

1 BEFORE THE
2 ILLINOIS COMMERCE COMMISSION

3 REGULAR OPEN MEETING
4 (TRANSPORTATION)

5
6 Chicago, Illinois
7 Thursday, July 7, 2011
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10 Met, pursuant to notice, at 10:30 a.m. in
11 the N808, Eighth Floor, 160 North LaSalle Street,
12 Chicago, Illinois.
13

14 PRESENT:

15 DOUGLAS P. SCOTT, Chairman

16 LULA M. FORD, Commissioner

17 ERIN M. O'CONNELL-DIAZ, Commissioner

18 SHERMAN J. ELLIOTT, Commissioner
19 via teleconference

20 JOHN T. COLGAN, Acting Commissioner
21 via teleconference

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

PROCEEDINGS

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CHAIRMAN SCOTT: Pursuant to the provisions of the Illinois Open Meetings Act, I now convene a regularly scheduled Bench Session of the Illinois Commerce Commission. With us in Springfield is Commissioner Elliott and Acting Commissioner Colgan. With me in Chicago are Commissioners Ford and O'Connell-Diaz. I'm Chairman Scott. 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 Bench Session. According to the Chief Clerk's Office, we have no requests to speak at today's session.

We'll start with the Transportation Agenda with the approval of minutes from prior Commission meetings. Up first are the minutes from our May 4th Bench Session.

1 Is there a motion to approve the
2 minutes?

3 COMMISSIONER O'CONNELL-DIAZ: So moved.

4 CHAIRMAN SCOTT: Is there a second?

5 COMMISSIONER FORD: Second.

6 CHAIRMAN SCOTT: It's moved and seconded.

7 All in favor say, aye.

8 (Chorus of ayes.)

9 CHAIRMAN SCOTT: Any opposed?

10 (No response.)

11 CHAIRMAN SCOTT: The vote is 5 to nothing and
12 the May 4th Bench Session Minutes are approved.

13 Up next are minutes from our May 18th
14 Bench Session.

15 Is there a motion to approve the
16 minutes?

17 COMMISSIONER O'CONNELL-DIAZ: So moved.

18 CHAIRMAN SCOTT: Is there a second?

19 COMMISSIONER FORD: Second.

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

21 All in you favor say, aye.

22 (Chorus of ayes.)

1 CHAIRMAN SCOTT: Any opposed?

2 (No response.)

3 CHAIRMAN SCOTT: The vote is 5 to nothing and
4 the May 18th Bench Session Minutes are approved.

5 And last up are minutes from our June
6 2nd Bench Session.

7 Is there a motion to approve the
8 minutes?

9 COMMISSIONER O'CONNELL-DIAZ: So moved.

10 CHAIRMAN SCOTT: Is there a second?

11 COMMISSIONER FORD: Second.

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

13 All in favor say, Aye.

14 (Chorus of ayes.)

15 CHAIRMAN SCOTT: Any opposed?

16 (No response.)

17 CHAIRMAN SCOTT: The vote is 5 to nothing and
18 the June 2nd Bench Session Minutes are approved.

19 Next up the Railroad Section of
20 today's agenda. Items RR-1 and RR-2 "(T11-0087 and
21 T11-0088)" can be taken together. These items concern
22 stipulated agreements regarding public safety

1 improvements at highway rail grade crossings in Coles
2 County and Winnebago County. In each case Staff
3 recommends that the Commission enter an Order
4 approving the stipulated agreement.

5 Is there a motion to enter the Orders?

6 COMMISSIONER O'CONNELL-DIAZ: So moved.

7 CHAIRMAN SCOTT: Is there a second?

8 ACTING COMMISSIONER COLGAN: Second.

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

10 All in favor say, Aye.

11 (Chorus of ayes.)

12 CHAIRMAN SCOTT: Any opposed?

13 (No response.)

14 CHAIRMAN SCOTT: The vote is 5 to nothing and
15 the Orders are entered.

16 We will use this 5 to nothing vote for
17 the remainder of the Transportation Agenda unless
18 otherwise noted.

19 Item RR-3 is Docket No. T10-0138.

20 This item concerns a Petition Seeking Authority for
21 improvements at a railroad crossing in Cook County.

22 ALJ Duggan recommends that the Commission enter an

1 Order authorizing the project.

2 Is there any discussion?

3 (Chorus of ayes.)

4 CHAIRMAN SCOTT: Any objections?

5 (No response.)

6 CHAIRMAN SCOTT: Hearing none, the Order is
7 entered.

8 Items RR-4 through RR-6 "(T10-0088,
9 T09-0058 and T10-0005)" can be taken together. These
10 items concern stipulated agreements regarding public
11 safety improvements at highway rail grade crossings
12 across Illinois. In each case Staff recommends the
13 Commission enter a Supplemental Order granting
14 additional time or funding associated with the
15 project's completion.

16 Is there any discussion?

17 (No response.)

18 CHAIRMAN SCOTT: Any objections?

19 (No response.)

20 CHAIRMAN SCOTT: Hearing none, the Supplemental
21 Orders are entered.

22 Item RR-7 is Docket No. T10-0162.

1 This item concerns an eminent domain petition filed
2 by IDOT. The Commission entered an Order in this
3 matter on April 12th but that Order failed to include
4 a referenced exhibit. ALJ Kirkland-Montague
5 recommends that the Commission enter an amended Order
6 properly attaching that exhibit.

7 Is there any discussion?

8 (No response.)

9 CHAIRMAN SCOTT: Any objections?

10 (No response.)

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

13 On to Motor Carriers. Item MC-1
14 involves a stipulated settlement agreement concerning
15 alleged violations of the Illinois Commercial
16 Transportation Law by AGW Logistics. Our
17 Transportation Counsel recommends entry of an Order
18 accepting the stipulated settlement agreement.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: Any objections?

22 (No response.)

1 CHAIRMAN SCOTT: Hearing none, the Order is
2 entered and the settlement agreement is approved.

3 Items MC-2 and MC-3 can be taken
4 together. These items are applications for household
5 goods property motor carrier authority filed by Leif
6 Johnson Moving and Two Men and a Truck. In each case
7 ALJ Duggan recommends that the Commission enter an
8 Order granting the application.

9 Is there any discussion?

10 (No response.)

11 CHAIRMAN SCOTT: Any objections?

12 (No response.)

13 CHAIRMAN SCOTT: Hearing none, the Orders are
14 entered and the applications are approved.

15 Item MC-4 concerns an application for
16 transferring a household goods motor carrier
17 certificate from Hagemaster Motor Service to Fox
18 Movers. ALJ Kirkland-Montague recommends that the
19 Commission enter an Order approving the Certificate
20 transfer.

21 Is there any discussion?

22 (No response.)

1 CHAIRMAN SCOTT: Any objections?

2 (No response.)

3 CHAIRMAN SCOTT: Hearing none, the Order is
4 entered and the transfer is approved.

5 Item MC-5 is G&B Services & Recovery's
6 Application for a Commercial Relocator Motor Carrier
7 Authority. ALJ Kirkland-Montaque recommends that the
8 Commission enter an Order approving the application.

9 Is there any discussion?

10 (No response.)

11 CHAIRMAN SCOTT: Any objection?

12 (No response.)

13 CHAIRMAN SCOTT: Hearing none, the Order is
14 entered and the application is approved.

15 Items MC-6 and MC-7 can be taken
16 together. These items are Applications for Renewal
17 of Commercial Relocation Towing Licenses granted to
18 Red's Body Shop and Northwest Recovery. In each case
19 our Transportation Counsel recommends that the
20 Commission enter an Order granting the renewal.

21 Is there any discussion?

22 (No response.)

1 CHAIRMAN SCOTT: Any objections?

2 (No response.)

3 CHAIRMAN SCOTT: Hearing none, the Orders are
4 entered and the license renewals are approved.

5 Item MC-8 concerns a complaint filed
6 by Northwest Recovery against Red's Body Shop.
7 Northwest Recovery has since filed a motion to
8 dismiss the complaint as moot in light of a recent
9 rulemaking and ALJ Kirkland-Montague recommends that
10 the Commission enter an Order dismissing the
11 complaint.

12 Is there any discussion?

13 (No response.)

14 CHAIRMAN SCOTT: Any objections?

15 (No response.)

16 CHAIRMAN SCOTT: Hearing none, the Order is
17 entered and the complaint is dismissed.

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

20 MR. MATRISCH: Nothing further, Chairman.
21 Thank you.

22 CHAIRMAN SCOTT: Thank you.

1 Hearing none, that concludes today's
2 Transportation Agenda.

3 (Whereupon, the Public Utility
4 Portion is contained in a
5 separate transcript.)

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