BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH MEETING

(TRANSPORTATION)

Chicago, Illinois
Wednesday, November 7, 2011

Met, pursuant to notice, at 10:30 a.m. in
N801, Eighth Floor, 160 North LaSalle Street,
Chicago, Illinois.

PRESENT:

DOUGLAS P. SCOTT, Chairman
LULA M. FORD, Commissioner
ERIN M. O'CONNELL-DIAZ, Commissioner

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 are Commissioners Ford and O'Connell-Diaz, and with us in Springfield are Commissioner Elliott and Acting Commissioner Colgan. I'm 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 of the public wishing to address the Commission must notify the Chief Clerk's Office at least 24 hours prior to the Bench Session. According to the Chief Clerk's Office, we have no requests to speak at today's session.

Under the Transportation Agenda, we'll begin today with approval of minutes from prior Commission meetings. Up first are minutes from our November 2nd Bench Session. I understand amendments
have been forwarded.

Is there a motion to amend the minutes?

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 amendments to the November 2nd minutes are adopted.

Is there a motion to approve the minutes as amended?

COMMISSIONER FORD: So moved.

ACTING COMMISSIONER COLGAN: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER ELLIOTT: 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 5 to nothing and the November 2nd Bench Session minutes as amended are approved.

Moving on to the Railroad Section, Items RR-1 through RR-8 will be taken together. These items are stipulated agreements regarding public safety improvements at highway-rail grade crossings across Illinois. In each case Staff recommends entry of an Order approving the stipulated agreement.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Is there a motion to enter the Orders?

COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN SCOTT: 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 5 to nothing and the Orders are entered.

We will use this 5 to nothing vote for the remainder of the Transportation Agenda unless otherwise noted.

Items RR-9 through RR-11 can be taken together. These items are Petitions for Authorization of construction projects of crossings across Illinois. In each case the ALJ recommends entry of an Order authorizing the project.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are entered.

Items RR-12 through RR-17 can be taken together. These items are stipulated agreements regarding public safety improvements at highway-rail
grade crossings across Illinois. In each case Staff recommends entry of a Supplemental Order allowing additional time and/or funding for the project's completion.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Supplemental Orders are entered.


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-2 through MC-4 can be taken
together. These are Applications for the renewal of
the Applicants' Commercial Relocation Towing
Licenses. In each case Staff recommends entry of an
Order granting the license renewal.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are
entered and the renewals are granted.

Item MC-5 concerns Rapid Recovery's
Application for a Commercial Relocator's License.
Before us today is a Motion for Rehearing brought by
Intervenors in this matter and ALJ Kirkland-Montague
recommends that the Motion for Rehearing be denied.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Are there any objections to
denying the motion?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Intervenor's
Petition for Rehearing is denied.
We have one administrative item for consideration today. Item AM-1 concerns proposed rules for implementing Public Act 97-0576 concerning the recovery of collateral. Transportation Bureau Chief Matrisch recommends adoption of a Resolution authorizing submission of a notice of proposed rule to the Illinois Secretary of State to initiate a rulemaking.

Is there any discussion?

I had a couple questions for you, Mr. Matrisch, if you could.

MR. MATRISCH: Sure.

CHAIRMAN SCOTT: I'm understanding that there were a couple of workshops that were held in advance of these rules being promulgated.

MR. MATRISCH: That's correct, Chairman. There was a workshop held on October 17th in Springfield and one October 26th in Chicago where we met with representatives from the industry and worked out some issues with the rules. And the rules that are before the Commission today are post-workshop rules where we have incorporated some of the suggested changes by
the industry.

CHAIRMAN SCOTT: Okay. Thank you. And my understanding, this is the first time that this particular piece of this industry has been regulated?

MR. MATRISCH: That's correct, in Illinois. I believe Chicago regulates repossession -- the repossession industry in the Chicago area. But in Illinois, this is state-wide regulation. This is the first time that this industry has been regulated in Illinois.

CHAIRMAN SCOTT: Thank you very much. I appreciate it.

Any further questions? Any other discussion?

(NO RESPONSE.)

COMMISSIONER O'CONNELL-DIAZ: My only comment is I hope I don't see this on a reality show. I think there's been about four repoman shows out there.

CHAIRMAN SCOTT: That's right.

MR. MATRISCH: So do I, Commissioners.

CHAIRMAN SCOTT: Especially the rules. How bad
would it be if the rules ended up on a reality show?

COMMISSIONER O'CONNELL-DIAZ: Oh, I tell you.

Yeah, right.

CHAIRMAN SCOTT: That would really be bad.

Any further discussion?

(No response.)

CHAIRMAN SCOTT: Are there any objections to
the Resolution?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Resolution
is adopted.

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

MR. MATRISCH: Nothing further, Chairman.

Thank you.

CHAIRMAN SCOTT: Thank you, sir.

Hearing none, that concludes today's
Transportation Agenda.

(Whereupon, the Public Utility
Agenda is contained in a
separate transcript.)