BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION

(TRANSPORTATION)

Springfield, Illinois

Tuesday, October 17, 2012

Met, pursuant to notice, at 10:30 a.m. in the Audiovisual Conference Room, Second Floor, Leland Building, 527 East Capitol Avenue, Springfield, Illinois.

PRESENT:

MR. DOUGLAS P. SCOTT, Chairman

MS. LULA M. FORD, Commissioner
(Via audiovisual conference)

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

MR. JOHN T. COLGAN, Commissioner
(Via teleconference)

MS. ANN McCABE, Commissioner
(Via audiovisual conference)

L.A. COURT REPORTERS
By: Carla J. Boehl, Reporter
CSR #084-002710
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 us in Chicago are Commissioner O'Connell-Diaz, Commissioner Ford and Commissioner McCabe. I am Chairman Scott in Springfield.

Apparently there was something I said; I am here by myself. And we have a quorum.

We also have Commissioner Colgan available by phone. Under the Commission's rules we will have to vote to allow Commissioner Colgan's participation by phone. I move to allow Commissioner Colgan's participation by phone. Is there a second?

COMMISSIONER FORD: 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 four to nothing, and Commissioner Colgan may participate by phone.
Commissioner, are you there?

COMMISSIONER COLGAN: I am here, thank you.

CHAIRMAN SCOTT: Very good. Welcome.

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 of

the public wishing to address the Commission must

notify the Chief Clerk's Office at least 24 hours

prior to Commission meetings. According to the Chief

Clerk's Office we have no requests to speak at

today's Bench Session.

We will begin today with the

Transportation agenda with the Railroad Section.

Item RR-1 is Docket Number T12-0140. This item

concerns a petition by ADM Milling seeking a variance

from the clearance requirements of Title 92 Section

1500.180 of the Administrative Code. ALJ

Kirkland-Montaque recommends entry of an Order

granting the variance.

Is there any discussion?

(No response.)
Is there a motion to enter the Order?

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 Order is entered.

We will use this five to nothing vote for the remainder of today's Transportation agenda unless otherwise noted.

Items RR-2 and RR-3 (T10-0090, T11-0148) can be taken together. These items concern Stipulated Agreements for public safety improvements at highway-rail grade crossings. In each case Staff recommends entry of a Supplemental Order granting additional funding or time for the project's completion.

Is there any discussion?
(No response.)

Are there any objections?

(No response.)

Hearing none, the Orders are entered.

Item RR-4 is Docket Number T05-0055.

This is a petition by the Village of University Park for authority to undertake a railroad crossing safety improvement project. ALJ Kirkland-Montaque recommends entry of a Second Supplemental Order granting additional time for the project's completion.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Now on to Motor Carriers. Item MC-1 is Stephany Ortiz's application for a tow truck operator employment permit. ALJ Kirkland-Montaque recommends entry of an Order granting the application.

Is there any discussion?
(No response.)

Any objections?

(No response.)

Hearings none, the Order is entered.

Item MC-2 has been withdrawn.

We have one Administrative matter for consideration. Item AM-1 concerns a resolution certifying an effective date for McDonough County to be covered under the Commercial Relocation of Trespassing Vehicles Law. Transportation Bureau Chief Matrisch recommends adoption of a resolution with an effective date of January 1, 2013.

Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the resolution is adopted.

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

MR. MATRISCH: No, Chairman. Thank you.
CHAIRMAN SCOTT: Thank you, sir. Hearing none, that concludes today's Transportation agenda.

TRANSPORTATION SESSION CONCLUDED