1   BEFORE THE

2   ILLINOIS COMMERCE COMMISSION

3   TRANSPORTATION REGULAR OPEN MEETING

4   Wednesday, June 26, 2019

5   Chicago, Illinois

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7   Met pursuant to notice at 10:30 a.m. at 160

8   North LaSalle Street, Chicago, Illinois.

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10   PRESENT:

11   CARRIE ZALEWSKI, Chairman

12   SADZI M. OLIVA, Commissioner

13   MARIA S. BOCANEGRA, Acting Commissioner

14   D. ETHAN KIMBREL, Commissioner

15   BRIEN J. SHEAHAN, Commissioner (Telephonically)

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 1              CHAIRMAN ZALEWSKI:  Good morning.  I have

 2     10:32.  Under the Open Meetings Act, I would like to

 3     call the June 26, 2019, Regular Open Meeting to

 4     order.

 5                   Are we ready to proceed in

 6     Springfield?

 7              THE CHIEF CLERK:  Yes, we are.

 8              CHAIRMAN ZALEWSKI:  Thank you.

 9     Commissioners Bocanegra, Kimbrel, and Oliva are with

10     me in Chicago.  We have a quorum.

11                   Commissioner Sheahan is seeking to

12     participate by phone.  Commissioner Sheahan, are you

13     with us?

14              COMMISSIONER SHEAHAN:  I am.  Thank you.

15              CHAIRMAN ZALEWSKI:  Are there any

16     objections to allowing Commissioner Sheahan to

17     participate by phone?

18                   (No response.)

19              CHAIRMAN ZALEWSKI:  Hearing none,

20     Commissioner Sheahan is granted permission to

21     participate by phone.

22                   We have no requests to speak filed
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1   with the Commission as required by Commission

2   procedures. However, if there are members who do

3   want to speak, we do have a signup sheet, if there's

4   a last minute request, at the front of the room, and

5   we will have speakers address the Commission at the

6   end after the agenda is completed.

7   We now move on to our transportation

8   agenda.

9   There are no edits to the May 30,

10   2019, and June 12, 2019, Regular Open Meeting

11   Minutes. Are there any objections to approving the

12   Minutes?

13   (No response.)

14   CHAIRMAN ZALEWSKI: Hearing none, the

15   Minutes are approved.

16   Moving on to our railroad items.

17   Items RR-1 through RR-5 concern

18   various public safety projects. Are there any

19   objections to considering these items together and

20   approving the Proposed Orders?

21   (No response.)

22   CHAIRMAN ZALEWSKI: Hearing none, the

1   Orders are approved.

2   Moving on to our motor carrier items.

3   Items MC-1 through MC-3 concern

4   stipulated settlement agreements on alleged

5   violations of the Illinois Commercial Transportation

6   Law.

7   Are there any objections to

8   considering these items together and approving the

9   Proposed Orders?

10   (No response.)

11   CHAIRMAN ZALEWSKI: Hearing none, the

12   Orders are approved.

13   Item MC-4 concerns applications for

14   renewal of a Commercial Relocation Towing License for

15   B & R Towing.

16   Are there any objections to approving

17   the Proposed Order that grants the renewal?

18   (No response.)

19   CHAIRMAN ZALEWSKI: Hearing none, the Order

20   is approved.

21   Item MC-5 concerns Superior Transport

22   & Relocation's Application for a Common Carrier

1   Certificate of Public Convenience and Necessity to

 2   Transport Household Goods.

 3   Are there any objections to approving

 4   the Proposed Order that grants the certificate?

 5   (No response.)

 6   CHAIRMAN ZALEWSKI: Hearing none, the Order

 7   is approved.

 8   Moving on to our collateral recovery

 9   items.

10   Item TR-1 concerns Applications for a

11   Class E Recovery Permit. There are substantive edits

12   to the Order. The Order as edited grants the

13   application, but with a one-year probation period

14   finding that the Applicant's criminal record and

15   failure to pay fines warrants additional oversight

16   due to public safety concerns.

17   I move the proposed edits. Is there

18   a second?

19   COMMISSIONER OLIVA: Second.

20   CHAIRMAN ZALEWSKI: Any discussion?

21   COMMISSIONER BOCANEGRA: Yes, thank you,

22   Chairwoman.

1   I would like to take this opportunity

2   to express my disagreement with the majority on this

3   matter. Having carefully considered the record as a

4   whole, I would vote to deny this Applicant's permit.

5   In so finding, I would rely in part and adopt in part

6   the Staff's recommendation that this Applicant should

7   be denied based upon the nature of his offense and

8   his failure to pay the outstanding fine.

9   First, the prior offense involved a

10   confrontational situation that resulted in a physical

11   altercation and harm to this individual. In my view,

12   this permit involves direct and potentially charged

13   confrontations with individuals similar to the

14   circumstances surrounding this Applicant's prior

15   offense.

16   Second, I would agree with Staff that

17   this permit should be denied based upon the fact that

18   this Applicant has failed to pay any portion of his

19   outstanding restitution associated with this

20   particular offense. This failure to pay in my

21   opinion is a factor to be considered and is a

22   complete disregard for the rule of law.

1   I am concerned this Applicant will

2 exercise the same disregard with respect to the

3 granting of this permit.

4   For those reasons, I would vote to

5 deny the permit. Thank you.

6   CHAIRMAN ZALEWSKI: Thank you.

7   Any other comments?

8   (No response.)

9   CHAIRMAN ZALEWSKI: All in favor of

10 approving the Proposed Edits, say aye.

11   (Chorus of ayes.)

12   CHAIRMAN ZALEWSKI: All opposed, say nay.

13   COMMISSIONER BOCANEGRA: Nay.

14   CHAIRMAN ZALEWSKI: The ayes have it, the

15 edits are approved.

16   I move to approve the Proposed Order

17 as edited. Is there a second?

18   COMMISSIONER OLIVA: Second.

19   CHAIRMAN ZALEWSKI: All those in favor of

20 the Order, say aye.

21   (Chorus of ayes.)

22   CHAIRMAN ZALEWSKI: All opposed, say nay.

1   COMMISSIONER BOCANEGRA: Nay.

2   CHAIRMAN ZALEWSKI: The ayes have it. The

3   Order is approved.

4   Moving on to our administrative

5   matters.

6   Item AM-1, which is Docket Number

7   161368 MC, Sub 5, concerns Pier 60, Inc.'s, Emergency

8   Motion For Rehearing and Reconsideration of a Denial

9   of a Carrier's Application for Permitted Household

10   Goods Authority. This item will be held for a later

11   disposition and a denial of the authority pending the

12   Commission's review.

13   This concludes our transportation

14   agenda.

15   (WHEREUPON, the meeting was

16   adjourned.)

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