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BEFORE THE
ILLINOIS COMMERCE COMMISSION
TRANSPORTATION REGULAR OPEN MEETING
Wednesday, September 12, 2018
Chicago, Illinois

Met pursuant to notice at 10:30 A.M.,
at 160 North LaSalle Street, Chicago, Illinois.

PRESENT:

- BRIEN J. SHEAHAN, Chairman
- SADZI M. OLIVA, Commissioner (via telephonically)
- JOHN R. ROSALES, Commissioner
- D. ETHAN KIMBREL, Commissioner (via videoconference)
- ANASTASIA PALIVOS, Acting Commissioner

SULLIVAN REPORTING COMPANY, by
BRAD BENJAMIN, CSR
LICENSE NO. 084-004805

1 CHAIRMAN SHEAHAN: Good morning.

2 Are we ready to proceed in
3 Springfield?

4 CHIEF CLERK: Yes, we are.

5 CHAIRMAN SHEAHAN: Pursuant to the Open
6 Meetings Act, I call the September 12th, 2018,
7 Regular Open Meeting to Order. Commissioner Rosales
8 and Acting Commissioner Palivos are with me in
9 Chicago. We have a quorum.

10 Commissioner Oliva is seeking to
11 participate by phone.

12 Commissioner Oliva, are you with us?

13 COMMISSIONER OLIVA: Yes, I am.

14 (No response.)

15 CHAIRMAN SHEAHAN: Are there any objections to
16 allowing Commissioner Oliva to participate by phone?

17 (No response.)

18 CHAIRMAN SHEAHAN: Hearing none, Commissioner
19 Oliva is granted permission to participate by phone.

20 There are no requests to speak, and
21 we'll therefore move into our Transportation Agenda.

22 We have no minutes for approval this morning.

1 Items RR-1 through -3 concern railroad
2 safety improvement projects throughout Illinois.

3 CHAIRMAN SHEAHAN: Are there any objections to
4 considering these items together and approving the
5 Proposed Orders?

6 (No response.)

7 CHAIRMAN SHEAHAN: Hearing none, the Orders are
8 approved.

9 Moving on to our Motor Carriers
10 Agenda, Item MC-1 concerns the fitness of Lincoln
11 Towing to hold a Commercial Relocator tow- --
12 Relocator's License.

13 There are substantive edits to the
14 Proposed Order.

15 Is there a motion to approve the
16 proposed edits?

17 COMMISSIONER ROSALES: So moved.

18 CHAIRMAN SHEAHAN: Is there a second?

19 ACTING COMMISSIONER PALIVOS: Second.

20 CHAIRMAN SHEAHAN: Is there any discussion?

21 (No response.)

22 CHAIRMAN SHEAHAN: The edits make substantive

1 changes to the Administrative Law Judge's Proposed
2 Order. The Commission's role in this proceeding is
3 to determine whether Lincoln Towing meets the
4 statutory requirements go hold a Commercial Vehicle
5 Relocator's License and is, in fact, fit to do so.

6 The privilege of holding a license is
7 significant, as it entitles the licensee to seize the
8 private property of others without their knowledge or
9 consent under certain lawful circumstances. A
10 licensee's obligation is strict compliance with
11 Illinois law and Commission's rules and in order to
12 prevent injury to the public, to do so with honesty
13 and integrity.

14 After an extensive proceeding, during
15 which Staff presented evidence of over 800
16 unauthorized property seizures by the licensee, the
17 Commission finds, based on a preponderance of the
18 evidence, that Protective Parking Service Corporation
19 d/b/a Lincoln Towing has not conducted its business
20 with honesty and integrity; that it is, in fact,
21 unworthy to be entitled to hold a Commercial Vehicle
22 Relocator's License; and that its license shall be

1 immediately revoked; and Lincoln Towing be ordered
2 immediately to cease and desist from operating a
3 relocation towing business in the state of Illinois.

4 Are there any objections to approving
5 proposed edits?

6 (No response.)

7 CHAIRMAN SHEAHAN: Without objection, the edits
8 are approved.

9 Are there any objections to approving
10 the Order as edited?

11 COMMISSIONER ROSALES: So moved.

12 CHAIRMAN SHEAHAN: We're going to do it by
13 unanimous consent.

14 Are there any objections?

15 (No response.)

16 CHAIRMAN SHEAHAN: Without objection, the
17 Order, as edited, is approved.

18 Items MC-1 -- pardon me -- MC-2 and -3
19 will be held for consideration at a later date.

20 Items MC-4 and -5 concern applications
21 for Relocation Operator Employment Permits.

22 CHAIRMAN SHEAHAN: Are there any objections to

1 considering these items together and approving the
2 Proposed Orders?

3 (No response.)

4 CHAIRMAN SHEAHAN: Hearing none, the Orders are
5 approved.

6 Item MC-7 -- -6 and -7 concern
7 applications for renewal of relocation towing
8 licenses.

9 Are there any objections to
10 considering these items together and approving the
11 Proposed Orders?

12 (No response.)

13 CHAIRMAN SHEAHAN: Hearing none, the Orders are
14 approved.

15 Item MC-8 through -11 concern
16 applications for authority to move household goods in
17 Illinois.

18 Are there any objections to
19 considering these items together and approving the
20 Proposed Order?

21 (No response.)

22 CHAIRMAN SHEAHAN: Hearing none, the Orders are

1 approved.

2 Item MC-12 through -20 concern
3 stipulated settlement agreement concerning alleged
4 violations of the Commercial Transportation Law.

5 CHAIRMAN SHEAHAN: Are there any objections to
6 considering these items together and approving the
7 Proposed Orders?

8 (No response.)

9 CHAIRMAN SHEAHAN: Hearing none, the Orders are
10 approved.

11 That concludes our Transportation
12 Agenda.

13 CHAIRMAN SHEAHAN: Commissioners, do any of you
14 have any other business to bring before the
15 Commission this morning?

16 (No response.)

17 CHAIRMAN SHEAHAN: Hearing none, we are
18 adjourned.

19 Thank you.

20 (Whereupon the matter
21 above was adjourned.)

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