1	BEFORE THE					
2	ILLINOIS COMMERCE COMMISSION					
3						
4	BENCH SESSION					
5						
6	(TRANSPORTATION)					
7						
8	Springfield, Illinois Wednesday, February 24, 2010					
9						
10	Met, pursuant to notice, at 10:30 a.m. in the					
11	Videoconference Room, Leland Building, 527 East					
12	Capitol Avenue, Springfield, Illinois.					
13	PRESENT:					
14	MR. MANUEL FLORES, Chairman					
15	MS. LULA M. FORD, Commissioner (Via teleconference)					
16						
17	MS. ERIN M. O'CONNELL-DIAZ, Commissioner (Via teleconference)					
18	MR. SHERMAN J. ELLIOTT, Commissioner					
19	MR. JOHN T. COLGAN, Commissioner					
20						
21	SULLIVAN REPORTING COMPANY, by Carla J. Boehl, Reporter					
22	CSR #084-002710					

1 PROCEEDINGS

- 2 CHAIRMAN FLORES: Pursuant to the provisions of
- 3 the Illinois Open Meetings Act, I now convene a
- 4 regularly scheduled bench session of the Illinois
- 5 Commerce Commission. With me in Springfield are
- 6 Commissioners Elliott and Colgan. Joining via video
- 7 conference from Chicago are Commissioners Ford and
- 8 O'Connell-Diaz. I am Chairman Flores. We have a
- 9 quorum.
- Before moving into the agenda,
- 11 pursuant to Section 1-700.10 of the Illinois
- 12 Administrative Code, this is the time that we allow
- for members of the public to address the Commission.
- 14 Members of the public wishing to address the
- 15 Commission must notify the Chief Clerk's office at
- least 24 hours prior to the bench session. According
- 17 to the Chief Clerk's office there are no requests to
- 18 speak.
- 19 The first matter that we will be
- 20 addressing this morning is Transportation. Turning
- 21 to the Transportation Agenda that all of you should
- 22 have, we have minutes to approve from the January 21,

- 1 2010, bench session. I understand that amendments
- 2 have been circulated. Is there a motion to accept
- 3 the amendments to the minutes?
- 4 COMMISSIONER ELLIOTT: So moved.
- 5 CHAIRMAN FLORES: Is there a second?
- 6 COMMISSIONER COLGAN: Second.
- 7 CHAIRMAN FLORES: It's been moved and seconded.
- 8 All in favor say aye.
- 9 COMMISSIONERS: Aye.
- 10 CHAIRMAN FLORES: Any opposed?
- 11 Very well, the vote is 5-0; the
- 12 minutes are approved.
- Is there a motion to approve the
- 14 minutes as amended?
- 15 COMMISSIONER O'CONNELL-DIAZ: So move.
- 16 CHAIRMAN FLORES: Is there a second?
- 17 COMMISSIONER COLGAN: Second.
- 18 CHAIRMAN FLORES: It's been moved and seconded.
- 19 All in favor say aye.
- 20 COMMISSIONERS: Aye.
- 21 CHAIRMAN FLORES: Any opposed?
- The vote is 5-0; the minutes are

- 1 approved as amended.
- Now we are turning to the Railroad
- 3 Section. Items RR-1 through RR-6 (T10-007, T10-0008,
- 4 T10-0009, T10-0010, T10-0011, T10-0016) will be taken
- 5 together. These are stipulated agreements for public
- 6 safety improvements at various grade crossings around
- 7 the state. Approximately \$742,009 of GCPF will be
- 8 used. Staff recommends entering the Orders granting
- 9 the stipulated agreements.
- Is there a motion to enter the Orders?
- 11 COMMISSIONER COLGAN: So move.
- 12 CHAIRMAN FLORES: Is there a second?
- 13 COMMISSIONER ELLIOTT: Second.
- 14 CHAIRMAN FLORES: It's been moved and seconded.
- 15 Let's take the roll. Commissioner Ford?
- 16 COMMISSIONER FORD: Aye.
- 17 CHAIRMAN FLORES: Commissioner O'Connell-Diaz?
- 18 COMMISSIONER O'CONNELL-DIAZ: Aye.
- 19 CHAIRMAN FLORES: Commissioner Elliott?
- 20 COMMISSIONER ELLIOTT: Aye.
- 21 CHAIRMAN FLORES: Commissioner Colgan?
- 22 COMMISSIONER COLGAN: Aye.

- 1 CHAIRMAN FLORES: And I, Chairman Flores, vote
- 2 aye.
- 3 The vote is 5-0; the Orders are
- 4 entered. We will use this 5-0 roll call vote for the
- 5 remainder of the agenda unless otherwise noted.
- 6 Item RR-7 is Docket T06-0107. Union
- 7 Pacific Railway Company has received permission to
- 8 close an at-grade crossing at Nilwood Township.
- 9 Tragically, before the work could be completed, the
- 10 crossing was the scene of a fatal accident. The ALJ
- issued an oral stay on any further closure activities
- 12 pending litigation which has since concluded. The
- 13 stay is now moot and the closing of the crossing may
- 14 proceed. Administrative Law Judge Kirkland-Montague
- 15 recommends denying the Supplemental Petition.
- Is there any discussion? Any
- 17 objections? Hearing none, the Supplemental Petition
- 18 is denied.
- 19 Item RR-8 is Docket T09-0005. The
- 20 Village of Thayer has petitioned for an extension of
- 21 time to complete safety improvements of an at-grade
- 22 crossing over tracks owned by Union Pacific Railway.

- 1 Staff recommends entering the Supplemental Order
- 2 granting an extension of time.
- 3 Is there any discussion? Any
- 4 objections? Hearing none, the Supplemental Order is
- 5 entered.
- 6 Item RR-9 is Docket T09-0116. This is
- 7 a request for \$82,622 of supplemental GCPF funds to
- 8 upgrade an at-grade crossing of tracks owned by BNSF
- 9 Railway near Zearing, Bureau County. Staff
- 10 recommends entering the Supplemental Order.
- Is there any discussion? Any
- 12 objections? Hearing none, the Supplemental Order is
- 13 entered.
- 14 That concludes the Railroad agenda.
- Moving to Motor Carriers, Item MC-1 is
- 16 an application for an operator's permit.
- 17 Administrative Law Judge Kirkland-Montaque recommends
- 18 approving the application.
- 19 Is there any discussion? Any
- 20 objections? Hearing none, the Order is entered
- 21 granting the renewal.
- 22 Item MC-2 is an application for a

- 1 dispatcher's employment permit. The Administrative
- 2 Law Judge Kirkland-Montaque recommends approving the
- 3 application.
- 4 Is there any discussion? Any
- 5 objections? Hearing none, the Order is entered
- 6 granting the application.
- 7 That concludes the Motor Carrier
- 8 portion of today's agenda.
- 9 Administrative matters, there is one
- 10 administrative matter. Item AM-1 is a rulemaking to
- 11 consider modifications to Part 1710 of the
- 12 Commission's regulations for relocation towing.
- 13 Staff recommends entering the Order initiating the
- 14 first notice period.
- 15 Is there any discussion on this
- 16 matter? Hearing none, any objections? Hearing none,
- 17 the Order is entered.
- 18 That concludes the Transportation
- 19 agenda.
- 20 Mr. Matrisch, is there any other
- 21 matter to come before the Commission.
- MR. MATRISCH: Nothing further, thank you,

Τ	Chairman.				
2	CHAIRMAN	FLORES:	Thank	you,	sir.
3	TRANSE	PORTATION	AGENDA	CONC	CLUDED
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