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BEFORE THE  
ILLINOIS COMMERCE COMMISSION

BENCH SESSION  
(TRANSPORTATION)

Thursday, January 23, 2014  
Chicago, Illinois

Met, pursuant to notice, at 10:30 a.m. at  
160 North LaSalle Street, 8th Floor, Chicago, Illinois.

PRESENT:

- MR. DOUGLAS P. SCOTT, Chairman
- MR. JOHN T. COLGAN, Commissioner
- MS. ANN McCABE, Commissioner
- MR. MIGUEL DEL VALLE, Commissioner
- MS. SHERINA E. MAYE, Commissioner

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PROCEEDINGS

CHAIRMAN SCOTT: Is everything ready in Springfield?

MR. MATRISCH: Yes, it is, Chairman.

CHAIRMAN SCOTT: Thank you.

Pursuant to the provisions of the Open Meetings Act, I now convene a regularly scheduled Bench session of the Illinois Commerce Commission. With me in Chicago are Commissioner Colgan, Commissioner McCabe, Commissioner del Valle, and Commissioner Maye. I am Chairman Scott. We have a quorum.

Before moving into the agenda, according to Section 1700.10 of Title 2 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 Commission meetings. According to the Chief Clerk's office, we have no requests to speak at today's Bench session.

Moving now to the Transportation agenda, we'll begin with the approval of minutes from our December 18th Bench session.

Is there a motion to approve the minutes?

COMMISSIONER McCABE: So moved.

1 CHAIRMAN SCOTT: Is there a second?

2 COMMISSIONER MAYE: Second.

3 CHAIRMAN SCOTT: Moved by Commissioner McCabe.  
4 Seconded by Commissioner Maye. All in favor say aye.

5 (Ayes heard.)

6 CHAIRMAN SCOTT: Any opposed?

7 (No response.)

8 CHAIRMAN SCOTT: The vote is five to nothing, and  
9 the minutes from our December 18th Bench session are  
10 approved.

11 Item RR-1 is Docket No. T13-0082. This is the  
12 Department of Transportation on behalf of the People of  
13 the State of Illinois's petition for approval of the  
14 taking or damaging of certain properties owned by a  
15 transportation common carrier in Cook County by  
16 exercising the right of eminent domain. ALJ Duggan  
17 recommends entry of an Order approving the use of  
18 eminent domain.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: Is there a motion to approve the  
22 Order?

23 COMMISSIONER COLGAN: So moved.

24 CHAIRMAN SCOTT: Moved by Commissioner Colgan.

1                   Is there a second?

2           COMMISSIONER DEL VALLE:    Second.

3           COMMISSIONER McCABE:    Second.

4           CHAIRMAN SCOTT:    Seconded by Commissioner del  
5 Valle.

6                   Any discussion?

7                                    (No response.)

8           CHAIRMAN SCOTT:    All in favor say aye.

9                                    (Ayes heard.)

10          CHAIRMAN SCOTT:    Any opposed?

11                                   (No response.)

12          CHAIRMAN SCOTT:    The vote is five to nothing, and  
13 the Order is entered.  We will use this five-to-nothing  
14 vote for the remainder of today's transportation agenda  
15 unless otherwise noted.

16                   Items RR-2 through RR-4 can be taken together.  
17 These items are stipulated agreements regarding public  
18 safety improvements at highway-rail grade crossings in  
19 Carroll, Sangamon, and Iroquois Counties.  In each case,  
20 staff recommends entry of an Order approving the  
21 stipulated agreement.

22                   Is there any discussion?

23                                   (No response.)

24          CHAIRMAN SCOTT:    Any objections?

1 (No response.)

2 CHAIRMAN SCOTT: Hearing none, the Orders are  
3 entered.

4 Items RR-5 through RR-8 can be taken together.  
5 These items are stipulated agreements seeking  
6 authorization for safety improvement projects at  
7 highway-rail grade crossings in Illinois. In each case  
8 the petitioner has filed a request for additional time  
9 to complete the project, and in each case our  
10 transportation counsel recommends entry of a  
11 supplemental Order granting the requested relief.

12 Is there any discussion?

13 (No response.)

14 CHAIRMAN SCOTT: Any objections?

15 (No response.)

16 CHAIRMAN SCOTT: Hearing none, the supplemental  
17 Orders are entered.

18 Moving now to Collateral Recovery, Item CR-1  
19 is ML Ellis Enterprises' application for a Class "R"  
20 license pursuant to Section 35 of the Collateral  
21 Recovery Act. ALJ Kirkland-Montague recommends entry of  
22 an Order granting the application.

23 Is there any discussion?

24 (No response.)

1 CHAIRMAN SCOTT: Any objections?

2 (No response.)

3 CHAIRMAN SCOTT: Hearing none, the Order is  
4 entered.

5 Item CR-2 is Michael Ellis's application for a  
6 Class "MR" license pursuant to Section 40 of the  
7 Collateral Recovery Act. ALJ Kirkland-Montaque  
8 recommends entry of an Order granting the application.

9 Is there any discussion?

10 (No response.)

11 CHAIRMAN SCOTT: Any objections?

12 (No response.)

13 CHAIRMAN SCOTT: Hearing none, the Order is  
14 entered.

15 Item CR-3, Michael Ellis's application for a  
16 Class "E" recovery permit pursuant to Section 45 of the  
17 Collateral Recovery Act. ALJ Kirkland-Montaque  
18 recommends entry of an Order granting the application.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: Any objections?

22 (No response.)

23 CHAIRMAN SCOTT: Hearing none, the Order is  
24 entered.

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

4           MR. MATRISCH: No, Chairman. Thank you.

5           CHAIRMAN SCOTT: Thank you, sir.

6                   Hearing none, that concludes today's  
7 transportation agenda.

8                               END OF TRANSPORTATION AGENDA

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CERTIFICATE OF REPORTER

STATE OF ILLINOIS        )  
                                  )  SS.  
COUNTY OF COOK         )

I, Cheryl A. Goetsch, a Registered Professional Reporter and Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that the foregoing proceedings were taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

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CHERYL A. GOETSCH, CSR, RPR  
Illinois CSR No. 084-003502