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BEFORE THE
ILLINOIS COMMERCE COMMISSION
BENCH SESSION
(TRANSPORTATION)
Chicago, Illinois
Wednesday, April 3, 2013

Met, pursuant to notice, at 10:30 a.m.
in the Videoconference Room, 160 North LaSalle
Street, Chicago, Illinois.

- PRESENT:
- MR. DOUGLAS P. SCOTT, Chairman
 - MR. JOHN T. COLGAN, Commissioner (by videoconference)
 - MS. ANN McCABE, Commissioner (by phone)
 - MR. MIGUEL del VALLE, Acting Commissioner
 - MS. SHERINA E. MAYE, Acting Commissioner
- L.A. COURT REPORTERS by
Kari Wiedenhaupt, Reporter
- CSR# 084-004725

1 CHAIRMAN SCOTT: Is everything ready in
2 Springfield?

3 COMMISSIONER COLGAN: I believe we are ready to
4 go.

5 CHAIRMAN SCOTT: Thanks. Very good. Pursuant
6 to the provisions of the Open Meetings Act, I now
7 convene a regularly scheduled Bench Session of the
8 Illinois Commerce Commission. With me in Chicago are
9 Acting Commissioner del Valle and Acting Commissioner
10 Maye. With us in Springfield is Commissioner Colgan.
11 I am Chairman Scott. We have a quorum.

12 We should also have Commissioner
13 McCabe available on the phone. Are you there,
14 Commissioner?

15 COMMISSIONER MCCABE: Yes, I am.

16 CHAIRMAN SCOTT: Very good. Under the
17 Commission's rules we will have to vote to allow
18 Commissioner McCabe to participate by phone.

19 I move to allow Commissioner McCabe's
20 participation by phone. Is there a second?

21 ACTING COMMISSIONER DEL VALLE: Second.

22 CHAIRMAN SCOTT: It's been moved and seconded.

1 All in favor, say aye.

2 (Chorus of ayes.)

3 CHAIRMAN SCOTT: Any opposed?

4 (No response.)

5 CHAIRMAN SCOTT: The vote is four to nothing
6 and Commissioner McCabe may participate in today's
7 meeting by phone.

8 Before moving into the agenda,
9 according to Section 1700.10 of Title 2 of the
10 Administrative Code, this is the time we allow
11 members of the public to address the Commission.
12 Members of the public wishing to address the
13 Commission must notify the Chief Clerk's office at
14 least 24 hours prior to Commission meetings.
15 According to the Chief Clerk's office, we have no
16 requests to speak at today's Bench Session.

17 Moving now to the Transportation
18 agenda, we'll begin with the approval of minutes from
19 our March 20th Bench Session.

20 Is there a motion to approve the
21 minutes?

22 ACTING COMMISSIONER MAYE: So moved.

1 CHAIRMAN SCOTT: Is there a second?

2 ACTING COMMISSIONER DEL VALLE: Second.

3 CHAIRMAN SCOTT: It's been moved and seconded.

4 All in favor, say aye.

5 (Chorus of ayes.)

6 CHAIRMAN SCOTT: Any opposed?

7 (No response.)

8 CHAIRMAN SCOTT: The vote is five to nothing,
9 and the minutes to our March 20th Bench Session are
10 approved.

11 Now on to the Railroad portion of
12 today's agenda. Items RR-1 through RR-5 can be taken
13 together. These items concern petitions filed by the
14 Illinois Department of Transportation seeking eminent
15 domain authority in connection with a project to
16 relocate portions of Illinois Route 3 in St. Clair
17 County. In each case, ALJ Duggan recommends entry of
18 an Order authorizing eminent domain authority.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: Is there a motion to enter the
22 Orders?

1 entered.

2 Item RR-7 is Docket No. T12-0044.

3 This is a stipulated agreement for public safety
4 improvements at a highway-rail grade crossing in
5 Massac County. Staff recommends entry of a
6 Supplemental Order granting additional time to
7 complete the project.

8 Is there any discussion?

9 (No response.)

10 CHAIRMAN SCOTT: Any objections?

11 (No response.)

12 CHAIRMAN SCOTT: Hearing none, the Supplemental
13 Order is entered.

14 On to Motor Carriers. Items MC-1
15 through MC-5 can be taken together. These items are
16 stipulated settlement agreements for alleged
17 violations of the Illinois Commercial Transportation
18 Law. In each case, our Transportation counsel
19 recommends entry of an Order accepting the settlement
20 agreement.

21 Is there any discussion?

22

1 (No response.)

2 CHAIRMAN SCOTT: Any objections?

3 (No response.)

4 CHAIRMAN SCOTT: Hearing none, the Orders are
5 entered.

6 Item MC-6 is AB&C Moving and Delivery,
7 LLC's application for a common carrier certificate of
8 public convenience and necessity to transport
9 household goods. ALJ Duggan recommends entry of an
10 Order approving the application.

11 Is there any discussion?

12 (No response.)

13 CHAIRMAN SCOTT: Any objections?

14 (No response.)

15 CHAIRMAN SCOTT: Hearing none, the Order is
16 entered.

17 Item MC-7 is E&R Towing & Garage,
18 Inc.'s application for a renewal of its commercial
19 relocation towing license. Staff recommends entry of
20 an Order granting the application for renewal.

21 Is there any discussion?

22

1 (No response.)

2 CHAIRMAN SCOTT: Any objections?

3 (No response.)

4 CHAIRMAN SCOTT: Hearing none, the Order is
5 entered.

6 Moving now to Collateral Recovery,
7 Item CR-1 is the application of Bernard K. Zigman for
8 a Class E Recovery Permit. This item will be held
9 for disposition at a future Commission proceeding.

10 Item CR-2 is Anthony Perry's
11 application for a Class E Recovery Permit under the
12 Collateral Recovery Act. ALJ Kirkland-Montaque
13 recommends entry of an Order granting the permit.

14 Is there any discussion?

15 (No response.)

16 CHAIRMAN SCOTT: Any objections?

17 (No response.)

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

20 Mr. Matrisch, is there any further
21 Transportation business to come before the Commission
22 today?

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

2 CHAIRMAN SCOTT: Thank you, sir. Hearing none,
3 that concludes today's Transportation agenda.

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