

1                               BEFORE THE  
2                               ILLINOIS COMMERCE COMMISSION

3                               BENCH SESSION  
4                               (TRANSPORTATION)

5  
6                               Springfield, Illinois

7                               Wednesday, August 15, 2012

8  
9                               Met, pursuant to notice, at 10:30 a.m.  
10                              in Hearing Room A, First Floor, Leland Building, 527  
11                              East Capitol Avenue, Springfield, Illinois.

12                              PRESENT:

13                              MR. DOUGLAS P. SCOTT, Chairman

14                              MS. LULA M. FORD, Commissioner

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

16                              MR. JOHN T. COLGAN, Commissioner

17                              MS. ANN McCABE, Acting Commissioner

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21                              By: Lisa K. Hahn, Reporter  
22                              CSR #084-002149

1 PROCEEDINGS

2 CHAIRMAN SCOTT: Pursuant to the provisions of  
3 the Open Meetings Act, I now convene a regularly  
4 scheduled Bench Session of the Illinois Commerce  
5 Commission. With me in Springfield are Commissioners  
6 Ford, O'Connell-Diaz, Colgan and McCabe. I am  
7 Chairman Scott. We have a quorum.

8 Before moving into the agenda,  
9 according to Section 1700.10 of Title II of the  
10 Administrative Code, this is the time we allow  
11 members of the public to address the Commission.  
12 Members the public wishing to address the Commission  
13 must notify the Chief Clerk's Office at least 24  
14 hours prior to the Commission meeting. According to  
15 the Chief Clerk's Office, we have no requests to  
16 speak at today's Bench Session.

17 And, if you could, just for today's  
18 meeting only, when folks that are speaking, other  
19 than the Commissioners that are speaking, if you  
20 would identify yourselves first to help out our court  
21 reporter who's helping us out today. So thank you  
22 for doing that.

1                   We will start with the Transportation  
2 agenda. First is the approval of minutes from our  
3 June 27 and July 11 Bench Sessions. Is there a  
4 motion to approve these sets of minutes.

5                   COMMISSIONER FORD: So moved.

6                   CHAIRMAN SCOTT: Is there a second?

7                   COMMISSIONER MCCABE: Second.

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

9                   All in favor say aye.

10                  COMMISSIONERS: Aye.

11                  CHAIRMAN SCOTT: Any opposed?

12                                 (No response.)

13                   The vote is five to nothing, and the  
14 minutes for our June 27 and July 11 Bench Sessions  
15 are approved.

16                   Turning to the Railroad Section, Items  
17 RR-1 through RR-8 can be taken together. These items  
18 concern Stipulated Agreements regarding public safety  
19 improvements at highway-rail grade crossings in  
20 Illinois. Before us today are petitions seeking  
21 additional time for project completion, additional  
22 funding, or a modification requiring a Supplemental

1 Order. In this case, ALJ Kirkland-Montaque or Staff  
2 recommend a Supplemental Order granting the requested  
3 relief.

4 Is there any discussion?

5 (No response.)

6 Is there a motion to enter the  
7 Supplemental Orders?

8 COMMISSIONER COLGAN: So moved.

9 CHAIRMAN SCOTT: Is there a second?

10 COMMISSIONER O'CONNELL-DIAZ: Second.

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

12 All in favor say aye.

13 COMMISSIONERS: Aye.

14 COMMISSIONER SCOTT: Any opposed?

15 (No response.)

16 The vote is five to nothing, and the  
17 Orders are entered. We will use this five to nothing  
18 vote for the remainder of the Transportation agenda,  
19 unless otherwise noted.

20 Items RR-9 through RR-14 can also be  
21 taken together. These items also concern Stipulated  
22 Agreements for public safety improvements at

1 highway-rail grade crossings in Illinois. In each  
2 case, Staff recommends entry of an Order approving  
3 the Stipulated Agreement.

4 Is there any discussion?

5 (No response.)

6 Are there any objections?

7 (No response.)

8 Hearing none, the Orders are entered.

9 Now, on to Motor Carriers, Item MC-1  
10 concerns a complaint against VMC Delivery for  
11 violations of the Illinois Commercial Relocation of  
12 Trespassing Vehicles Law. ALJ Duggan recommends  
13 entering an Order dismissing the complaint.

14 Is there any discussion?

15 (No response.)

16 Are there any objections?

17 (No response.)

18 Hearing none, the Order is entered and  
19 the Complaint is dismissed.

20 Item MC-2 is Michael Flores'  
21 application for a relocation towing operator's  
22 employment permit. ALJ Duggan recommends entry of an

1 Order granting the application.

2 Is there any discussion?

3 (No response.)

4 Any objections?

5 (No response.)

6 Hearing none, the Order is entered.

7 Item MC-3 is Century Towing Service's  
8 application for a commercial relocater's license.  
9 ALJ Kirkland-Montague recommends entry of an Order  
10 granting the application.

11 Is there any discussion?

12 (No response.)

13 Any objections?

14 (No response.)

15 Hearing none, the Order is entered.

16 Item MC-4 is White Eagle Auto Body's  
17 application for the renewal of its commercial  
18 relocater's license. Our Transportation counsel  
19 recommends entry of an Order granting the renewal.

20 Is there any discussion?

21 (No response.)

22 Are there any objections?

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(No response.)

Hearing none, the Order is entered.

Item MC-5 is Rockford Towing's application for the renewal of its commercial relocator's license. Our Transportation counsel recommends entry of an Order setting this matter for hearing.

Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the Order is entered, and this matter will be set for a hearing.

Item MC-6 is Lin-Mar Motors' application for the renewal of its commercial relocator's license. Our Transportation counsel recommends entry of an Order granting renewal.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

1                   Items MC-7 and MC-8 can be taken  
2 together. These items are complaints by S & S Towing  
3 against Midnight Services. For each item, ALJ Duggan  
4 recommends entry of an Order dismissing the  
5 complaint.

6                   Is there any discussion?

7                   (No response.)

8                   Any objections?

9                   (No response.)

10                  Hearing none, the Orders are entered.

11                  Item MC-9 concerns a Petition filed by  
12 Area Towing, E & R Towing and Garage, and NRI seeking  
13 an increase in relocater towing rates and storage  
14 rates. ALJ Kirkland-Montague recommends entry of an  
15 Order allowing for an increase in rates.

16                  Is there any discussion?

17                  (No response.)

18                  Any objections?

19                  (No response.)

20                  Hearing none, the Order is entered.

21                  We have one Administrative item for  
22 consideration today. Item AM-1 concerns recovery



1 manager and employee certification programs submitted  
2 for approval by Recovery Specialist Insurance Group  
3 under Title 92, Part 1480 of the Administrative Code.  
4 Transportation Bureau Chief Matrisch recommends the  
5 adoption of the Resolution approving the company's  
6 programs.

7 Is there any discussion?

8 (No response.)

9 Are there any objections?

10 (No response.)

11 Hearing none, the programs are  
12 approved.

13 Mr. Matrisch, is there any further  
14 Transportation business to come before the Commission  
15 today?

16 MR. MATRISCH: Steve Matrisch. No, Chairman.  
17 Thank you.

18 CHAIRMAN SCOTT: Hearing none, that concludes  
19 today's Transportation agenda. Thank you.

20 TRANSPORTATION SESSION CONCLUDED

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