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BEFORE THE
ILLINOIS COMMERCE COMMISSION
TRANSPORTATION REGULAR OPEN MEETING
Wednesday, July 15, 2020
Chicago, Illinois

Met pursuant to notice via videoconference
at 1:00 o'clock p.m. at 160 North LaSalle Street,
Chicago, Illinois.

PRESENT:

- CARRIE ZALEWSKI, Chairman
- D. ETHAN KIMBREL, Commissioner
- SADZI M. OLIVA, Commissioner
- MARIA S. BOCANEGRA, Commissioner
- MICHAEL T. CARRIGAN, Commissioner

SULLIVAN REPORTING COMPANY
BY: JO ANN KROLICKI, CSR (Via teleconference)
License No. 084-002215

1 CHAIRMAN ZALEWSKI: Okay. I have
2 1:00 o'clock.

3 Judge Teague Kingsley, are you on as
4 well?

5 Judge TEAGUE KINGSLEY: I'm on the line.

6 CHAIRMAN ZALEWSKI: Great. Thank you.

7 Under the Open Meetings Act and in
8 accordance with the Governor's Executive Orders, I
9 call the July 15, 2020, Regular Open Meeting to
10 Order.

11 Before we proceed, I just want to
12 remind everyone to state their name before speaking
13 and to speak slowly and clearly so that the
14 court reporter can capture everything that is said.

15 I already checked that all
16 Commissioners are with us either remotely or in the
17 room. So we have a quorum.

18 We have one request to speak from
19 Mr. Daniel Foley.

20 Mr. Foley, are you on?

21 MR. FOLEY: I am.

22 CHAIRMAN ZALEWSKI: Great. Under

1 2 Illinois Administrative Code Section 1700.10, any
2 person desiring to address the Commission shall be
3 allowed up to three minutes. Only one person may
4 speak on behalf of any organization.

5 Please note that the Commission will
6 not respond directly to any comments.

7 Mr. Foley, you'll have three minutes.
8 I am going to set my timer. But before you begin,
9 can you please state and spell your name for the
10 court reporter?

11 MR. FOLEY: Sure. It's Daniel Foley,
12 D-a-n-i-e-l, F-o-l-e-y.

13 CHAIRMAN ZALEWSKI: Great. You may begin.

14 MR. FOLEY: Thank you for your time,
15 Chairman.

16 I'd like to thank the Chairman and
17 the three Commissioners that signed the letter dated
18 June 26th regarding the Nextgrid Report. Former
19 Chairman Sheahan not only admitted that the Open
20 Meeting Act applies to Nextgrid, but that he violated
21 the law.

22 During discovery, we found that

1 former Chairman Sheahan and the utilities excluded
2 individuals and organizations with views that favored
3 the consumer, including (indiscernible audio) and an
4 attorney representing RETI customers. It's wrong
5 that the ICC excludes individuals and organizations
6 whose views differ from the utilities.

7 It's also wrong for Chairman Sheahan
8 to have lobbied for a bill, and it is certainly wrong
9 to punish individuals because they support an open
10 and transparent process at the ICC.

11 Under the new ICC's leadership and
12 with greater transparency, I look forward to working
13 with the ICC to bring lower rates, greater certainty,
14 and new jobs to Illinois in the energy sector.

15 Thank you very much for your time.

16 CHAIRMAN ZALEWSKI: Thank you, Mr. Foley.

17 That concludes our public comments.
18 So we will go ahead and continue on with our agenda.

19 Under our Transportation Agenda.

20 There are no Transportation Minutes
21 to approve.

22 Under our Railroad Items.

1 Items RR-1 through RR-3 concern
2 various public safety improvement projects at
3 railroad crossings. The Orders authorize the project
4 construction or additional project funding and
5 approve project cost apportionment.

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

9 (No response.)

10 CHAIRMAN ZALEWSKI: Hearing none, the
11 Orders are approved.

12 Item RR-4 concerns BNSF's request for
13 Declaratory Order that Metronet is required to comply
14 with certain statutory provisions prior to installing
15 fiberoptic cables through BNSF's railroad right of
16 way. BNSF filed a Motion to Dismiss its Petition
17 stating that it has agreed to a settlement with
18 Metronet. Staff and Metronet do not object to the
19 Motion to Dismiss. The Order dismisses the
20 proceeding.

21 Are there any objections to approving
22 the Order?

1 (No response.)

2 CHAIRMAN ZALEWSKI: Hearing none, the Order
3 is approved.

4 Under our Motor Carrier Items.

5 Items MC-1 and MC-2 concern
6 Stipulated Settlement Agreements concerning alleged
7 violations of the Illinois Commercial Transportation
8 Law. The Orders accept the Stipulated Agreements.

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

12 (No response.)

13 CHAIRMAN ZALEWSKI: Hearing none, the
14 Orders are approved.

15 Item MC-3 concerns an application for
16 a renewal of a Commercial Relocator's License. The
17 applicant has failed to appear at hearings to respond
18 to deficiencies in the application. The Commission's
19 Office of Transportation Counsel requested to dismiss
20 the Renewal Application without prejudice in order to
21 close the matter. The Order grants the request to
22 dismiss.

1 Are there any objections to approving
2 the Order?

3 (No response.)

4 CHAIRMAN ZALEWSKI: Hearing none, the Order
5 is approved.

6 This concludes our Transportation
7 Agenda.

8 (WHEREUPON, the above-entitled
9 matter was adjourned.)

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