

1 BEFORE THE
2 ILLINOIS COMMERCE COMMISSION

3
4 BENCH SESSION
5
6 (TRANSPORTATION)

7
8 Springfield, Illinois
9 Wednesday, July 28, 2010

10 Met, pursuant to notice, at 10:30 a.m. in
11 Hearing Room A, First Floor, Leland Building, 527
12 East Capitol Avenue, Springfield, Illinois.

13
14 PRESENT:

15 MR. MANUEL FLORES, Acting Chairman

16 MS. LULA M. FORD, Commissioner

17 MS. ERIN M. O'CONNELL-DIAZ, Commissioner
18 (Via teleconference)

19 MR. SHERMAN J. ELLIOTT, Commissioner

20 MR. JOHN T. COLGAN, Acting Commissioner

21 SULLIVAN REPORTING COMPANY, by
22 Carla J. Boehl, Reporter
 CSR #084-002710

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PROCEEDINGS

ACTING CHAIRMAN FLORES: Starting with today's Transportation agenda, we have minutes to approve from the June 23 bench session. Is there a motion to approve the June 23 Transportation minutes?

COMMISSIONER ELLIOTT: So move.

ACTING CHAIRMAN FLORES: Is there a second?

COMMISSIONER FORD: Second.

ACTING CHAIRMAN FLORES: It's been moved and seconded. All in favor say aye.

COMMISSIONERS: Aye.

ACTING CHAIRMAN FLORES: All opposed?

The vote is 5-0 and the June 23 minutes are approved.

Up next on our agenda we have minutes from the June 28 regular open meeting. This matter was improperly noticed as the minutes are technically from the June 29 meeting. We will hold approval of these minutes until the next Commission meeting and until after they have been properly noticed.

Starting first with the Railroad portion agenda, Item RR-1, Docket Number T05-0055,

1 this concerns a petition for approval of a grade
2 level railroad crossing traffic signal
3 interconnection system in Will County. Before us
4 today is a supplemental petition for an extension of
5 time -- I am going to call for a brief recess.

6 (Whereupon the meeting was in a
7 short recess.)

8 ACTING CHAIRMAN FLORES: Before we continue, I
9 just want to make sure that we clarify for the record
10 that, well, we already indicated that Commissioner
11 O'Connell-Diaz is joining us from Chicago. So I
12 would like to make a motion to have Commissioner
13 O'Connell-Diaz join us for the purposes of permitting
14 her to join in the meeting. So I will make a motion
15 to allow for Commissioner O'Connell-Diaz to join.

16 COMMISSIONER ELLIOTT: Second.

17 ACTING CHAIRMAN FLORES: Motion has been made
18 and seconded. All in favor say aye.

19 COMMISSIONERS: Aye.

20 ACTING CHAIRMAN FLORES: Any opposed?

21 It is 4-0 to allow Commissioner
22 O'Connell-Diaz to join in today's bench session from

1 Chicago.

2 So we are now with Docket Number
3 T05-0055. This concerns a petition for approval of a
4 grade level railroad crossing traffic signal
5 interconnection system in Will County. Before us
6 today is a supplemental petition for an extension of
7 time. Administrative Law Judge Kirkland recommends
8 entry of a Supplemental Order approving the petition.

9 Is there a motion to enter the
10 Supplemental Order?

11 COMMISSIONER ELLIOTT: So move.

12 ACTING CHAIRMAN FLORES: Is there a second?

13 COMMISSIONER FORD: Second.

14 ACTING CHAIRMAN FLORES: It's been moved and
15 seconded. All in favor say aye.

16 COMMISSIONERS: Aye.

17 ACTING CHAIRMAN FLORES: Any opposed?

18 The vote is 5-0. The Order is
19 entered, and we will use this 5-0 vote for the
20 remainder of the Transportation agenda unless
21 otherwise noted.

22 Item RR-2 is T10-0088. This concerns

1 a stipulated agreement regarding improving public
2 safety at highway-rail grade crossings in Franklin
3 County. Before us today is a request that a variance
4 be granted the City of Christopher on this project.
5 Staff recommends entry of an Order granting the
6 variance.

7 Is there any discussion? Any
8 objections? Hearing none, the Order is entered and
9 the variance is granted.

10 Moving up to the Motor Carrier portion
11 of today's agenda, Items MC-1 and MC-2 (166422MC,
12 130494MC) can be taken together. These items concern
13 stipulated settlement agreements concerning alleged
14 violations of the Illinois Commercial Transportation
15 Law. In both instances Staff recommends entering an
16 Order accepting the stipulated settlement agreement.

17 Is there any discussion? Any
18 objections? Hearing none, the Orders are entered and
19 the settlement agreements are approved.

20 Items MC-3 and MC-4 (151776MC,
21 167360MC) can be taken together. These items concern
22 applications from Sims Awesome Moving Company and

1 Daly Moving and Storage for Certificates of Public
2 Convenience and Necessity under Section 18c-4202 of
3 the Illinois Commercial Transportation Law. For both
4 applicants Administrative Law Judge O'Brien
5 recommends granting a temporary certificate to
6 transport household goods.

7 Is there any discussion? Any
8 objections? Hearing none, the temporary certificates
9 are granted.

10 Item MC-5 (97882MC) is an item that we
11 held from the last Transportation agenda. This
12 concerns Winston Elquezabal's application for renewal
13 of the operator's permit under the Illinois
14 Commercial Relocation and Trespassing Vehicles Law.
15 Administrative Law Judge Kirkland-Montaque recommends
16 entry of an Order granting the application for
17 renewal.

18 Is there any discussion? Any
19 objections? Hearing none, the application is
20 granted.

21 Administrative Matters, we have one
22 administrative matter to address today. This matter

1 is a resolution on rules promulgated for implementing
2 Public Acts 95-407 and 95-562 concerning the
3 Commission's authority over the relocation towing
4 industry. The resolution authorizes the submission
5 of the second notice to the Joint Committee on
6 Administrative Rules, and our Transportation counsel
7 recommends its adoption.

8 Is there any discussion? Any
9 objection? Hearing none, the resolution is adopted.

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

12 MR. MATRISCH: Nothing further, Chairman.
13 Thank you.

14 ACTING CHAIRMAN FLORES: Sir, thank you very
15 much. Keep up the good work.

16 That concludes the Transportation
17 agenda.

18 TRANSPORTATION AGENDA CONCLUDED

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