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BEFORE THE
ILLINOIS COMMERCE COMMISSION
REGULAR OPEN MEETING
TRANSPORTATION
Tuesday, March 15, 2017
Chicago, Illinois

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

PRESENT:

- BRIEN J. SHEAHAN, Chairman (Telephonically)
- SADZI M. OLIVA, Acting Commissioner
- SHERINA MAYE EDWARDS, Commissioner
- MIGUEL del VALLE, Commissioner
- JOHN R. ROSALES, Commissioner

SULLIVAN REPORTING COMPANY, by
BRAD BENJAMIN, CSR
LICENSE NO. 084-004805

1 COMMISSIONER OLIVA: There are edits to the
2 March 1st, 2017, Regular Open Meeting Minutes.

3 Are there any objections to approving
4 the minutes as edited?

5 (No response.)

6 COMMISSIONER OLIVA: Hearing none, the minutes
7 are approved.

8 Items RR-1 and RR-2 concern Stipulated
9 Agreements regarding improving public safety at
10 railroad crossings.

11 Are there any objections to
12 considering these items together and approving the
13 proposed orders approving the agreements?

14 (No response.)

15 COMMISSIONER OLIVA: Hearing none, the orders
16 are approved.

17 Motor Carriers: Items MC-1 and MC-2
18 concern stipulated settlement agreements regarding
19 alleged violations of the Illinois Commercial
20 Transportation Law.

21 Are there any objections to
22 considering these items together and approving the

1 proposed orders approving the agreements?

2 (No response.)

3 COMMISSIONER OLIVA: Hearing none, the orders
4 are approved.

5 Item MC-3 concerns A-Mrazek Moving
6 Systems' Application for a Certificate of Public
7 Convenience and Necessity.

8 Are there any objections to approving
9 the proposed order granting the application?

10 (No response.)

11 COMMISSIONER OLIVA: Hearing none, the order is
12 approved.

13 Item CR-1 concerns an Application for
14 a Class E Recovery Permit.

15 Are there any objections to approving
16 the proposed order granting the permit?

17 (No response.)

18 COMMISSIONER OLIVA: Hearing none, the order is
19 approved.

20 Administrative Matters: Item AM-1
21 concerns the fiscal years 2018 through 2022 Crossing
22 Safety Improvement Program 5-Year Plan.

1 Are there any objections to approving
2 the plan?

3 COMMISSIONER del VALLE: (Nonverbal response.)

4 COMMISSIONER OLIVA: Okay. Please proceed,
5 Commissioner del Valle.

6 COMMISSIONER del VALLE: Thank you, Madam
7 Chair.

8 Do we keep track of fatalities that
9 are not -- railroad-related fatalities that are not
10 crossing fatalities?

11 MR. STEAD: Yes, we do.

12 COMMISSIONER del VALLE: That's not included in
13 this report, right?

14 MR. STEAD: That's correct.

15 COMMISSIONER del VALLE: Okay. But where --
16 where do we report those numbers?

17 MR. STEAD: Every incident that involves a
18 railroad is reported to the Illinois Emergency
19 Management Agency, IEMA. And IEMA sends -- then
20 sends that information to us -- to the Railroad
21 Section, so we can file those statistics on an annual
22 basis for all railroad-related incidents that occur

1 in Illinois.

2 COMMISSIONER del VALLE: Are those statistics
3 forwarded to the Commission?

4 MR. STEAD: No, we normally do not, but we
5 certainly can if you'd like to.

6 COMMISSIONER del VALLE: No. Because I had an
7 inquiry from a state representative who wanted to
8 know if Grade Crossing Protection Funds could be used
9 for fencing near the railroads and the state rep
10 asked why we don't keep -- or why we do not report
11 numbers -- fatality numbers, that are not related to
12 crossings.

13 MR. STEAD: Crossing are -- distinct incidents
14 that do not occur at public crossings are
15 considered trespassing incidents. That's not
16 something that we normally publicize or publish. We
17 certainly keep that information, but we don't publish
18 that information anymore.

19 COMMISSIONER del VALLE: But in responding to
20 that question that was posed to me, I have to assume
21 that the statute is very clear about how Grade
22 Crossing Protection Funds can be used. And that

1 anything other than what's in the statute would not
2 be authorized; is that correct?

3 MR. STEAD: That's correct.

4 In fact, I had a similar phone
5 conversation with a staffer from the state
6 representative earlier this week and provided the
7 same information. The statute requires or permits
8 the use of Grade Crossing Protection Funds for safety
9 improvements at public crossings only.

10 COMMISSIONER del VALLE: Okay. I'm glad to
11 hear they talked with you because I did refer them to
12 you.

13 Thank you very much.

14 COMMISSIONER OLIVA: All right. And just for
15 the record, could the staff member on the phone
16 please state their name.

17 (No response.)

18 COMMISSIONER OLIVA: And just for the record,
19 could the staff member on the phone please state your
20 name for the record.

21 MR. STEAD: Yes. This is Michael Stead,
22 S-T-E-A-D.

1 COMMISSIONER OLIVA: All right. So are there
2 any objections to approving the plan?

3 (No response.)

4 COMMISSIONER OLIVA: Hearing none, the plan is
5 approved.

6 Item AM-2 concerns the 2016 Annual
7 Report on hazmat accidents and incidents on the
8 railroads in Illinois.

9 Are there any objections to approving
10 the report?

11 (No response.)

12 COMMISSIONER OLIVA: Hearing none, the report
13 is approved.

14 (Whereupon, the above
15 matter was adjourned.)

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