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BEFORE THE  
ILLINOIS COMMERCE COMMISSION

TRANSPORTATION BENCH SESSION

Chicago, Illinois  
February 16, 2012

Met, pursuant to notice, at 10:30 a.m.

BEFORE:

MR. DOUGLAS P. SCOTT, Chairman

MS. LULA M. FORD, Commissioner

MS. ERIN M. O'CONNELL-DIAZ, Commissioner

MR. SHERMAN J. ELLIOTT, Commissioner  
(via videoconference)

MR. JOHN T. COLGAN, Acting Commissioner  
(via videoconference)

SULLIVAN REPORTING COMPANY, by  
Auhdikiam Carney, CSR  
License No. 084-004658

1           CHAIRMAN SCOTT: Pursuant to the provisions of  
2 the Illinois Open Meetings Act, I now convene a  
3 Regular Bench Session of the Illinois Commerce  
4 Commission. With me in Chicago are Commissioners  
5 Ford and O'Connell-Diaz. And with us in Springfield  
6 are Commission Elliott and Colgan. I'm Chairman  
7 Scott.

8                       We have a quorum.

9                       Starting with the Transportation  
10 Agenda, we will begin with the approval of minutes  
11 from prior Commission meetings. Up first are the  
12 minutes from the January 25th Bench Session. I  
13 understand amendments have been forwarded.

14                      Is there a motion to amend the  
15 minutes?

16                      COMMISSIONER O'CONNELL-DIAZ: So moved.

17                      CHAIRMAN SCOTT: Is there a second?

18                      COMMISSIONER FORD: Second.

19                      CHAIRMAN SCOTT: All in flavor say "aye."

20                               (Chorus of ayes.)

21                               Any opposed?

22                               (No response.)

1                   The vote is 5-0 and the amendments to  
2 the January 25th meeting are adopted.

3                   Is there a motion to approve the  
4 minutes as amended?

5                   COMMISSIONER O'CONNELL-DIAZ: So moved.

6                   CHAIRMAN SCOTT: Is there a second?

7                   COMMISSIONER FORD: Second.

8                   CHAIRMAN SCOTT: It's been moved and second.

9                   All in favor say "aye."

10                   (Chorus of ayes.)

11                   Any opposed?

12                   (No response.)

13                   The vote is 5-0 and the January 25th  
14 minutes as amended are approved.

15                   Moving on to the Railroad Section.

16                   Item RR-1 is Docket Nos T11-0100,  
17 T11-0114, and T 11-0112. This item concerns eminent  
18 domain petitions filed by the Illinois Department of  
19 Transportation in connection with a roadway  
20 improvement project in Naperville. ALJ  
21 Kirkland-Montague recommends entry of an Order  
22 granting the petitions.

1 Is there any discussion?

2 (No response.)

3 Is there a motion to enter the Order?

4 COMMISSIONER O'CONNELL-DIAZ: So moved.

5 CHAIRMAN SCOTT: Is there a second?

6 COMMISSIONER FORD: Second.

7 It's been moved and seconded.

8 All in favor say "aye."

9 (Chorus of ayes.)

10 Any opposed?

11 (No response.)

12 The vote is 5-0 and the Order is  
13 entered. We will use this 5-0 vote for the remainder  
14 of the Transportation Agenda unless otherwise noted.

15 Items RR-2 through RR-4 can taken  
16 together. These items concern Stipulated Agreements  
17 regarding public safety improvements of highway-rail  
18 grade crossings across Illinois. In each case Staff  
19 recommends entry of an Order approving the Agreement.

20 Is there any discussion?

21 (No response.)

22 Any objections?

1 (No response.)

2 Hearing none, the Orders are entered.

3 Items RR-5 through RR-7 can be taken  
4 together. These items concern public safety  
5 improvement projects at grade crossing across  
6 Illinois. In each case either Staff or the ALJ  
7 recommends entry of a Supplemental Order granting  
8 additional time for the project's completion.

9 Is there any discussion?

10 (No response.)

11 Any objections?

12 (No response.)

13 Hearing none, the Orders are entered.

14 Item RR-8 is Docket No. T04-0084.

15 This item concerns a petition filed by Coffeen and  
16 Western Railroad Company authorizing the construction  
17 of a rail line in and around a power plant located in  
18 Montgomery County. ALJ Kirkland-Montague recommends  
19 entry of a second Supplemental Order reopening this  
20 proceeding and vacating the original Order and  
21 Supplemental Order.

22 Is there any discussion?

1 (No response.)

2 Any objections?

3 (No response.)

4 Hearing none, the Order is entered.

5 Item RR-9 is Docket No. T10-0045.

6 This item concerns a Stipulate Settlement Agreement  
7 regarding Public safety improvements at a crossing in  
8 Macoupin County. Staff recommends entry of a second  
9 Supplemental Order granting additional time for the  
10 project's completion.

11 Is there any discussion?

12 (No response.)

13 Any objections?

14 (No response.)

15 Hearing none, the Order is entered.

16 Now on to Motor Carriers.

17 Item MC-1 concerns a Stipulated

18 Settlement Agreement over alleged violations of the  
19 Illinois Commercial Transportation Law by Gaudino's  
20 (check name) Trucking. Our Transportation counsel  
21 recommends entry of an Order approving the Settlement  
22 Agreement.

1 Is there any discussion?

2 (No response.)

3 Any objections?

4 (No response.)

5 Hearing none, the Order is entered.

6 Items MC-2 and MC-3 can be taken  
7 together. These items concern applications for  
8 renewal for commercial relocation licenses. In each  
9 case Staff recommends entry of an Order granting the  
10 license renewal.

11 Is there any discussion?

12 (No response.)

13 Any objections?

14 (No response.)

15 Hearing none, the Orders are entered.

16 Mr. Matrisch, is there any further  
17 Transportation business to come before the Commission  
18 today?

19 MR. MATRISCH: Nothing further, Chairman.

20 Thank you.

21 CHAIRMAN SCOTT: Thank you, sir.

22 Hearing none, that concludes today's

1     Transportation Agenda.

2                                     (And those were all the  
3                                     proceedings had.)

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