

1 BEFORE THE
2 ILLINOIS COMMERCE COMMISSION

3 TRANSPORTATION REGULAR OPEN MEETING AGENDA
4

5 Chicago, Illinois
6 Wednesday, June 2, 2010
7

8 Met, pursuant to notice, at 10:30 a.m. in
9 the Main Hearing Room, Eighth Floor, 160 North
10 LaSalle Street, Chicago, Illinois.
11

12 PRESENT:

13 MANUEL FLORES, Acting Chairman

14 LULA M. FORD, Commissioner

15 ERIN M. O'CONNELL-DIAZ, Commissioner

16 SHERMAN J. ELLIOTT, Commissioner via teleconference

17 JOHN T. COLGAN, Acting Commissioner
18
19
20

21 SULLIVAN REPORTING COMPANY, by
22 Alisa A. Sawka, CSR
 License No. 084-004588

1 CHAIRMAN FLORES: Starting with today's
2 Transportation Agenda, we have a few sets of minutes
3 to approve. Up first are minutes from April 7th's
4 transportation bench hearing. And I understand
5 amendments have been circulated.

6 Is there a motion to approve the
7 amendments --

8 COMMISSIONER COLGAN: So moved.

9 CHAIRMAN FLORES: -- to the April 7th
10 transportation minutes?

11 COMMISSIONER COLGAN: So moved.

12 CHAIRMAN FLORES: Is there a second?

13 COMMISSIONER FORD: Second.

14 CHAIRMAN FLORES: It's been moved and seconded.

15 All in favor, say "aye."

16 (Chorus of ayes.)

17 CHAIRMAN FLORES: All opposed?

18 (No response.)

19 CHAIRMAN FLORES: The vote is 5-0 and the
20 amendments are accepted.

21 Is there a motion to approve the
22 April 7th transportation minutes, as amended?

1 COMMISSIONER COLGAN: So moved.

2 CHAIRMAN FLORES: I will second it.

3 It's been moved and seconded.

4 All in favor, say "aye."

5 (Chorus of ayes.)

6 CHAIRMAN FLORES: All opposed?

7 (No response.)

8 CHAIRMAN FLORES: The vote is 5-0 and the
9 April 7th minutes, as amended, are approved.

10 Up next we have minutes from the
11 April 21st meeting. I understand amendments have
12 been circulated.

13 Is there a motion to approve the
14 amendments to the April 21st transportation minutes?

15 COMMISSIONER FORD: So moved.

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 (Chorus of ayes.)

21 CHAIRMAN FLORES: All opposed?

22 (No response.)

1 CHAIRMAN FLORES: The vote is 5-0 and the
2 amendments are accepted.

3 Is there a motion to approve the
4 April 21st transportation minutes, as amended?

5 COMMISSIONER FORD: So moved.

6 CHAIRMAN FLORES: Is there a second?

7 COMMISSIONER COLGAN: Second.

8 CHAIRMAN FLORES: It's been moved and seconded.

9 All in favor, say "aye."

10 (Chorus of ayes.)

11 CHAIRMAN FLORES: All opposed?

12 (No response.)

13 CHAIRMAN FLORES: The vote is 5-0 and the April
14 21st minutes, as amended, are approved.

15 And, lastly, we have minutes from
16 May 5th's transportation bench hearing. I understand
17 amendments have been circulated.

18 Is there a motion to approve the
19 amendments to the May 5th transportation minutes?

20 COMMISSIONER FORD: So moved.

21 CHAIRMAN FLORES: I'll second it.

22 It's been moved and seconded.

1 All in favor, say "aye."

2 (Chorus of ayes.)

3 CHAIRMAN FLORES: All opposed?

4 (No response.)

5 CHAIRMAN FLORES: The vote is 5-0 and the
6 amendments are accepted.

7 Is there a motion to approve the
8 May 5th transportation minutes, as amended?

9 COMMISSIONER COLGAN: So moved.

10 CHAIRMAN FLORES: I will second it.

11 It's been moved and seconded.

12 All in favor, say "aye."

13 (Chorus of ayes.)

14 CHAIRMAN FLORES: All opposed?

15 (No response.)

16 CHAIRMAN FLORES: The vote is 5-0 and the
17 May 5th minutes are amended -- as amended, are
18 approved.

19 Starting first with the Railroad
20 portion of today agenda. Items Railroad 1 through
21 Railroad 29 are items that can all be taken together.
22 These are stipulated agreements for safety

1 improvements to railroad crossings in a number of
2 cities and towns across Illinois. In each case Staff
3 recommends entering the Orders approving the
4 stipulated agreements.

5 Is there a motion to enter the orders?

6 COMMISSIONER O'CONNELL-DIAZ: So moved.

7 CHAIRMAN FLORES: Is there a second?

8 COMMISSIONER FORD: Second.

9 CHAIRMAN FLORES: It's been moved and seconded.

10 All in favor, say "aye."

11 (Chorus of ayes.)

12 CHAIRMAN FLORES: Any opposed?

13 (Chorus of ayes.)

14 CHAIRMAN FLORES: The vote is 5-0. The Orders
15 are entered and the stipulated agreements are
16 approved. We will use this 5-0 vote for the
17 remainder of the transportation agenda unless
18 otherwise noted.

19 Item RR-30 is T10-0017, a petition by
20 the City of Chicago seeking an Order authorizing
21 funding to make vertical clearance improvements
22 around 79th Street. Administrative Law Judge

1 Kirkland-Montague recommends entry of an Order
2 approving the petition.

3 Is there any discussion?

4 (No response.)

5 CHAIRMAN FLORES: Any objections?

6 (No response.)

7 CHAIRMAN FLORES: Hearing none, the Order is
8 entered and the petition is approved.

9 RR-31 is 10 -- excuse me. Item RR-31
10 T10-0041, a petition by the City of Rockford seeking
11 an order from the Illinois Commerce Commission
12 regarding the removal and replacement of a grade
13 separated structure. Administrative Law Judge
14 Kirkland-Montague recommends entering an Order
15 authorizing the removal and replacement.

16 Is there any discussion?

17 (No response.)

18 CHAIRMAN FLORES: Any objections?

19 (No response.)

20 CHAIRMAN FLORES: Hearing none, the Order is
21 entered and the removal and replacement is
22 authorized.

1 Item RR-32 is T10-0048, a petition by
2 the City of Galesburg for an Order granting authority
3 for an overpass construction. Administrative Law
4 Judge Kirkland-Montague recommends entry of an order
5 approving the petition.

6 Is there any discussion?

7 (No response.)

8 CHAIRMAN FLORES: Any objections?

9 (No response.)

10 CHAIRMAN FLORES: Hearing none, the Order is
11 entered and the improvements are approved.

12 Items RR-33 through RR-35 can be taken
13 together. These items are stipulated agreements for
14 safety improvements to railroad crossings in a number
15 of cities and towns across Illinois. In each case,
16 Staff recommends entering Supplemental Orders
17 approving the stipulated agreements.

18 Is there any discussion?

19 (No response.)

20 CHAIRMAN FLORES: Any objections?

21 (No response.)

22 CHAIRMAN FLORES: Hearing none, the Orders are

1 entered and the stipulated agreements are approved.

2 Item RR-36 is Docket No. T10-0037.

3 This concerns a petition for an Illinois Commerce
4 Commission Order authorizing the construction of a
5 pedestrian underpass in Wheaton and making
6 appropriate cost allocations. There's been a
7 Petition For Interlocutory Review for the denial of a
8 Petition to Intervene. And Administrative Law Judge
9 Kirkland-Montague recommends that we deny the
10 petition.

11 Is there any discussion?

12 (No response.)

13 CHAIRMAN FLORES: Any objections?

14 (No response.)

15 CHAIRMAN FLORES: Hearing none, the Petition
16 for Interlocutory Review is denied.

17 We are now moving to the Motor
18 Carriers portion of today's agenda.

19 Items MC-1 through MC-3 can be taken
20 together. These items concern stipulated settlement
21 agreements concerning alleged violations of the
22 Illinois Commercial Transportation Law. In each

1 instance, Staff recommends entering an Order
2 accepting the stipulated settlement agreement.

3 Is there any discussion?

4 (No response.)

5 CHAIRMAN FLORES: Any objections?

6 (No response.)

7 CHAIRMAN FLORES: Hearing none, the Orders are
8 entered and the settlement agreements are approved.

9 Items MC-4 and MC-5 can be taken
10 together. These items concerns SMU Towing and Kelly
11 Trick Center's Applications for renewal of their
12 Commercial Relocation Towing License pursuant to the
13 provisions of Section 401 of the Illinois Commercial
14 Relocation of Trespassing Vehicles Laws -- excuse
15 me -- Law. In both instances, Staff recommends
16 granting the renewal.

17 Is there any discussion?

18 (No response.)

19 CHAIRMAN FLORES: Any objections?

20 (No response.)

21 CHAIRMAN FLORES: Hearing none, the renewals
22 are granted.

1 So is there any discussion on MC-4 and
2 MC-5?

3 (No response.)

4 CHAIRMAN FLORES: Any objections?

5 (No response.)

6 CHAIRMAN FLORES: Hearing none, the renewals
7 are granted.

8 Mr. Matrisch, is there any further
9 business to come before the Commission today?

10 MR. MATRISCH: Nothing further, Chairman.
11 Thank you.

12 CHAIRMAN FLORES: Hold on a second. I just
13 want to make some comments before we end this portion
14 of today's agenda.

15 I had an opportunity to visit our
16 Des Plaines facility, the Illinois Commerce
17 Commission Police Department, and I just wanted to
18 commend our officers for their outstanding work. As
19 you know, they deal with a variety of transportation
20 issues and they work throughout the entire State of
21 Illinois. And I was very impressed with the
22 operations and took a lot away from that meeting.

1 I also want to commend, again, all of
2 your team, both in the Railroad and also the other --
3 the Motor Carrier Division of the ICC for your good
4 work. So...

5 MR. MATRISCH: Thank you very much, Chairman.

6 CHAIRMAN FLORES: Thank you. Keep up the good
7 work.

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