BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION
(TRANSPORTATION)

Chicago, Illinois
Thursday, December 2, 2010

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

PRESENT:

MANUEL FLORES, Acting 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
License No. 084-004588
PROCEEDINGS

ACTING CHAIRMAN FLORES: Pursuant to the provisions of the Illinois Open Meetings Act, I now convene a regularly schedule bench session of the Illinois Commerce Commission. With me in Chicago are Commissioners Ford and O'Connell-Diaz. With us in Springfield are Commissioners Elliott and Colgan. I am Chairman Flores. We have a quorum.

Before moving into the agenda, according to Section 1700.10 of the Illinois Administrative Code, this is the time we allow the 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 bench session.

Transportation agenda, we have minutes to approve from the October 20th bench session. I will make a motion to approve the minutes. Is there a second?
COMMISSIONER O'CONNELL-DIAZ: Second.

ACTING CHAIRMAN FLORES: It's been moved and seconded.

All in favor, say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Any opposed?

(No response.)

ACTING CHAIRMAN FLORES: The vote is 5-0 approving the minutes for October 20th.

We also have minutes to approve from the November 4th bench session.

I will make a motion to approve the minutes.

Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.

ACTING CHAIRMAN FLORES: It's been moved and seconded.

All in favor, say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Any opposed?

(No response.)

ACTING CHAIRMAN FLORES: The vote is 5-0
approving the minutes for the November 4th.

Moving to the railroad portion of today's agenda, Items RR-1 through RR-10 may be taken together. These items concern stipulated agreements for public safety improvements at or near highway-rail grade crossings or separations throughout Illinois. In each case, Staff recommends we enter an Order or Supplemental Order approving the stipulated agreement or extending the time allowed for the improvement project.

Is there a motion to enter the Orders?

COMMISSIONER FORD: So moved.

ACTING CHAIRMAN FLORES: I will second it.

It's been moved and seconded.

All in favor, say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Any opposed?

(No response.)

ACTING CHAIRMAN FLORES: The vote is 5-0 and the Orders are entered.

We will use this 5-0 vote for the remainder of the transportation agenda, unless
otherwise noted.

Items RR-11 through RR-16 may be taken together. These items concern petitions for modifications and improvements to existing highway-rail grade crossings or for the establishment of new crossings throughout Illinois. In each case, the Administrative Law Judge recommends entry of an Order or Supplemental Order granting the requested relief.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Orders are entered.

Moving on to motor carriers. Items MC-1 through MC-6 can be taken together. These items concern stipulated settlement agreements concerning alleged violations of the Illinois Commercial Transportation Law. In each case, our Office of Transportation Counsel recommends entry of an Order accepting the stipulated settlement agreement.
Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the

Orders are entered and the settlement agreements are

approved.

Item MC-7 is Investigation No. 10-621.

This item concerns a stipulated settlement agreement
regarding alleged violations of the Personal Property
Storage Act by Mayberry Moving & Storage. Our
Transportation Counsel recommends entry of an Order
accepting the stipulated settlement agreement.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the

Order is entered and the settlement agreement is

approved.

Items MC-8 and MC-9 can be taken
together. These items concern stipulated settlement
agreements concerning alleged violations to the Illinois Commercial Transportation Law. In each case, our Transportation Counsel recommends entry of an Order accepting the stipulated settlement agreement.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

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

Item MC-10 is Abby Economy Moving & Storage's Application for a Certificate of Public Convenience and Necessity under the Illinois Commercial Transportation Law. Administrative Law Judge Kirkland-Monteque recommends entry of an Order approving the Application.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)
ACTING CHAIRMAN FLORES: Hearing none, the Order is entered and the Application is granted.

Item MC-11 is Wes Kochel Incorporated's Application for a Commercial Relocator License. Administrative Law Judge Kirkland-Montaque recommends entry of an Order approving the application.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

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

Item MC-12 is Kari Lynn Frey's Application for a Dispatcher Employment Permit. Administrative Law Judge Kirkland-Montaque recommends entry of an Order approving the Application.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the
Order is entered and the Application is granted. Items MC-13 and MC-14 will be taken together. These items are Applications for Dispatcher Employment Permits by Dimitris Chevelle Haugabook and Teneille Leigh Thomas. In each case Administrative Law Judge Kirkland-Montague recommends entry of an Order approving the Applications.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Orders are entered and the Applications are granted. Item MC-15 is Area Towing's Application for renewal of its Commercial Relocation Towing License. Our Transportation Counsel recommends entry of an Order granting renewal.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the
Order is entered and the license renewal is granted.

Item MC-16 is Dazzo's Auto Repair's Petition for a relocation towing and storage rate increase. Administrative Law Judges Dugan and Kirkland-Montaque recommend entry of an Order granting the petition.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Order is entered.

Item MC-17 is Lincoln Towing Service's Petition for a relocation towing and storage rate increase. Administrative Law Judge Kirkland-Montaque recommends entry of an Order granting the petition.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Order is entered.
Item MC-18 is nine Petitioners' petitions for a relocation towing and storage rate increase. Administrative Law Judges Dugan and Kirkland-Montaque recommends entry of an order granting the petition as amended at the hearing in this case.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Order is entered.

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

MR. MATRISCH: That's it for this morning, Mr. Chairman. Thank you.

ACTING CHAIRMAN FLORES: Very well. Gentlemen, thank you very much for your hard work.

(The Public Utility portion of the proceedings was held at this time and is contained in a separate transcript.)