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BEFORE THE  
ILLINOIS COMMERCE COMMISSION

BENCH SESSION  
(TRANSPORTATION)

Chicago, Illinois  
Wednesday, July 10, 2013

Met, pursuant to notice, at 10:30 a.m.,  
State of Illinois Building, 160 North LaSalle  
Street, Eighth Floor, Chicago, Illinois.

PRESENT:

- MR. DOUGLAS P. SCOTT, Chairman
- MS. ANN McCABE, Commissioner
- MR. MIGUEL DEL VALLE, Acting Commissioner
- MR. JOHN T. COLGAN, Commissioner  
(Via audiovisual conference)
- MS. SHERINA MAYE, Acting Commissioner  
(Via telephone conference)

MIDWEST LITIGATION SERVICES  
By: Pamela S. Morgan, Reporter  
CSR # 084-001687

1 CHAIRMAN SCOTT: Pursuant to the provisions of  
2 the Open Meetings Act, I now convene the regularly  
3 scheduled Bench Session of the Illinois Commerce  
4 Commission.

5 With me in Chicago are Commissioner  
6 McCabe and Acting Commissioner Del Valle. In  
7 Springfield is Commissioner Colgan. I am Chairman  
8 Scott. We have a quorum. We should also have  
9 Acting Commissioner Maye available on the phone.

10 Are you there, Commissioner?

11 Acting COMMISSIONER MAYE: Good morning, I'm here.

12 CHAIRMAN SCOTT: Great.

13 Under the Commission's rules we will have  
14 to vote to allow Commissioner Maye to participate  
15 by phone.

16 I move to allow Acting Commissioner Maye's  
17 participation by phone.

18 Is there a second?

19 COMMISSIONER McCABE: Second.

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

21 All in favor say aye.

22 (A chorus of ayes.)

23 Any opposed?

24 (No response.)

1           The vote is four to nothing, and  
2   Acting Commissioner Maye may participate in  
3   today's meeting by phone.

4           Moving into the agenda, according to  
5   Section 1700.10 of Title Two of the Administrative  
6   Code, this is the time for all members of the  
7   public to address the Commission. Members of the  
8   public wishing to address the Commission must  
9   notify the Chief Clerk's Office at least 24 hours  
10   prior to Commission meetings. According to the  
11   Chief Clerk's Office, we have no requests to speak  
12   at today's Bench Session.

13           Moving now to the Transportation agenda,  
14   we will begin with approval of minutes from our  
15   June 26th Bench Session.

16           Is there a motion to approve the minutes?

17           COMMISSIONER McCABE: So moved.

18           CHAIRMAN SCOTT: Is there a second?

19           Acting COMMISSIONER DEL VALLE: Second.

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

21           All in favor say aye.

22           (A chorus of ayes.)

23           Any opposed?

24           (No response.)

1           The vote is five to nothing and the  
2 minutes from our June 26th Bench Session are  
3 approved.

4           On to the Railroad portion of today's  
5 agenda. Items RR-1 through RR-7 can be taken  
6 together. These items are stipulated agreements  
7 seeking authorization for safety improvement  
8 projects of highway-rail crossings across  
9 Illinois. In each case, our Transportation staff  
10 recommends entry of an order granting the request  
11 to relieve.

12           Is there any discussion?

13           (No response.)

14           Is there a motion to enter the orders?

15           COMMISSIONER McCABE: So moved.

16           CHAIRMAN SCOTT: Is there a second?

17           Acting COMMISSIONER DEL VALLE: Second.

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

19           All in favor say aye.

20           (A chorus of ayes.)

21           Any opposed?

22           (No response.)

23           The vote is five to nothing and the  
24 orders are entered. We will use the five to

1 nothing vote for the remainder of today's  
2 Transportation agenda unless otherwise noted.

3           Items RR-8 and RR-9 can be taken  
4 together. These items are petitions seeking  
5 additional time or funding for previously  
6 authorized safety improvement projects of  
7 highway-rail grade crossings across Illinois. In  
8 both cases, our Transportation staff recommends an  
9 entry of a supplemental order granting the request  
10 of relief.

11           Is there any discussion?

12           (No response.)

13           Any objections?

14           (No response.)

15           Hearing none, the orders are entered.

16           On to Motor Carriers. Item MC-1 is  
17 Christopher Reed's application for an operator's  
18 employment permit pursuant to Section 18a-403 of  
19 the Illinois Commercial Relocation of Trespassing  
20 Vehicles Law. ALJ Kirkland-Montague recommends  
21 entry of an order granting the application.

22           Is there any discussion?

23           (No response.)

24           Any objections?

1 (No response.)

2 Hearing none, the order is entered.

3 Moving now to Collateral Recovery. Item  
4 CR-1 is Docket Number 184899 MC. This is David  
5 Damsalla's application for a Class EE Recovery  
6 Permit pursuant to Section 45 of the Collateral  
7 Recovery Act. ALJ Kirkland-Montague recommends  
8 entry of an order granting the application.

9 My office in conjunction with  
10 Commissioner McCabe's office had some edits that  
11 we wanted to propose to this that would actually  
12 change the conclusion to a denial of this  
13 particular application. The revisions, I will  
14 point out they are troubled by both the prior  
15 theft conviction and the conviction related to  
16 driving. The edits are related to both of those.

17 With regard to the driving offense  
18 specifically, I will speak to that one.

19 Petitioner was convicted of driving on a  
20 revoked license and sentenced to three years for  
21 that offense, which indicates to us that the  
22 offense was not only a felony and that the  
23 Petitioner in order to get a sentence that strong  
24 either had a series of such convictions in the

1 past or that the underlying revocation was for  
2 something very, very serious, it isn't clear from  
3 the record, and this information, therefore, isn't  
4 provided to us.

5 In fact, it's unclear from the record  
6 whether Petitioner even now holds a valid Illinois  
7 driver's license.

8 In either case, such a conviction and the  
9 sentence is very troubling for a job like this  
10 which often requires driving, obviously.

11 Due to these concerns and also concerns  
12 about the nature of the theft offense, my edits  
13 propose that the application be denied, and I  
14 would move for adoption of these edits.

15 Is there a second?

16 COMMISSIONER McCABE: Second.

17 COMMISSIONER COLGAN: Chairman, I would like  
18 to ask a question or two of the judge.

19 CHAIRMAN SCOTT: Sure, Commissioner.

20 JUDGE KIRKLAND-MONTAQUE: Hi.

21 COMMISSIONER COLGAN: In my mind, you know,  
22 the biggest factor here is the overarching issue  
23 of whether or not this applicant has a valid and  
24 current driver's license, and I can't tell from

1 the record what the answer to that question is.

2 Do you know the answer to that question?

3 JUDGE KIRKLAND-MONTAQUE: Yes, he does have a  
4 valid driver's license. That is part of the  
5 application process, all applicants have to  
6 provide a copy of their driver's license with  
7 application. Mr. Damsalla did so and his license  
8 is valid. It's issued on September 25th of 2012  
9 and expires July 22nd of 2017.

10 COMMISSIONER COLGAN: Okay. Well, if he  
11 didn't have a driver's license, I would support  
12 the edits, but knowing that he does have a  
13 driver's license, it's been -- his most recent  
14 crime was nine years ago and it appears to me that  
15 he's paid his debt to society.

16 So thank you for those answers -- that  
17 answer.

18 JUDGE KIRKLAND-MONTAQUE: You are welcome.

19 CHAIRMAN SCOTT: Is there further questions of  
20 the judge?

21 Acting COMMISSIONER DEL VALLE: Now, we don't -- does  
22 the record show why the driver's license was  
23 revoked for three years?

24 JUDGE KIRKLAND-MONTAQUE: It does not. That



1 question was not asked during the hearing, so it's  
2 not in the transcript. I do know that it did run  
3 concurrently with another crime but I don't know  
4 the reason for the original revocation.

5 Acting COMMISSIONER DEL VALLE: Is there a reason why  
6 that question was not asked?

7 JUDGE KIRKLAND-MONTAQUE: Personally, I don't  
8 know. You know, staff is present on behalf of the  
9 Commission at these hearings. Staff counsel did  
10 not ask the question, nor did I. I have no reason  
11 for why that was not asked.

12 CHAIRMAN SCOTT: But as a part of the  
13 application, didn't you say that the applicant has  
14 to show a valid driver's license?

15 JUDGE KIRKLAND-MONTAQUE: Yes, he has a valid  
16 driver's license now. But as to why the license  
17 was revoked some years ago, I don't know the  
18 reason for that.

19 COMMISSIONER COLGAN: But if he didn't have a  
20 driver's license, this case would have been  
21 denied, it would have never really gotten to us,  
22 would it?

23 JUDGE KIRKLAND-MONTAQUE: I think that's  
24 correct. But this is an EE, an intern

1 application, it's not for a recovery permit. As  
2 an intern, he's allowed to do everything that a  
3 reposessor can do. However, the requirement is  
4 that he does it with a licensed reposessor. So  
5 he would not be able to drive, obviously, without  
6 a driver's license and do the work -- the  
7 repossession work.

8 COMMISSIONER COLGAN: All right. Well, I  
9 think when the record showed that he had a  
10 conviction for driving on a revoked license, it  
11 raised the issue, in my mind and others' minds,  
12 that there was a possibility that he had a revoked  
13 driver's license and it was never renewed. But  
14 your answer to my question indicates to me when  
15 somebody applies for one of these permits, they as  
16 a part of the application process have to  
17 demonstrate that they have a current and valid  
18 driver's license.

19 JUDGE KIRKLAND-MONTAQUE: That is correct,  
20 yes.

21 COMMISSIONER COLGAN: Okay, thank you.

22 COMMISSIONER McCABE: A point of order,  
23 Commissioner Colgan, are you making a separate  
24 motion?

1           COMMISSIONER COLGAN: No, I am not making a  
2 separate motion, but I am going to vote no on the  
3 amendments that's been proposed.

4           I believe that if he had not had a  
5 driver's -- valid driver's license, that would be  
6 enough reason for me to vote no on this case, but  
7 now that I know that he does have a driver's  
8 license, I mean it looks like he's had some  
9 serious offenses in the past, felony offenses, but  
10 the most recent one was nine years ago and it  
11 seems to me that he has satisfied the terms of his  
12 sentence. So I would vote to approve his  
13 application.

14          CHAIRMAN SCOTT: If I can make a suggestion,  
15 maybe we just hold this one and put it on at the  
16 next meeting, and then in the meantime have an  
17 opportunity to see if there's additional  
18 information that any of us want, or to do that,  
19 rather than try to sort through it today, if  
20 that's acceptable.

21          COMMISSIONER COLGAN: I will agree with that,  
22 I think that's a good idea.

23          Acting COMMISSIONER DEL VALLE: That's fine.

24          COMMISSIONER McCABE: Yes.

1           CHAIRMAN SCOTT:  So CR-1, then, will be held  
2  for disposition at a future Commission  
3  proceedings.

4           Thank you, Judge.

5           JUDGE KIRKLAND-MONTAQUE:  You are welcome.

6           CHAIRMAN SCOTT:  CR-2, Wonyell Burrow's  
7  application to serve as a reposessor pursuant to  
8  Section 45 of the Collateral Recovery Act.  
9  ALJ Duggan entered an order granting the  
10 application.

11           Commissioner McCabe.

12           COMMISSIONER McCABE:  Mr. Burrow has a  
13 significant criminal history and convictions for  
14 breaking into buildings, stealing money, and  
15 selling crack cocaine in various contents.  In one  
16 such drug-related conviction he was sentenced in  
17 Federal Court to 10 years, released in 2009, and  
18 remains on supervised release for about another 18  
19 months.

20           The remaining supervised release and the  
21 nature of the crimes are troubling, and what is  
22 particularly troubling is that on his application  
23 he listed only one conviction, claiming that he  
24 ran out of room on the application.  When you

1 review the application, it shows he left a, excuse  
2 me, blank section reserved for listing at least a  
3 second conviction. And as explained in the order,  
4 the Commission needs applicants to be entirely  
5 forthcoming. Because the record evidence in these  
6 matters is often less extensive, the public  
7 interest cannot be served by applicants  
8 withholding information.

9 My edits, along with those from the  
10 chairman, point out all these issues and explain  
11 that given the totality of these facts, the  
12 application should be denied. That's what I am  
13 moving.

14 CHAIRMAN SCOTT: I will second that.

15 Discussion?

16 COMMISSIONER COLGAN: Yes, just to make -- I  
17 am going to support your motion,  
18 Commissioner McCabe, but I think just a note for  
19 the record, I think it's really important that  
20 applicants fess up to what their history is. It  
21 doesn't -- as we've seen here in the past, it  
22 doesn't necessarily mean that we are going to deny  
23 their application because they've had a history of  
24 criminal record. I think this area -- this line

1 of work, it seems that that those issues come to  
2 us on a fairly frequent basis and it's a new  
3 subject matter for us to be dealing with,  
4 relatively new.

5 But just for the record, I would like to  
6 make sure and see that applicants are encouraged  
7 to be straightforward with what their record is so  
8 that we can make a determination based on, you  
9 know, their truthful and forthcoming sentences.

10 CHAIRMAN SCOTT: I would agree with that  
11 statement. In fact, we don't see any of these  
12 applications unless there is some kind of record  
13 that the statute says has to be -- warrants a  
14 hearing to come to us. So I wholeheartedly agree  
15 that obviously, and from our past, you know, we've  
16 had lots of them that we've approved with folks  
17 that had some criminal records in their past, but  
18 it's impossible, or next to impossible, to really  
19 do this work and do it very well without the  
20 applicants be forthcoming. So I agree with that  
21 sentiment, Commissioner, and also with  
22 Commissioner McCabe.

23 Acting Commissioner Del Valle.

24 Acting COMMISSIONER DEL VALLE: Mr. Chairman, I have

1 a question. Is this individual still under  
2 supervision?

3 JUDGE DUGGAN: Yes, he's got 18 more months of  
4 supervised release.

5 Acting COMMISSIONER DEL VALLE: And I know we  
6 consider these on a case-by-case basis, but I just  
7 generally have problems granting permits to  
8 individuals who are still on probation, have not  
9 completed their probationary period of  
10 supervision. So for that reason, I would vote no  
11 on this application.

12 COMMISSIONER McCABE: I would just also point  
13 out that in this case the applicant is currently  
14 working as a repo -- for a repo firm in Missouri.

15 CHAIRMAN SCOTT: Further discussion?

16 Acting COMMISSIONER MAYE: I wanted to say that I  
17 totally concur with Commissioner Del Valle. I  
18 also see that as a problem. I believe what is  
19 important here, as we excused in the past, making  
20 sure that we are looking at these applications, of  
21 course, on a one-by-one basis but we are comparing  
22 facts and making similar decisions and need to go  
23 forward. I agree that while somebody having a  
24 probationary period or something that is not fully

1 lapsed, I do also have an issue. So I will vote  
2 to deny this permit.

3 CHAIRMAN SCOTT: So the question is on the  
4 revisions. It's been moved and seconded to  
5 approve the revisions proposed by  
6 Commissioner McCabe.

7 All in favor of the revisions vote aye.

8 (A chorus of ayes.)

9 CHAIRMAN SCOTT: Any opposed to the revisions?

10 (No response.)

11 The vote is five to nothing and the  
12 revisions are adopted.

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

15 COMMISSIONER McCABE: So moved.

16 CHAIRMAN SCOTT: Is there a second?

17 Acting COMMISSIONER DEL VALLE: Second.

18 CHAIRMAN SCOTT: It's been approved and  
19 seconded to approve the order as amended.

20 Any further discussion?

21 (No response.)

22 All in favor say aye.

23 (A chorus of ayes.)

24 Any opposed?



1 (No response.)

2 The vote is five to nothing and the order  
3 as amended is entered.

4 Item CR-3 is Daniel Fontana's application  
5 to serve as a reposessor pursuant to Section 45  
6 of the Collateral Recovery Act. ALJ Duggan  
7 recommends entry of an order granting the  
8 application.

9 Commissioner McCabe.

10 COMMISSIONER McCABE: The edits in this case  
11 make it clear that up until a week ago, July 3rd,  
12 Mr. Fontana had not paid his outstanding fines and  
13 debts, but now he has and we are prepared to grant  
14 his application.

15 CHAIRMAN SCOTT: Those are the revisions. Are  
16 you moving those?

17 COMMISSIONER McCABE: Yes.

18 CHAIRMAN SCOTT: Is there a second?

19 Acting COMMISSIONER DEL VALLE: Second.

20 CHAIRMAN SCOTT: It's been moved and seconded  
21 to approve the revisions proposed by  
22 Commissioner McCabe.

23 Is there any discussion on that?

24 (No response.)

1           The only thing I will say, and I am going  
2 to support your motion, Commissioner, the only  
3 thing I will say about that is that it seems  
4 fairly clear that the applicant wasn't going to  
5 pay that until he got called on it first by the  
6 ALJ and then in some of the discussions that we  
7 had had about that on the bench about having  
8 outstanding issues, like Acting Commissioner Del Valle  
9 just pointed out.

10           So obviously we are talking about  
11 Mr. Fontana here, but I think for future  
12 applicants as well, trying to go along with what  
13 Commissioner Del Valle said in the last case, for  
14 people to clear up what they can clear up before  
15 they come here, especially in a case like this  
16 where these debts were not new, they were old and  
17 had not been taken care of by the applicant for a  
18 long period of time. So I would hope that in the  
19 future, applicants would try to do the best they  
20 can to take care of all these issues before they  
21 came here.

22           I am going to support your revision.

23           Further discussion?

24           (No response.)

1           The motion and the second is to approve  
2 the revisions as suggested by Commissioner McCabe.  
3 All in favor say aye.

4           (A chorus of ayes.)

5           Any opposed?

6           (No response.)

7           The ayes have it and the revisions are  
8 adopted.

9           Is there now a motion to approve the  
10 order as amended?

11          Acting COMMISSIONER DEL VALLE: So moved.

12          CHAIRMAN SCOTT: Is there a second?

13          COMMISSIONER McCABE: Second.

14          CHAIRMAN SCOTT: It's been moved and seconded  
15 to approve the order as amended.

16          Any discussion?

17          (No response.)

18          All in favor say aye.

19          (A chorus of ayes.)

20          Any opposed?

21          (No response.)

22          The ayes have it and the vote is five to  
23 nothing, and the order as amended is entered.

24          Item CR-4 is Ralph Cornell's application

1 to serve as reposessor pursuant to Section 45 of  
2 the Collateral Recovery Act.

3 ALJ Kirkland-Montague recommends entry of an order  
4 granting the application.

5 Commissioner McCabe.

6 COMMISSIONER McCABE: The proposed edits to  
7 this order do not change the outcome but do  
8 provide more facts in the final order to reflect  
9 the full record. Mr. Cornell's burglary  
10 convictions are serious, particularly to the  
11 conviction in which he entered a home with a key  
12 he was given. However, Mr. Cornell was 17 at the  
13 time, he is now 34 years old. In the years since,  
14 the record shows that Mr. Cornell has not been  
15 convicted of any other theft-related crimes. So I  
16 move the order granting his application.

17 CHAIRMAN SCOTT: Is there a second to the  
18 revisions -- excuse me, second to the revisions  
19 proposed?

20 Acting COMMISSIONER DEL VALLE: Second.

21 CHAIRMAN SCOTT: Discussions about the  
22 revision?

23 (No response.)

24 I appreciate the additional information

1 that's there but I can't support the ultimate  
2 conclusion in this case. So to be consistent, I  
3 am going to vote against the revision and the  
4 conclusion.

5 I can't get past the given a key to a  
6 home and stealing items out of that home in  
7 addition to the other parts of Mr. Cornell's  
8 record, especially for a job like this that  
9 involves handling other people's property and  
10 being in places gaining access to different pieces  
11 of property. I just think that that's exactly the  
12 kind of conviction that's not only teed up for us  
13 by the General Assembly but the kind of thing  
14 that, even though it was a long time ago, which I  
15 fully recognize and I appreciate that, I just  
16 can't get past that on this particular  
17 application.

18 Further discussion?

19 Acting COMMISSIONER MAYE: Chairman Scott, this is  
20 Acting Commissioner Maye.

21 CHAIRMAN SCOTT: Yes, Commissioner.

22 Acting COMMISSIONER MAYE: I also believe that this  
23 type of incident is what we are supposed to be  
24 protecting consumers against. So therefore, I

1 will not be supporting the edits either and I will  
2 vote to deny the application.

3 CHAIRMAN SCOTT: Acting Commissioner Del Valle.

4 Acting COMMISSIONER DEL VALLE: I agree with what you  
5 indicated but we are talking about a very young  
6 person here who committed the crime that you  
7 described. Seventeen years of age, is that  
8 correct?

9 COMMISSIONER McCABE: Uh-huh.

10 Acting COMMISSIONER DEL VALLE: If we are going to  
11 apply that rule, you are going to have a lot of  
12 people unemployed that are never able to gain  
13 opportunities -- to take advantage of  
14 opportunities that may present themselves. So I  
15 consider the age and I consider the time that has  
16 passed since the offense was committed, and that's  
17 why I will favor the motion by Senator -- by  
18 Commissioner McCabe.

19 CHAIRMAN SCOTT: And I appreciate what you are  
20 saying, Acting Commissioner Del Valle, and I grappled  
21 with that one a little bit as well. There are  
22 statutes, and we both know this, we probably voted  
23 on a bunch of them when we were in the General  
24 Assembly --

1           Acting COMMISSIONER DEL VALLE: That's what I was  
2 thinking when I called her senator.

3           CHAIRMAN SCOTT: -- that are automatic  
4 prohibitions against holding certain kinds of  
5 work, and you find that in health care type  
6 industries, and where children are involved, and  
7 things like that where there's a lot of automatic  
8 prohibitions, and we don't have that here, but it  
9 seems to me that the General Assembly has given us  
10 some guidelines of things to look at, and  
11 certainly that's not -- that's not the only  
12 convictions in Mr. Cornell's past either, and not  
13 the only felony conviction in Mr. Cornell's past.

14                 So I realize it was a long time ago, and  
15 I grappled with that, but again, to me, this is  
16 the kind of thing, that even though it's not an  
17 automatic prohibition from the General Assembly,  
18 it's the kind of thing that's very difficult for  
19 me to, again looking at it on a case-by-case  
20 basis, but the totality of the facts here, this  
21 applicant here, it's difficult for me to get past,  
22 and I appreciate your comments.

23           COMMISSIONER COLGAN: I would like to thank  
24 everybody who has weighed in on this issue, these

1 applications -- these permit applications for  
2 collateral recovery.

3 I said earlier it's a fairly new subject  
4 matter for us and I think we are kind of grappling  
5 with where the lines are -- where to draw the line  
6 in terms of who can and who cannot do this work.  
7 As you pointed out, Chairman, the ones that have  
8 possible reasons to deny the permits come to the  
9 Commission, where others don't make it this far  
10 along this line of a hearing process.

11 I am going to come down on the side of  
12 this youthful indiscretion argument. You know,  
13 17-year-old kids will do a lot of things that they  
14 are not likely to redo as adults when they mature.  
15 And because that was 17 years ago, I think while  
16 that is a serious crime, no doubt about it, I  
17 think that I am going to give the benefit of the  
18 doubt. These permits are time based, and people  
19 have to come back and be reevaluated at some  
20 point. So I would like to give this young man the  
21 opportunity to have this job and, you know, have  
22 a -- make a living for himself and his loved ones.  
23 So that's the side I am going to come down on.

24 I appreciate the discussion that has



1 happened in the last couple of weeks back and  
2 forth. All of us have individually spoken with  
3 one another at different times about how to come  
4 to these conclusions and I think it's been helpful  
5 to our process.

6 CHAIRMAN SCOTT: Further discussion?

7 (No response.)

8 The motion and second is for revisions as  
9 proposed by Commissioner McCabe.

10 All in favor of the revisions vote aye.

11 (A chorus of ayes.)

12 Opposed?

13 No.

14 Acting COMMISSIONER MAYE: No.

15 CHAIRMAN SCOTT: The vote is three to two and  
16 the revisions are adopted.

17 Is there now a motion to approve the  
18 order as amended?

19 Acting COMMISSIONER MAYE: So moved.

20 Acting COMMISSIONER DEL VALLE: Second.

21 CHAIRMAN SCOTT: Moved and seconded to approve  
22 the order as amended.

23 Any discussion?

24 (No response.)

1 All in favor say aye.

2 (A chorus of ayes.)

3 Opposed?

4 No.

5 Acting COMMISSIONER MAYE: No.

6 CHAIRMAN SCOTT: The vote is three to two, and  
7 the order as amended is adopted.

8 I also want to concur with what  
9 Commissioner Colgan just said about all of these  
10 cases and the others that we are looking at, we  
11 are all trying to figure this out as a new subject  
12 matter for us to regulate and a new set of  
13 regulations there, and I appreciate all the work  
14 everybody put into that because I think it's  
15 helped to inform these decisions and others that  
16 we will make along the line here, too, so I really  
17 appreciate all the work that everybody has put  
18 into that.

19 Item CR-5 is Melissa Ann Cobb's  
20 application for a Class EE Recovery permit  
21 pursuant to Section 45 of the Collateral Recovery  
22 Act. ALJ Kirkland-Montague recommends an order  
23 granting the application.

24 Is there any discussion?

1 (No response.)

2 Any objections?

3 (No response.)

4 Hearing none, the order is entered.

5 Mr. Matrisch, is there any further

6 Transportation business to come before the

7 Commission today?

8 MR. MATRISCH: Nothing further, Chairman.

9 Thank you.

10 CHAIRMAN SCOTT: Hearing none, that concludes

11 today's Transportation agenda.

12 (Which were all the proceedings had for

13 the Transportation agenda.)

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