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BEFORE THE  
ILLINOIS COMMERCE COMMISSION

TRANSPORTATION BENCH SESSION

Chicago, Illinois  
June 6, 2012

Met, pursuant to notice, at 10:30 a.m.

BEFORE:

MR. DOUGLAS P. SCOTT, Chairman (telephonically)

MS. LULA M. FORD, Commissioner

MS. ERIN M. O'CONNELL-DIAZ, Commissioner

MS. ANN McCABE, Commissioner

MR. JOHN T. COLGAN, Commissioner  
(via videoconference)

SULLIVAN REPORTING COMPANY, by  
Auhdikiam Carney, CSR  
License No. 084-004658

1           COMMISSIONER FORD: Pursuant to the Provisions  
2 of the Illinois Open Meetings Act, I now convene a  
3 regularly scheduled Bench Session of the Illinois  
4 Commerce Commission. With me in Chicago are  
5 Commissioners O'Connell-Diaz and McCabe. With us in  
6 Springfield is Commissioner Colgan. I am  
7 Commissioner Ford.

8                       We have a quorum.

9                       Chairman Scott is available to  
10 participate by telephone today. Per Commission  
11 rules, we must vote to allow Chairman Scott to  
12 participate by phone.

13                      I will make a motion to allow Chairman  
14 Scott to participate by phone.

15                      Is there a second?

16                      COMMISSIONER O'CONNELL-DIAZ: Second.

17                      COMMISSIONER FORD: It's been moved and  
18 seconded.

19                      All in favor say "aye."

20                      (Chorus of ayes.)

21                      Any opposed?

22                      (No response.)

1                   The vote is 4-0 and we will allow  
2 Chairman Scott to participate by phone in today's  
3 Bench Session.

4                   Chairman Scott, are you there?

5                   CHAIRMAN SCOTT: I'm here. Thank you,  
6 Commissioner.

7                   COMMISSIONER FORD:

8                   Starting with today's Transportation  
9 Agenda, we have minutes to approve for the May 2nd,  
10 2012 Bench Session. I understand that amendments  
11 have been forwarded.

12                   Is there a motion to amend the  
13 minutes?

14                   COMMISSIONER O'CONNELL-DIAZ: So moved.

15                   COMMISSIONER FORD: Is there a second?

16                   COMMISSIONER McCABE: Second.

17                   COMMISSIONER FORD: It's been moved and  
18 seconded.

19                   All in favor say "aye."

20                   (Chorus of ayes.)

21                   Any opposed?

22                   (No response.)

1                   The vote is 5-0 to amend the minutes.

2                   Is there a motion to approve the  
3 minutes as amended?

4                   COMMISSIONER McCABE:   So moved.

5                   Is there a second?

6                   COMMISSIONER O'CONNELL-DIAZ:   Second.

7                   COMMISSIONER FORD:   It's been moved and  
8 seconded.

9                   All in favor say "aye."

10                   (Chorus of ayes.)

11                   Any opposed?

12                   (No response.)

13                   The vote is 5-0 approving the amended  
14 minutes.

15                   Starting with the Railroad Agenda,  
16 Item RR-1 is Docket No. T11-0132. This is a petition  
17 by the City of O'Fallon, Illinois requesting  
18 authorization to construct a new grade separation  
19 structure and to close permanently on an at-grade  
20 crossing. ALJ Duggan recommends entry of an Order  
21 granting the petition in accordance with the plans  
22 submitted as exhibits.

1                   Is there a motion to enter the Order?

2                   COMMISSIONER O'CONNELL-DIAZ:    So moved.

3                   COMMISSIONER FORD:    Is there a second?

4                   COMMISSIONER McCABE:   Second.

5                   COMMISSIONER FORD:    It's been moved and  
6   seconded.

7                   All in favor say "aye."

8                   (Chorus of ayes.)

9                   Any opposed?

10                  (No response.)

11                  The vote is 5-0 and the Order is  
12   entered.   We will use this 5-0 vote for the remainder  
13   of the Transportation Agenda unless otherwise noted.

14                  Item RR-2 is Docket No. T12-0068.

15   This is a petition by the Union Pacific Railroad  
16   Company seeking approval to install an incremental  
17   train control system and other safety improvements  
18   for the designated 110 mile per hour demonstration  
19   segment at 14 continuous highway-railroad grade  
20   crossings of the Union Pacific Railroad's Joliet  
21   subdivision tracks between Dwight and Pontiac in  
22   Livingston County, Illinois.   Chief ALJ

1 Kirkland-Montaque recommends entering an Order  
2 granting the petition.

3 Is there any discussion?

4 (No response.)

5 Any objections?

6 (No response.)

7 Hearing none, the Order is entered.

8 Items RR-3 through RR-15 may be taken  
9 together. These are Stipulated Agreements for safety  
10 improvements to railroad crossings. Staff recommends  
11 entering the Order approving the Stipulated  
12 Agreements.

13 Is there any discussion?

14 (No response.)

15 Any objections?

16 (No response.)

17 Hearing none, the Orders are entered.

18 Items RR-16 through RR-22 can be taken  
19 together. These are Supplemental Orders to  
20 Stipulated Agreements to safety improvements to  
21 railroad crossings. Chief ALJ Kirkland-Montaque and  
22 Staff recommend entering the Orders approving the

1 Supplemental Orders.

2 Is there any discussion?

3 (No response.)

4 Any objections?

5 (No response.)

6 Hearing none, the Orders are entered.

7 That concludes the Railroad Agenda.

8 Turning to the Motor Carrier portion  
9 of the Transportation Agenda, Items MC-1 and MC-2 may  
10 be taken together. These matters concern Illinois  
11 Commerce Commission motions to issue a citation to  
12 Pier Transportation, Incorporated and  
13 A & M Transportation, Incorporated for operating as  
14 for-hire motor carriers of property within Illinois  
15 without Commission authority. Settlements were  
16 reached between the companies and the Office of  
17 Transportation Counsel, and Staff recommends that an  
18 Order be entered accepting the Stipulated Settlement  
19 Agreements.

20 Is there any discussion?

21 (No response.)

22 Any objections?

1 (No response.)

2 Hearing none, the Orders are entered.

3 Item MC-3 concerns Movers 4 Less

4 Incorporated's application to provide motor carrier

5 services for household goods. ALJ Duggan recommends

6 that an Order be entered approving the application.

7 Is there any discussion?

8 (No response.)

9 Any objections?

10 (No response.)

11 Hearing none, the Order is entered.

12 Item MC-4 is Jeremy Baker's

13 application for a relocation towing operator's

14 permit. Chief ALJ Kirkland-Montague recommends entry

15 of an Order granting the application.

16 Is there any discussion?

17 (No response.)

18 Any objections?

19 (No response.)

20 Hearing none, the Order is entered.

21 Item MC-5 is Rendered Service's

22 application for renewal of a commercial relocation



1 towing license. This item will be held for  
2 disposition at a later Commission proceeding.

3 Item MC-6 is SMJ Towing's application  
4 for renewal of a commercial relocation towing  
5 license. Staff recommends entry of an Order granting  
6 the application.

7 Is there any discussion?

8 (No response.)

9 Any objections?

10 (No response.)

11 Hearing none, the Order is entered.

12 Mr. Matrisch, are there any other  
13 matters to come before the Commission today?

14 JUDGE WALLACE: He's not here today, but we're  
15 good here. Nothing else.

16 COMMISSIONER FORD: Thank you.

17 That concludes today's Transportation  
18 Agenda.

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