



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

PROCEEDINGS

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 us in Chicago are Commissioner Colgan, Commissioner McCabe, Commissioner del Valle, and Commissioner Maye. In Springfield, I'm 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 the 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 April 2nd Bench Session. I understand amendments have been forwarded. Is there a motion to amend the minutes?

1 COMMISSIONER MAYE: So moved.

2 CHAIRMAN SCOTT: Is there a second?

3 COMMISSIONER COLGAN: Second.

4 CHAIRMAN SCOTT: Moved by  
5 Commissioner Maye. Second by Commissioner  
6 Colgan.

7 All in favor say "Aye."

8 ("Ayes" heard.)

9 CHAIRMAN SCOTT: Any opposed?

10 (No response.)

11 CHAIRMAN SCOTT: The vote is 5-0, and  
12 the amendments are adopted.

13 Is there now a motion to approve the  
14 minutes as amended?

15 COMMISSIONER MCCABE: So moved.

16 CHAIRMAN SCOTT: Is there a second?

17 COMMISSIONER MAYE: Second.

18 CHAIRMAN SCOTT: Moved by  
19 Commissioner McCabe. Second by Commissioner  
20 Maye.

21 All in favor say "Aye."

22 ("Ayes" heard.)

23 CHAIRMAN SCOTT: Any opposed?

24 (No response.)

1                   CHAIRMAN SCOTT: The vote is 5-0, and  
2 the minutes from our April 2nd Bench Session as  
3 amended are approved.

4                   Next we have the approval of minutes  
5 from our April 16th Bench Session. I understand  
6 amendments have been forwarded. Is there a  
7 motion to amend the minutes?

8                   COMMISSIONER COLGAN: So moved.

9                   CHAIRMAN SCOTT: Is there a second?

10                  COMMISSIONER MCCABE: Second.

11                  CHAIRMAN SCOTT: Moved by  
12 Commissioner Colgan. Second by Commissioner  
13 McCabe.

14                  All in favor say "Aye."

15                  ("Ayes" heard.)

16                  CHAIRMAN SCOTT: Any opposed?

17                  (No response.)

18                  CHAIRMAN SCOTT: Vote is 5-0, and the  
19 amendments are adopted.

20                  Is there now a motion to approve the  
21 minutes as amended?

22                  COMMISSIONER MAYE: So moved.

23                  CHAIRMAN SCOTT: Is there a second?

24                  COMMISSIONER DEL VALLE: Second.

1 CHAIRMAN SCOTT: Moved by  
2 Commissioner Maye. Second by Commissioner del  
3 Valle.  
4 All in favor say "Aye."  
5 ("Ayes" heard.)  
6 CHAIRMAN SCOTT: Any opposed?  
7 (No response.)  
8 CHAIRMAN SCOTT: The vote is 5-0, and  
9 the minutes from our April 16th Bench Session as  
10 amended are approved.  
11 Item RR-1 is Docket No. T14-0010.  
12 This is the City of McHenry's petition for  
13 authorization to construct and maintain an  
14 at-grade pedestrian crossing at McCullom Lake  
15 Road in McHenry County. ALJ Duggan recommends  
16 entry of an Order granting the requested relief.  
17 Is there any discussion?  
18 (No response.)  
19 CHAIRMAN SCOTT: Is there a motion to  
20 enter the Order?  
21 COMMISSIONER COLGAN: So moved.  
22 CHAIRMAN SCOTT: Is there a second?  
23 COMMISSIONER MCCABE: Second.  
24 CHAIRMAN SCOTT: Moved by

1 Commissioner Colgan. Second by Commissioner  
2 McCabe.

3 All in favor say "Aye."

4 ("Ayes" heard.)

5 CHAIRMAN SCOTT: Any opposed?

6 (No response.)

7 CHAIRMAN SCOTT: Vote is 5-0, and the  
8 Order is entered.

9 We will use this 5-0 vote for the  
10 remainder of today's Transportation agenda unless  
11 otherwise noted.

12 Items RR-2 through RR-4 can be taken  
13 together. These items are stipulated agreements  
14 seeking authorization for safety improvement  
15 projects at highway-rail grade crossings across  
16 Illinois. In each case our Transportation  
17 counsel recommends entry of an Order granting the  
18 requested relief.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: Any objections?

22 (No response.)

23 CHAIRMAN SCOTT: Hearing none, the  
24 Orders are entered.

1                   Items RR-5 and RR-6 can be taken  
2 together. These items are petitions for  
3 authorization to install at-grade pedestrian  
4 crosswalks and other stated or requested relief  
5 in Logan County. In both cases, ALJ Duggan  
6 recommends entry of an Order granting the  
7 requested relief. These items will be held for  
8 disposition at a future Commission proceeding.

9                   Item RR-7 is Docket No. T11-0097.  
10 This is the City of Danville's petition for  
11 authorization to install an at-grade pedestrian  
12 crosswalk with Union Pacific Railroad Company  
13 tracks in Logan County. Petitioner has requested  
14 additional time to complete the project, and ALJ  
15 Duggan recommends entry of a Supplemental Order  
16 granting the requested relief.

17                   Is there any discussion?

18                   (No response.)

19                   CHAIRMAN SCOTT: Any objections?

20                   (No response.)

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

23                   Item RR-8 is Docket No. T08-0010.

24 This is Springfield Township, Sangamon County's

1 petition directing the installation of  
2 at-grade -- of grade crossing protection devices  
3 at Midland and Illinois Railroad grade crossing  
4 in Sangamon County. Petitioner has filed a  
5 motion to withdraw its petition which ALJ Duggan  
6 recommends we grant.

7 Is there any discussion?

8 (No response.)

9 CHAIRMAN SCOTT: Any objections?

10 (No response.)

11 CHAIRMAN SCOTT: Hearing none, the  
12 motion is granted and the petition is withdrawn.

13 On to Motor Carriers, Item MC-1 is  
14 our stipulated settlement agreement concerning  
15 Toto Trucking Incorporated's alleged violations  
16 of the Illinois Commercial Transportation Law.  
17 Our Transportation counsel recommends entry of an  
18 Order accepting the settlement agreement.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: Any objections?

22 (No response.)

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



1                   Item MC-2 is JL Movers Corporation's  
2 application for a Certificate of Public  
3 Convenience and Necessity under the provisions of  
4 the Illinois Commercial Transportation Law. ALJ  
5 Kirkland-Montaque recommends entry of an Order  
6 granting the application.

7                   Is there any discussion?

8                   (No response.)

9                   CHAIRMAN SCOTT: Any objections?

10                  (No response.)

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

13                  Item MC-3 is Mahmoud Naji's  
14 application for an Operator Employment Permit  
15 under the provisions of the Illinois Commercial  
16 Transportation Law. ALJ Kirkland-Montaque  
17 recommends entry of an Order granting the  
18 requested permit.

19                  Is there any discussion?

20                  (No response.)

21                  CHAIRMAN SCOTT: Any objections?

22                  (No response.)

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

1                   Item MC-4 is Elvis Clayton Morse's  
2                   application for a Class "E" Recovery Permit  
3                   pursuant to Section 45 of the Collateral Recovery  
4                   Act. ALJ Duggan recommends entry of an Order  
5                   denying the requested permit.

6                   Is there any discussion?

7                                   (No response.)

8                   CHAIRMAN SCOTT: Any objections to  
9                   denial?

10                                   (No response.)

11                   CHAIRMAN SCOTT: Hearing none, the  
12                   Order is entered and the permit is denied.

13                   Mr. Matrisch, is there any further  
14                   Transportation business to come before the  
15                   Commission today?

16                   MR. MATRISCH: No, Chairman. Thank  
17                   you.

18                   CHAIRMAN SCOTT: Thank you, sir.

19                   Hearing none, that concludes today's  
20                   Transportation agenda.

21

22

23

24

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

CERTIFICATE OF REPORTER

STATE OF ILLINOIS        )  
                                  ) ss.  
COUNTY OF SANGAMON     )

I, ROBIN A. ENSTROM, a Registered Professional Reporter and Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that the foregoing proceedings were taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

---

ROBIN A. ENSTROM  
Illinois CSR No. 084-002046