BEFORE THE

ILLINOIS COMMERCE COMMISSION

TRANSPORTATION REGULAR OPEN MEETING

Wednesday, November 26, 2019

Chicago, Illinois

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

PRESENT:

CARRIE ZALEWSKI, Chairwoman

MARIA BOCANEGRA, Commissioner

BRIEN J. SHEAHAN, Commissioner (telephonically)

SADZI M. OLIVA, Commissioner

D. ETHAN KIMBREL, Commissioner

SULLIVAN REPORTING COMPANY, by

BRAD BENJAMIN, CSR

LICENSE NO. 084-004805
CHAIRWOMAN ZALEWSKI: Hi. I have 10:30. I'm going to go ahead and get started.

Good morning. Are we ready to proceed in Springfield?

CHIEF CLERK: Yes. We are.

CHAIRWOMAN ZALEWSKI: Thank you.

Under the Open Meetings Act, I call the November 26th, 2019, Regular Open Meeting to order. Commissioners Bocanegra, Oliva, and Kimbrel, are with me in Chicago. We have a quorum.

Commissioner Sheahan is seeking to participate by phone. Commissioner Sheahan, are you with us?

COMMISSIONER SHEAHAN: I am. Thank you.

CHAIRWOMAN ZALEWSKI: Thank you.

Are there any objections to allowing Commissioner Sheahan to participate by phone?

(No response.)

CHAIRWOMAN ZALEWSKI: Hearing none, Commissioner Sheahan is granted permission to participate.

We have no requests to speak from
members of the public, so we will move on to our
Transportation Agenda.

There are edits to the October 30th, 2019, Transportation Regular Open Meeting Minutes.

Are there any objections to approving the Minutes as edited?

(No response.)

CHAIRWOMAN ZALEWSKI: Hearing none, the Minutes are approved.

Under our Railroad items, Items RR-1 and RR-2 concern various railroad safety, public safety projects. The Orders extend the time for the parties to complete the projects.

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

(No response.)

CHAIRWOMAN ZALEWSKI: Hearing none, the Orders are approved.

Item RR-3 concerns Docket T17-0033, which is the Illinois Department of Transportation's petition for approval of a permanent easement at a
property jointly owned by BNSF and Union Pacific Railroad.

We have substantive edits to the Order proposed by Commissioner Bocanegra's office.

Commissioner Bocanegra?

COMMISSIONER BOCANEGRA: Thank you, Chairman.

The Commission, after careful thought and consideration, finds that IDOT's petition for eminent domain seeking certain property jointly owned by BNSF and Union Pacific Railroad is preempted by federal law, and the petition is denied.

CHAIRWOMAN ZALEWSKI: Okay. A motion to --

COMMISSIONER BOCANEGRA: So moved.

CHAIRWOMAN ZALEWSKI: -- approve the edits? Is there a second?

COMMISSIONER OLIVA: Second.

CHAIRWOMAN ZALEWSKI: Any discussion?

(No response.)

CHAIRWOMAN ZALEWSKI: All in favor of approving the proposed edits, say aye.

(Chorus of ayes.)
CHAIRWOMAN ZALEWSKI: Opposed, nay.

(No response.)

CHAIRWOMAN ZALEWSKI: Thank you. The ayes have it, and the edits are approved.

Are there any objections to approving the Order as edited?

(No response.)

CHAIRWOMAN ZALEWSKI: Hearing none, the Order is approved.

Moving to our Motor Carrier items,

Item MC-1 concerns a correction to a stipulated settlement agreement concerning an alleged violation of the Illinois Commercial Transportation Law. This amended Order clarifies the civil penalty amount owed by the respondent and finds that the respondent has paid the required penalty amount and is in compliance with Commission regulations.

We have non-substantive edits to the Order proposed by my office that clarify the edits to the previous Commission order.

Is there a second to approving the edits?
COMMISSIONER BOCANEGRA: Second.

CHAIRWOMAN ZALEWSKI: Any discussion?

(No response.)

CHAIRWOMAN ZALEWSKI: All in favor of approving the proposed edits, say aye.

(Chorus of ayes.)

CHAIRWOMAN ZALEWSKI: All opposed, nay.

(No response.)

CHAIRWOMAN ZALEWSKI: The ayes have it. The edits are approved.

Are there any objections to approving the Order as edited?

(No response.)

CHAIRWOMAN ZALEWSKI: Hearing none, the Order is approved.

Do any of the Commissioners have any other business to discuss?

(No response.)

CHAIRWOMAN ZALEWSKI: I would just like to wish Christy George, our new executive director, a warm welcome. She started on November 16th. We're very excited to have her here.
And, then, I'd like to wish everyone else a wonderful Thanksgiving. I'm particularly thankful to work with staff and colleagues who are dedicated to the mission of the Agency and serving the people of the State of Illinois. So I'm appreciative of that.

On behalf of myself and the rest of the commissioners, we wish everyone a safe and happy holiday.

With that, the meeting is adjourned.

Thank you.

(Whereupon the above matter was adjourned.)