone.

There are no requests to speak, and we'll therefore move into our Transportation Agenda. We have no minutes for approval this morning.
Items RR-1 through -3 concern railroad safety improvement projects throughout Illinois.

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

(No response.)

CHAIRMAN SHEAHAN: Hearing none, the Orders are approved.

Moving on to our Motor Carriers Agenda, Item MC-1 concerns the fitness of Lincoln Towing to hold a Commercial Relocator tow- -- Relocator's License.

There are substantive edits to the Proposed Order.

Is there a motion to approve the proposed edits?

COMMISSIONER ROSALES: So moved.

CHAIRMAN SHEAHAN: Is there a second?

ACTING COMMISSIONER PALIVOS: Second.

CHAIRMAN SHEAHAN: Is there any discussion?

(No response.)

CHAIRMAN SHEAHAN: The edits make substantive
changes to the Administrative Law Judge's Proposed Order. The Commission's role in this proceeding is to determine whether Lincoln Towing meets the statutory requirements go hold a Commercial Vehicle Relocator's License and is, in fact, fit to do so.

The privilege of holding a license is significant, as it entitles the licensee to seize the private property of others without their knowledge or consent under certain lawful circumstances. A licensee's obligation is strict compliance with Illinois law and Commission's rules and in order to prevent injury to the public, to do so with honesty and integrity.

After an extensive proceeding, during which Staff presented evidence of over 800 unauthorized property seizures by the licensee, the Commission finds, based on a preponderance of the evidence, that Protective Parking Service Corporation d/b/a Lincoln Towing has not conducted its business with honesty and integrity; that it is, in fact, unworthy to be entitled to hold a Commercial Vehicle Relocator's License; and that its license shall be
immediately revoked; and Lincoln Towing be ordered immediately to cease and desist from operating a relocation towing business in the state of Illinois.

Are there any objections to approving proposed edits?

(No response.)

CHAIRMAN SHEAHAN: Without objection, the edits are approved.

Are there any objections to approving the Order as edited?

COMMISSIONER ROSALES: So moved.

CHAIRMAN SHEAHAN: We're going to do it by unanimous consent.

Are there any objections?

(No response.)

CHAIRMAN SHEAHAN: Without objection, the Order, as edited, is approved.

Items MC-1 -- pardon me -- MC-2 and -3 will be held for consideration at a later date.

Items MC-4 and -5 concern applications for Relocation Operator Employment Permits.

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

(No response.)

CHAIRMAN SHEAHAN: Hearing none, the Orders are approved.

Item MC-7 -- -6 and -7 concern applications for renewal of relocation towing licenses.

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

(No response.)

CHAIRMAN SHEAHAN: Hearing none, the Orders are approved.

Item MC-8 through -11 concern applications for authority to move household goods in Illinois.

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

(No response.)

CHAIRMAN SHEAHAN: Hearing none, the Orders are
approved.

Item MC-12 through -20 concern stipulated settlement agreement concerning alleged violations of the Commercial Transportation Law.

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

(No response.)

CHAIRMAN SHEAHAN: Hearing none, the Orders are approved.

That concludes our Transportation Agenda.

CHAIRMAN SHEAHAN: Commissioners, do any of you have any other business to bring before the Commission this morning?

(No response.)

CHAIRMAN SHEAHAN: Hearing none, we are adjourned.

Thank you.

(Whereupon the matter above was adjourned.)