BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH MEETING

(TRANSPORTATION)

Chicago, Illinois
Wednesday, November 2, 2011

Met, pursuant to notice, at 10:30 a.m. in
N901, Eighth Floor, 160 North LaSalle Street,
Chicago, Illinois.

PRESENT:

DOUGLAS P. SCOTT, Chairman

LULA M. FORD, Commissioner

ERIN M. O'CONNELL-DIAZ, Commissioner
via teleconference

SHERMAN J. ELLIOTT, Commissioner
via videoconference

JOHN T. COLGAN, Acting Commissioner
via videoconference

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 me in Chicago is Commissioner Ford. In Springfield are Commissioner Elliott and Acting Commissioner Colgan. I am Chairman Scott. We have a quorum.

Commissioner O'Connell-Diaz is available by phone as well. I will move to allow Commissioner O'Connell-Diaz to participate by phone.

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 4 to nothing and Commissioner O'Connell-Diaz may participate by phone.
Move on to the Transportation Agenda.

We'll begin first with the approval of minutes from prior Commission meetings. Up first are minutes from our October 25th Bench Session.

Is there a motion to approve the minutes?

COMMISSIONER FORD: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER ELLIOTT: 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 October 5th Bench Session minutes are approved.

Now on to the Railroad Section. Item RR-1 is Docket No. T10-0094. This item concerns a stipulated agreement regarding public safety improvements at Illinois Central Railroad Company highway rail grade crossings all across Illinois.

Staff recommends entry of a Supplemental Order
granting an extension of time for the project's completion.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Is there a motion to enter the Supplemental Order?

COMMISSIONER FORD: 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.

(Chorus of ayes.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is 5 to nothing and the Supplemental Order is entered. We will use this 5 to nothing vote for the remainder of the Transportation Agenda unless otherwise noted.

Now on to Motor Carriers. Item MC-1 and MC-2 can be taken together. These items concern stipulated settlement agreements for alleged violations of the Illinois Commercial Transportation
Law. In each case our Transportation counsel recommends entry of an Order accepting the settlement agreement.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are entered and the settlement agreements are approved.

Item MC-3 is Zoom's Application for a New Household Goods Property Motor Carrier Authority. ALJ Kirkland-Montague recommends entry of an Order granting the Application.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered and the Application is granted.

Item MC-4 is James Davis's Application for an Operator's Permit under the Illinois Commercial Relocation of Trespassing Vehicles Law.
ALJ Kirkland-Montaque recommends entry of an Order granting the Application.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered and the Application is granted.

Item MC-5 is Eugene Shield's Application for an Operator's Permit under the Illinois Commercial Relocation of Trespassing Vehicles Law. ALJ Kirkland-Montaque recommends entry of an Order granting the Application.

Is there any discussion?

I'll just be saying on this one I will be voting no on it. The nature of the crime that was involved in this is such that I can't support the gentleman's application.

Is there any further discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

The Chair objects.
Hearing none other than that, the Order is entered and the Application is granted on a 4 to 1 vote. (Whereupon, the Public Utility Agenda is contained in a separate transcript.)