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PROCEEDINGS

CHAIRMAN SCOTT: Is everything ready in Chicago?

COMMISSIONER MCCABE: Yes.

CHAIRMAN SCOTT: 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 Springfield are Commissioner Colgan and Commissioner del Valle. With us in Chicago are Commissioner McCabe and Commissioner Maye. I am Chairman Scott and 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 March 5th Bench Session. I understand amendments have been forwarded.

1 Is there a motion to amend the minutes?
2 COMMISSIONER COLGAN: So moved.
3 CHAIRMAN SCOTT: Moved by Commissioner
4 Colgan.
5 Second?
6 COMMISSIONER MCCABE: Second.
7 CHAIRMAN SCOTT: Second by Commissioner
8 McCabe.
9 All in favor, say aye.
10 (Chorus of ayes.)
11 CHAIRMAN SCOTT: Any opposed?
12 (No response.)
13 CHAIRMAN SCOTT: The vote is five to
14 nothing, and the amendments are adopted.
15 Is there now a motion to approve the minutes
16 as amended?
17 COMMISSIONER MAYE: So moved.
18 CHAIRMAN SCOTT: Moved by Commissioner Maye.
19 Second?
20 COMMISSIONER COLGAN: Second.
21 CHAIRMAN SCOTT: By Commissioner Colgan.
22 All in favor, say aye.
23 (Chorus of ayes.)
24 CHAIRMAN SCOTT: Any opposed?

1 (No response.)

2 CHAIRMAN SCOTT: The vote is five to
3 nothing, and the minutes from our March 5th Bench
4 Session, as amended, are approved.

5 Item RR-1 is Docket Number T12-0137. This
6 is IDOT's Petition for Authorization to relocate an
7 at-grade crossing and to interconnect warning devices
8 and traffic signals at a new location in Kane County.
9 ALJ Duggan recommends entry of an Order granting the
10 requested relief.

11 Is there any discussion?

12 (No response.)

13 CHAIRMAN SCOTT: Is there a motion to enter
14 the Order?

15 COMMISSIONER COLGAN: So moved.

16 CHAIRMAN SCOTT: Moved by Commissioner
17 Colgan.

18 Second?

19 COMMISSIONER MCCABE: Second.

20 CHAIRMAN SCOTT: Second by Commissioner
21 McCabe.

22 Any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: All in favor, say aye.

1 (Chorus of ayes.)

2 CHAIRMAN SCOTT: Any opposed?

3 (No response.)

4 CHAIRMAN SCOTT: The vote is five to
5 nothing, and the Order is entered. We will use this
6 five to nothing vote for the remainder of today's
7 Transportation Agenda unless otherwise noted.

8 Item RR-2 is Docket Number T13-0051. This
9 is West Cook Railroad Relocation and Development
10 Authority's Petition for Authorization and Funding to
11 construct a safety improvement project at a highway
12 rail-grade crossing in Cook County. ALJ
13 Kirkland-Montague recommends entry of an Order
14 granting the requested relief.

15 Is there any discussion?

16 (No response.)

17 CHAIRMAN SCOTT: Any objections?

18 (No response.)

19 CHAIRMAN SCOTT: Hearing none, the Order is
20 entered.

21 Items RR-3 through RR-7 can be taken
22 together. These items are Stipulated Agreements
23 seeking authorization for safety improvement projects
24 at highway-rail grade crossings across Illinois. In

1 each case, our Transportation Staff recommends entry
2 of an Order granting the requested relief.

3 Is there any discussion?

4 (No response.)

5 CHAIRMAN SCOTT: Any objections?

6 (No response.)

7 CHAIRMAN SCOTT: Hearing none, the Orders
8 are entered.

9 Item RR-8 is Docket Number T11-0007. This
10 is the CSX, Union Pacific Railroad, Mount Township
11 and IDOT's Stipulated Agreement seeking authorization
12 to construct a safety improvement project at a
13 highway-rail grade crossing in Effingham County.
14 Petitioners have requested additional funding to
15 complete the project and ALJ Kirkland-Montague
16 recommends entry of a Fifth Supplemental Order
17 granting the requested relief.

18 Is there any discussion?

19 (No response.)

20 CHAIRMAN SCOTT: Any objections?

21 (No response.)

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

24 On to Motor Carriers, Items MC-1 through

1 MC-3 can be taken together. These items are
2 Stipulated Settlement Agreements concerning alleged
3 violations of the Illinois Commercial Transportation
4 Law. In each case, our Transportation counsel
5 recommends entry of an Order accepting the Settlement
6 Agreement.

7 Is there any discussion?

8 (No response.)

9 CHAIRMAN SCOTT: Any objections?

10 (No response.)

11 CHAIRMAN SCOTT: Hearing none, the Orders
12 are entered.

13 Item MC-4 is Armor Recovery Solution's
14 Application for a Commercial Relocator's License
15 under the Illinois Commercial Relocation of
16 Trespassing Vehicles Law. ALJ Duggan recommends
17 entry of an Order granting the requested license.

18 Is there any discussion?

19 (No response.)

20 CHAIRMAN SCOTT: Any objections?

21 (No response.)

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

24 Items MC-5 and MC-6 can be taken together.

1 These items are Applications for a Dispatcher's
2 Employment Permit pursuant to the Illinois Commercial
3 Relocation of Trespassing Vehicles Law. In this
4 case, ALJ Kirkland-Montague -- in both cases,
5 actually, ALJ Kirkland-Montague recommends entry of
6 an Order granting the requested permit.

7 Is there any discussion?

8 (No response.)

9 CHAIRMAN SCOTT: Any objections?

10 (No response.)

11 CHAIRMAN SCOTT: Hearing none, the Orders
12 are entered.

13 On to Collateral Recovery. Item CR-1 is
14 Shawn Allen Bradley-Shimizu's Application for a Class
15 "E" Recovery Permit pursuant to Section 45 of the
16 Collateral Recovery Act. ALJ Duggan recommends entry
17 of an Order denying the requested permit because the
18 applicant is still on probation.

19 Is there any discussion?

20 COMMISSIONER MAYE: Yes, Chairman Scott.

21 CHAIRMAN SCOTT: Yes. Commissioner Maye.

22 COMMISSIONER MAYE: Can I ask Judge Duggan a
23 couple of questions, please?

24 CHAIRMAN SCOTT: Sure.

1 COMMISSIONER MAYE: And my apologies. I
2 just have a couple of questions. I did not let you
3 know in advance.

4 I am just curious to know if -- this Order
5 came before us a couple of months ago. In the Order,
6 we decided to deny the permit because he had not
7 exhausted his probationary period. He has reapplied
8 and has still not exhausted his period.

9 So I was just curious to know, when you give
10 notice that the Commission denied the permit, do you
11 let them know the reasons why? I am curious to know
12 why he applied again while he still has not exhausted
13 the probationary period.

14 JUDGE DUGGAN: You have a very good memory
15 that he's been before the Commission before. But
16 that was a -- this is a Collateral Recovery Act
17 Permit, and the one previously denied was the
18 Relocator Permit. And the reason, as I noted in the
19 memo, I think, was that because you denied that one,
20 I figured there's no point in doing anything other
21 than recommending denial on this one for the same
22 reason.

23 So --

24 COMMISSIONER MAYE: I do agree with --

1 JUDGE DUGGAN: Go ahead.

2 COMMISSIONER MAYE: I apologize. Go ahead.

3 JUDGE DUGGAN: It's just a completely
4 different case.

5 COMMISSIONER MAYE: Okay. And I do agree
6 with your outcome. I just was curious to know, as an
7 Applicant, why he would come back knowing that we
8 denied the first one.

9 I was wondering if that information -- did
10 he know that we denied it because he's not exhausted
11 his probation? Is that information given to him?

12 JUDGE DUGGAN: Well, I mean, as I say,
13 there's two distinctions. Number one, the one we
14 previously denied was under the Relocator Act for a
15 Relocator license. This is a completely different
16 license he applied for under the Collateral Recovery
17 Act. So he made applications for two different
18 licenses or two different Acts.

19 Number two, I don't know this. He certainly
20 -- both licenses were -- or both applications were
21 pending before anyone was denied. So he wouldn't
22 have applied after the previous denial.

23 COMMISSIONER MAYE: Okay. Got you. Thank
24 you.

1 JUDGE DUGGAN: Okay. Sure.

2 CHAIRMAN SCOTT: Thank you, Judge.

3 Any further discussion?

4 (No response.)

5 CHAIRMAN SCOTT: Any objections?

6 (No response.)

7 CHAIRMAN SCOTT: Hearing none, the Order is
8 entered.

9 We have one administrative item for
10 consideration today. Item AM-1 concerns the City of
11 Urbana, the City of Champaign, and the County of
12 Champaign's Joint Petition seeking authorization to
13 construct a highway bridge in Champaign County.
14 Intervenor Preserve Olympian Farmland has filed a
15 Request for Rehearing and a Motion for Stay of the
16 Commission's February 20, 2014 decision. ALJ Duggan
17 recommends entry of an Order denying the Application
18 for Rehearing and the Motion for Stay.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: Are there any objections?

22 (No response.)

23 CHAIRMAN SCOTT: Hearing none, the request
24 for rehearing and the Motion for Stay are both

1 denied.

2 Mr. Matrisch, is there any further
3 Transportation business to come before the
4 Commission?

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

6 CHAIRMAN SCOTT: Thank you.

7 So hearing none, that concludes today's
8 Transportation Agenda.

9 TRANSPORTATION AGENDA CONCLUDED.

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CERTIFICATE OF REPORTER

I, Angela C. Turner, a Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that the Bench Session aforementioned was held on the time and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

Angela C. Turner
IL CSR #084-004122