

1                                 BEFORE THE  
2                                 ILLINOIS COMMERCE COMMISSION

3  
4                                 BENCH SESSION

5                                 (TRANSPORTATION)

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8                                 Springfield, Illinois  
9                                 Thursday, January 21, 2010

10                                 Met, pursuant to notice, at 10:30 a.m. in  
11                                 Room A, Leland Building, 527 East Capitol Avenue,  
12                                 Springfield, Illinois.

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14                                 PRESENT:

15                                 MR. MANUEL FLORES, Chairman

16                                 MS. LULA M. FORD, Commissioner

17                                 MS. ERIN M. O'CONNELL-DIAZ, Commissioner  
18                                 (Via teleconference)

19                                 MR. SHERMAN J. ELLIOTT, Commissioner

20                                 MR. JOHN T. COLGAN, Commissioner

21                                 SULLIVAN REPORTING COMPANY, by  
22                                 Carla J. Boehl, Reporter  
                               CSR #084-002710

1 PROCEEDINGS

2 CHAIRMAN FLORES: We will now begin with the  
3 transportation agenda.

4 We have some minutes to approve from  
5 the December 16, 2009, bench session. I want to make  
6 sure all Commissioners have the material before them.  
7 Yes?

8 COMMISSIONER FORD: Yes.

9 CHAIRMAN FLORES: Is there a motion to approve  
10 the minutes?

11 COMMISSIONER FORD: So move.

12 CHAIRMAN FLORES: Is there a second?

13 COMMISSIONER COLGAN: Second.

14 CHAIRMAN FLORES: It's been moved and seconded.  
15 All in favor, say aye.

16 COMMISSIONERS: Aye.

17 CHAIRMAN FLORES: Any opposed?

18 The vote is 5-0 approving the minutes.

19 We will now move on to the section on  
20 railroads. Starting with the Railroad agenda, we  
21 have Items RR-1 (T09-0144) through RR-2 (T10-0001).  
22 We will take those matters together. These are

1 stipulated agreements for safety improvements to  
2 railroad crossings. Approximately \$491,560 in Grade  
3 Crossing Protection Funds will be used. Staff  
4 recommends entering the orders approving the  
5 stipulated agreements.

6 Is there a motion to enter the orders.

7 COMMISSIONER ELLIOTT: So moved.

8 COMMISSIONER FORD: Second.

9 CHAIRMAN FLORES: Okay. It's been moved and  
10 seconded. All in favor say aye.

11 COMMISSIONERS: Aye.

12 CHAIRMAN FLORES: Any opposed? The vote is  
13 5-0. The orders are entered.

14 We will use this 5-0 roll call vote --  
15 you know what, let's call the roll because  
16 technically I want to make sure that -- because we  
17 are going to use this as any vote for a future  
18 matter. So if we can just do a roll call.

19 Commissioner Ford?

20 COMMISSIONER FORD: Aye.

21 CHAIRMAN FLORES: Commissioner Elliott?

22 COMMISSIONER ELLIOTT: Aye.

1 CHAIRMAN FLORES: Commissioner Colgan?

2 COMMISSIONER COLGAN: Aye.

3 CHAIRMAN FLORES: Our other commissioner,  
4 Commissioner Diaz?

5 COMMISSIONER O'CONNELL-DIAZ: Aye.

6 CHAIRMAN FLORES: And I vote aye. So we will  
7 use this 5-0 roll call vote for the remainder of the  
8 Transportation Agenda unless otherwise noted.

9 Item RR-3 is Docket T09-0078. BNSF  
10 Railroad and Ridgeport Logistic Center, LLC, have  
11 petitioned to upgrade the railroad crossing of  
12 Lorenzo Road in Will County. The project is expected  
13 to cost \$1.9 million. No Grade Crossing Protection  
14 Funds will be used. Administrative Law Judge O'Brien  
15 recommends entering the order approving the project.

16 Is there any discussion on this  
17 matter? Hearing none, are there any objections?  
18 Hearing none, the order is entered.

19 Item RR-4 is Docket T09-0106. This is  
20 a project to reconstruct the existing highway-rail  
21 grade separation structure that carries U.S. Route  
22 150 over the Norfolk and Southern Railway Company's

1 track in Mansfield. That's in Piatt County. The  
2 \$3.9 million cost will be funded entirely from  
3 federal funds. No GCPF will be used. Administrative  
4 Law Judge Kirkland-Montague recommends entering the  
5 order approving the petition.

6 Is there any discussion on this  
7 matter? Any objections? Hearing none, the order is  
8 entered.

9 Item RR-5 is Docket T09-0132 Amended.  
10 This order amends the original order to increase the  
11 contribution from the Grade Crossing Protection Fund  
12 from \$40,040 to \$40,420. Staff recommends entering  
13 the amendatory order.

14 Is there any discussion on this  
15 matter? Any objections? Hearing none, the  
16 amendatory order is entered.

17 That concludes the Railroad Agenda.

18 Now moving on to motor carriers,  
19 turning to Motor Carriers items, Items MC-1 through  
20 MC-4 (09-0464, 09-0987, 09-1156, 09-1219) will be  
21 taken together. These are stipulated settlement  
22 agreements with various carriers found to be in

1 violation of the Illinois Commercial Transportation  
2 Law. Staff recommends entering the orders accepting  
3 the stipulated settlement agreements.

4 Is there any discussion? Any  
5 objections? Hearing none, this order will also be  
6 entered, and we will be using the last most favorable  
7 vote.

8 The Item MC-5 (1276MC-S25, 2141MC-S8,  
9 4588MC-S13, 5134MC-S12, 6175MC-S12) concerns several  
10 petitions to purchase the stock of Federal Warehouse  
11 Company. Administrative Law Judge O'Brien recommends  
12 entering the order authorizing the transactions.

13 Is there any discussion in this  
14 matter? Any objections? Hearing none, the order is  
15 entered.

16 Items MC-6 (222RTV-R) and MC-7  
17 (245RTV-R) will be taken together. These are  
18 applications for commercial relocater licenses.  
19 Administrative Law Judge Kirkland-Montague recommends  
20 entering the orders granting the applications for  
21 commercial relocater licenses.

22 Is there any discussion? Any

1 objections? Hearing none, the orders are entered.

2 Items MC-8 (106RTV-R) is an  
3 application for renewal of a commercial relocation  
4 towing license. Staff recommends approving the  
5 renewal application.

6 Is there any discussion? Any  
7 objections? Hearing none, the renewal is granted.

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

10 MR. MATRISCH: Nothing further, Mr. Chairman.

11 Thank you.

12 CHAIRMAN FLORES: Thank you, sir. Thank you  
13 for welcoming me on board here. So hearing none,  
14 that concludes the motor carrier.

15 TRANSPORTATION AGENDA CONCLUDED

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