

1                                   BEFORE THE  
2                                   ILLINOIS COMMERCE COMMISSION

3                                   BENCH SESSION  
4                                   (TRANSPORTATION)

5  
6                                   Springfield, Illinois

7                                   Tuesday, October 17, 2012

8  
9                                   Met, pursuant to notice, at 10:30 a.m.

10                                  in the Audiovisual Conference Room, Second Floor,  
11                                  Leland Building, 527 East Capitol Avenue,  
12                                  Springfield, Illinois.

13                                  PRESENT:

14                                  MR. DOUGLAS P. SCOTT, Chairman

15                                  MS. LULA M. FORD, Commissioner  
  (Via audiovisual conference)

16                                  MS. ERIN M. O'CONNELL-DIAZ, Commissioner  
17   (Via audiovisual conference)

18                                  MR. JOHN T. COLGAN, Commissioner  
  (Via teleconference)

19                                  MS. ANN McCABE, Commissioner  
20   (Via audiovisual conference)

21                                  L.A. COURT REPORTERS

22                                  By: Carla J. Boehl, Reporter  
  CSR #084-002710

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 us in Chicago are Commissioner  
6 O'Connell-Diaz, Commissioner Ford and Commissioner  
7 McCabe. I am Chairman Scott in Springfield.  
8 Apparently there was something I said; I am here by  
9 myself. And we have a quorum.

10 We also have Commissioner Colgan  
11 available by phone. Under the Commission's rules we  
12 will have to vote to allow Commissioner Colgan's  
13 participation by phone. I move to allow Commissioner  
14 Colgan's participation by phone. Is there a second?

15 COMMISSIONER FORD: Second.

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

17 All in favor say aye.

18 COMMISSIONERS: Aye.

19 CHAIRMAN SCOTT: Any opposed?

20 (No response.)

21 The vote is four to nothing, and  
22 Commissioner Colgan may participate by phone.

1 Commissioner, are you there?

2 COMMISSIONER COLGAN: I am here, thank you.

3 CHAIRMAN SCOTT: Very good. Welcome.

4 Before moving into the agenda,  
5 according to Section 1700.10 of Title II of the  
6 Administrative Code this is the time we allow members  
7 of the public to address the Commission. Members of  
8 the 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 Chief  
11 Clerk's Office we have no requests to speak at  
12 today's Bench Session.

13 We will begin today with the  
14 Transportation agenda with the Railroad Section.  
15 Item RR-1 is Docket Number T12-0140. This item  
16 concerns a petition by ADM Milling seeking a variance  
17 from the clearance requirements of Title 92 Section  
18 1500.180 of the Administrative Code. ALJ  
19 Kirkland-Montague recommends entry of an Order  
20 granting the variance.

21 Is there any discussion?

22 (No response.)

1                   Is there a motion to enter the Order?

2           COMMISSIONER FORD:   So moved.

3           CHAIRMAN SCOTT:   Is there a second?

4           COMMISSIONER McCABE:   Second.

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

6                   All in favor say aye.

7           COMMISSIONERS:   Aye.

8           CHAIRMAN SCOTT:   Any opposed?

9                               (No response.)

10                   The vote is five to nothing, and the  
11   Order is entered.

12                   We will use this five to nothing vote  
13   for the remainder of today's Transportation agenda  
14   unless otherwise noted.

15                   Items RR-2 and RR-3 (T10-0090,  
16   T11-0148) can be taken together.  These items concern  
17   Stipulated Agreements for public safety improvements  
18   at highway-rail grade crossings.  In each case Staff  
19   recommends entry of a Supplemental Order granting  
20   additional funding or time for the project's  
21   completion.

22                   Is there any discussion?

1 (No response.)

2 Are there any objections?

3 (No response.)

4 Hearing none, the Orders are entered.

5 Item RR-4 is Docket Number T05-0055.

6 This is a petition by the Village of University Park  
7 for authority to undertake a railroad crossing safety  
8 improvement project. ALJ Kirkland-Montaque  
9 recommends entry of a Second Supplemental Order  
10 granting additional time for the project's  
11 completion.

12 Is there any discussion?

13 (No response.)

14 Any objections?

15 (No response.)

16 Hearing none, the Order is entered.

17 Now on to Motor Carriers. Item MC-1

18 is Stephany Ortiz's application for a tow truck  
19 operator employment permit. ALJ Kirkland-Montaque  
20 recommends entry of an Order granting the  
21 application.

22 Is there any discussion?

1 (No response.)

2 Any objections?

3 (No response.)

4 Hearings none, the Order is entered.

5 Item MC-2 has been withdrawn.

6 We have one Administrative matter for  
7 consideration. Item AM-1 concerns a resolution  
8 certifying an effective date for McDonough County to  
9 be covered under the Commercial Relocation of  
10 Trespassing Vehicles Law. Transportation Bureau  
11 Chief Matrisch recommends adoption of a resolution  
12 with an effective date of January 1, 2013.

13 Is there any discussion?

14 (No response.)

15 Are there any objections?

16 (No response.)

17 Hearing none, the resolution is  
18 adopted.

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

22 MR. MATRISCH: No, Chairman. Thank you.

1           CHAIRMAN SCOTT: Thank you, sir. Hearing none,  
2 that concludes today's Transportation agenda.

3                           TRANSPORTATION SESSION CONCLUDED

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