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BEFORE THE
ILLINOIS COMMERCE COMMISSION
BENCH SESSION
(TRANSPORTATION)
Wednesday, January 28, 2015
Chicago, Illinois

Met, pursuant to notice, at 10:30 A.M.,
at 160 North La Salle Street, Chicago, Illinois.

- PRESENT:
- BRIEN J. SHEAHAN, Acting Chairman
 - ANN McCABE, Commissioner
 - SHERINA E. MAYE, Commissioner
 - MIGUEL DEL VALLE, Commissioner

SULLIVAN REPORTING COMPANY, by
PATRICIA WESLEY
CSR NO. 084-002170

1 ACTING CHAIRMAN SHEAHAN: All right. Pursuant
2 to the provisions of the Open Meetings Act, I now
3 convene a special open meeting of the Illinois
4 Commerce Commission.

5 With me in Chicago are Commissioners
6 McCabe, del Valle and Maye. I am Chairman Sheahan.
7 We have a quorum.

8 Before moving into the agenda,
9 according to Section 1700.10 of the Title 2 of the
10 Administrative Code, this is the time we usually
11 consider public comments.

12 Members of the public wishing to
13 address the Commission must notify the Chief Clerk's
14 office at least 24 hours prior to Commission
15 meetings. According to the Chief Clerk's office, we
16 have no granted requests to speak at today's Bench
17 Session.

18 We will move to the Transportation
19 agenda, and we will begin with the approval of the
20 minutes from our January 14th Bench Session.

21 Is there a motion to approve the
22 minutes?

1 COMMISSIONER McCABE: So moved.

2 ACTING CHAIRMAN SHEAHAN: Is there a second?

3 COMMISSIONER del VALLE: Seconded.

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

6 All those in favor, say aye.

7 (Chorus of ayes.)

8 Any opposed.

9 (No response.)

10 The vote is 4 to 0 and the Minutes of
11 January 14th are approved.

12 Item No. RR-1 is Docket No. T14-0076.
13 This is our citation with respect to OmniTRAX Inc.,
14 managed railroads, Illinois Railway, LLC and Chicago
15 Rail link, LLC, for failure to maintain various
16 highway-rail grade crossing surfaces in accordance
17 with the requirements of 92 Illinois Administrative
18 Code Part 1535.203.

19 Prior to hearing, Staff filed a motion
20 to dismiss stating that all the necessary repairs
21 have now been made.

22 Administrative Law Judge Duggan

1 recommends entry of an Order dismissing the
2 proceeding.

3 Is there any discussion?

4 (No response.)

5 Is there a motion to enter the Order?

6 COMMISSIONER del VALLE: Moved.

7 ACTING CHAIRMAN SHEAHAN: Is there a second?

8 COMMISSIONER McCABE: Seconded.

9 ACTING CHAIRMAN SHEAHAN: All in favor, say aye.

10 (Chorus of ayes.)

11 Any opposed?

12 (No response.)

13 The vote is 4 to 0. The Order is
14 entered.

15 With leave of the Commission, I'll ask
16 for unanimous consent of the following items.

17 Item No. RR-2 is Docket No. T14-0105.

18 This is Illinois Central Railroad Company's petition
19 seeking authorization to construct a modification of
20 an existing grade separation structure in
21 unincorporated Will County, Illinois.

22 ALJ Kirkland-Montaque recommends entry

1 of an Order granting the requested relief.

2 Is there any discussion?

3 (No response.)

4 Any objections?

5 (No response.)

6 Hearing none, without objection, the
7 Order is entered.

8 Item Nos. RR-3 through RR-5 can be
9 considered together. These items are stipulated
10 agreements seeking authorization for safety
11 improvement projects in Madison and Vermilion
12 County. In each case Staff recommends entry of a
13 supplemental or second supplemental Order granting
14 the parties additional time to complete the
15 projects.

16 Is there any discussion?

17 (No response.)

18 Is there any objection combining and
19 approving these items?

20 (No response.)

21 Hearing none, the supplemental Orders
22 are entered.

1 Moving on to motor carriers, Items
2 MC-1 through MC-4 can be considered together. These
3 items are stipulated settlement agreements
4 concerning alleged violations of the Illinois
5 Collateral Recovery Act or Illinois Commercial
6 Transportation Law.

7 In each case transportation counsel
8 recommends entry of an Order accepting the
9 stipulated settlement agreement.

10 Is there any discussion?

11 (No response.)

12 Any objections?

13 (No response.)

14 Without objection, the motions are
15 combined and approved, and the Orders are entered.

16 Item No. MC-5 is Docket No. 208924
17 MC. This is Red Carpet Relo LLC d/b/a Best Friend
18 Moving & Storage's Application for a Certificate of
19 Public Convenience and Necessity under the Illinois
20 Commercial Transportation Law.

21 ALJ Kirkland-Montague recommends entry
22 of an Order granting the requested relief.

1 Is there any discussion?

2 (No response.)

3 Any objections?

4 (No response.)

5 Hearing none, the Order is granted.

6 Items MC-6 and 7 can be considered
7 together. These items are Applications for Renewal
8 of Commercial Relocation Towing Licenses pursuant to
9 Section 401 of the Illinois Commercial Relocation of
10 Trespassing Vehicles Law.

11 In both cases our transportation
12 counsel recommends entry of an Order granting the
13 requested renewal.

14 Is there any discussion?

15 (No response.)

16 Any objections?

17 (No response.)

18 Without objection, the Orders are
19 entered.

20 Moving now to Collateral Recovery,
21 Item No. CR-1 has been pulled from our agenda.

22 Item No. CR-2 is Docket No. 187792 MC.

1 This is David Garret Mitchell's Application for
2 a Class "E" Recovery Permit pursuant to Section 45
3 of the Collateral Recovery Act and 92 Illinois
4 Administrative Code 1480.50C.

5 ALJ Kirkland-Montaque recommends entry
6 of an Order granting the requested certificate.

7 Is there any discussion?

8 (No response.)

9 Any objections?

10 (No response.)

11 Without objection, the Order is
12 entered.

13 Are there any further transportation
14 business to come before the Commission today?

15 MR. MATRISCH: No.

16 (Whereupon, the above
17 matter was adjourned.)

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