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BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION
(TRANSPORTATION)

Chicago, Illinois
Wednesday, January 5, 2011

Met, pursuant to notice, at 3:30 p.m. in
the N808, 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

1 PROCEEDINGS

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

9 Before moving into the agenda,
10 according to Section 1700.10 of the Illinois
11 Administrative Code, this is the time we allow the
12 members of the public to address the Commission.
13 Members of the public wishing to address the
14 Commission must notify the Chief Clerk's Office at
15 least 24 hours prior to the bench session. According
16 to the Chief Clerk's Office, we have no requests to
17 speak at today's bench session.

18 Starting with the Transportation
19 agenda we begin with the approval of minutes from the
20 December 2nd bench session.

21 I will make a motion to approve the
22 minutes.

1 Is there a second?

2 COMMISSIONER FORD: Second.

3 COMMISSIONER O'CONNELL-DIAZ: Second.

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

6 All in favor say "aye."

7 (Chorus of ayes.)

8 ACTING CHAIRMAN FLORES: Any opposed?

9 (No response.)

10 ACTING CHAIRMAN FLORES: The vote is 5-0
11 approving the minutes for December 2nd.

12 Moving to Railroad's Items RR-1
13 through RR-3 will be taken together. These items
14 concern stipulated agreements at -- stipulated
15 agreements regarding public safety improvements at
16 highway-rail grade crossings across Illinois. In
17 each case the Staff recommends entry of an order
18 approving the stipulated settlement agreement.

19 I will make a motion to enter the
20 order.

21 Is there a second?

22 COMMISSIONER O'CONNELL-DIAZ: Second.

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

3 All in favor say "aye."

4 (Chorus of ayes.)

5 ACTING CHAIRMAN FLORES: Any opposed?

6 (No response.)

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

9 We will use this 5-0 vote for the
10 remainder of the Transportation agenda unless
11 otherwise noted.

12 Items RR-4 and RR-5 can be taken
13 together. These two items also concern stipulated
14 agreements regarding public safety improvements at
15 highway-rail grade crossings across Illinois. In
16 both cases Staff recommends entry of a supplemental
17 order approving an extension of time for the
18 projects' completion.

19 Any discussion?

20 (No response.)

21 ACTING CHAIRMAN FLORES: Any objections?

22 (No response.)

1 ACTING CHAIRMAN FLORES: Hearing none, the
2 supplemental orders are entered.

3 Now, on to motor carriers. Item MC-1
4 is Investigation No. 10-0594. This item concerns a
5 stipulated settlement agreement regarding alleged
6 violations of the Personal Property Storage Act by
7 C. March Movers and Transportation Counsel recommends
8 entry of an order accepting the stipulated settlement
9 agreement.

10 Any discussion?

11 (No response.)

12 ACTING CHAIRMAN FLORES: Any objections?

13 (No response.)

14 ACTING CHAIRMAN FLORES: Hearing none, the
15 Order is entered and the settlement agreement is
16 approved.

17 Items MC-2 and MC-3 will be taken
18 together. These items concerns stipulated settlement
19 agreements regarding alleged violations of the
20 Illinois Commercial Transportation Law by Peacock
21 Relocation Systems and Jerry & Sons Enterprises. In
22 both cases our Transportation Counsel recommends

1 entry of an order accepting the stipulated settlement
2 agreement.

3 Is there any discussion?

4 (No response.)

5 ACTING CHAIRMAN FLORES: Any objections?

6 (No response.)

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

10 Item MC-4 is Investigation No.
11 10-0102. This item concerns alleged violations in
12 Illinois Commercial Transportation Law by Donnie
13 Quinn d/b/a Bloomington-Normal Limousine and Shuttle
14 and working as an independent contractor for
15 Independent Courier Services. The investigation
16 stemming from this matter gave rise to the alleged
17 violations and stipulate settlement agreements that
18 we will address today in Items MC-7 through MC-26,
19 all of which concern other owners/operators working
20 for Independent Courier Services. For this matter
21 our Transportation Counsel recommends entry of an
22 order accepting the stipulated settlement agreement

1 negotiated between the parties.

2 Any discussion?

3 (No response.)

4 ACTING CHAIRMAN FLORES: Any objections?

5 (No response.)

6 ACTING CHAIRMAN FLORES: Hearing none, the
7 Order is entered and the settlement agreement is
8 approved.

9 Item MC-5 and MC-6 can be taken
10 together. These items concern stipulated settlement
11 agreements regarding alleged violations of the
12 Illinois Commercial Transportation Law by PDQ Courier
13 and Quality Antique Movers. In both cases our
14 Transportation Counsel recommends entry of an order
15 accepting the stipulated settlement agreement.

16 Any discussion?

17 (No response.)

18 ACTING CHAIRMAN FLORES: Any objections?

19 (No response.)

20 ACTING CHAIRMAN FLORES: Hearing none, the
21 Orders are entered and the settlement agreement are
22 approved.

1 MC-7 through MC-26 can be taken
2 together. As referenced, these items concern alleged
3 violations of the Illinois Commercial Transportation
4 Law by various owners/operators working for
5 Independent Courier Services. In each case our
6 Transportation Counsel recommends entry of an order
7 accepting the stipulated settlement agreement
8 negotiated between our Transportation Counsel and the
9 respondent.

10 Any discussion?

11 (No response.)

12 ACTING CHAIRMAN FLORES: Any objections?

13 (No response.)

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

17 Item MC-27 through MC-29 can be taken
18 together. These items concern stipulated settlement
19 agreements concerning alleged violations of the
20 Illinois Commercial Transportation Law. In each case
21 our Transportation Counsel recommends entry of an
22 order accepting the stipulated settlement agreement.

1 Any discussion?

2 (No response.)

3 ACTING CHAIRMAN FLORES: Any objections?

4 (No response.)

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

8 MC-30 is an application by Bradford's
9 Moving & Storage for a Certificate of Public
10 Convenience and Necessity under the Illinois
11 Commercial Transportation Law to transport household
12 goods. Administrative Law Judge O'Brien recommends
13 entry of an order granting the certificate.

14 Is there any discussion?

15 (No response.)

16 ACTING CHAIRMAN FLORES: Any objections?

17 (No response.)

18 ACTING CHAIRMAN FLORES: Hearing none, the
19 Order is entered and the Certificate is granted.

20 Items MC-31 through MC-34 can be taken
21 together. These items are applications for a renewal
22 of relocater licenses issued under the Illinois

1 Commercial Relocation of Trespassing Vehicles Law.
2 In each case Staff recommends entry of an order
3 granting the renewal.

4 Is there any discussion?

5 (No response.)

6 ACTING CHAIRMAN FLORES: Any objections?

7 (No response.)

8 ACTING CHAIRMAN FLORES: Hearing none, the
9 Orders are entered and the renewals are granted.

10 Item MC-35 through MC-37 can be taken
11 together. These items are applications for
12 operators' permits under the Illinois Commercial
13 Relocation of Trespassing Vehicles Law. In each case
14 Administrative Law Judge Kirkland-Montague recommends
15 entry of an order approving the application.

16 Is there any discussion?

17 (No response.)

18 ACTING CHAIRMAN FLORES: Any objections?

19 (No response.)

20 ACTING CHAIRMAN FLORES: Hearing none, the
21 Orders are entered and the applications are granted.

22 Mr. Matrisch, is there any further

1 business to come before the Commission today?

2 MR. MATRISCH: Nothing further, Judge.

3 ACTING CHAIRMAN FLORES: Mr. Matrisch, before
4 you leave, sir, I just again wanted to commend your
5 entire staff for doing outstanding work. And in
6 particular, I also want to thank you for your efforts
7 in Operation Lifesaver. Earlier this week, as you
8 know, we held a press conference at Union Station
9 where we released two important PSAs, one in English
10 and one in Spanish.

11 I want to also give Commissioner
12 O'Connell-Diaz an opportunity to say a few remarks as
13 she, as she was -- as she is the chair of our
14 Transportation Committee and also very involved in
15 that press conference.

16 Commissioner.

17 COMMISSIONER O'CONNELL-DIAZ: Well, just again,
18 I'm like a broken record with regard to the
19 activities of our Transportation Sector of the
20 Commission, in particular, the folks that are doing
21 the Operation Lifesaver. I mean, it is exceedingly
22 important work and the more people we can touch with

1 that information about safety on the railway is just
2 one of the things that we do at the Commission. And
3 our group down there just does an excellent job and
4 we were there with the -- Joe Szabo from the Federal
5 Transportation Administration. Senator Durbin,
6 unfortunately, couldn't be with us. However, he
7 ensures that we continue with the federal funding
8 that is so necessary for us to be able to improve the
9 safety situation in our state and, indeed, across the
10 nation.

11 So it's always a pleasure. It's
12 always humbling to see the work that goes on in our
13 communities with our staff out there. So, I --
14 again, I'm a broken record. But it's always good to
15 say thank you. So...

16 MR. MATRISCH: Thank you.

17 I'd also point out that those public
18 service announcements, they're going to be posted on
19 the Commission's Website. So if anyone's interested
20 in seeing those, they'll be available for individuals
21 that access the Website.

22 ACTING CHAIRMAN FLORES: That's great. That

1 that's great. Thank you again, Mr. Matrisch.

2 Very well. Given that there is no
3 further business to come before the Commission today
4 on the Transportation agenda, that concludes our
5 Transportation agenda.

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

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