

1 BEFORE THE
2 ILLINOIS COMMERCE COMMISSION

3
4 BENCH SESSION
5
6 (TRANSPORTATION)

7
8 Springfield, Illinois
9 Wednesday, October 20, 2010

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

13 PRESENT:

14 MR. MANUEL FLORES, Acting Chairman

15 MS. LULA M. FORD, Commissioner
 (Via teleconference)

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

18 MR. SHERMAN J. ELLIOTT, Commissioner

19 MR. JOHN T. COLGAN, Acting Commissioner

20
21 SULLIVAN REPORTING COMPANY, by
22 Carla J. Boehl, Reporter
 CSR #084-002710

1 PROCEEDINGS

2 ACTING CHAIRMAN FLORES: Starting with the
3 Transportation agenda, we have minutes to approve
4 from the September 22 Bench Session. Is there a
5 motion to approve the minutes?

6 ACTING COMMISSIONER COLGAN: So move.

7 ACTING CHAIRMAN FLORES: I will second it.
8 It's been moved and seconded. All in favor say.

9 COMMISSIONERS: Aye.

10 ACTING CHAIRMAN FLORES: All opposed?

11 (No response.)

12 ACTING CHAIRMAN FLORES: The vote is 5-0
13 approving the minutes for September 22.

14 Moving to the Railroad portion of
15 today's agenda, Item RR-1 is Docket Number T10-0097
16 consolidated with Docket Number T10-0137. This item
17 concerns petitions for the taking of certain real
18 estate properties using eminent domain by the
19 Illinois Department of Transportation for the
20 expansion of Interstate 55 in Cook County.
21 Administrative Law Judge Kirkland-Montague recommends
22 entry of an Order granting the Department's

1 petitions.

2 Is there a motion to -- I will make a
3 motion to enter the Order. Is there a second?

4 ACTING COMMISSIONER COLGAN: Second.

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

7 COMMISSIONERS: Aye.

8 ACTING CHAIRMAN FLORES: Any opposed?

9 (No response.)

10 ACTING CHAIRMAN FLORES: The vote is 5-0. The
11 Order is entered and the petition is granted.

12 We will use this 5-0 vote for the
13 remainder of the Transportation agenda unless
14 otherwise noted.

15 Item RR-2 is Docket Number T10-0120.
16 This item concerns a petition for the taking of
17 certain property using eminent domain by the Illinois
18 Department of Transportation for improvements to
19 Route 178 in LaSalle County. Administrative Law
20 Judge Duggan recommends entry of an Order granting
21 the Department's petition.

22 Is there any discussion?

1 (No response.)

2 ACTING CHAIRMAN FLORES: Any objections?

3 (No response.).

4 ACTING CHAIRMAN FLORES: Hearing none, the
5 Order is entered.

6 Items RR-3 through RR-9 (T10-0144,
7 T10-0146, T09-0081, T09-0092, T09-0111, T10-0033,
8 T08-0167) may be taken together. These items concern
9 stipulated agreements for public safety improvements
10 at or near highway/rail grade crossings throughout
11 Illinois. In each case Staff recommends that we
12 enter an Order or Supplemental Order approving a
13 stipulated agreement or allowing for more time or
14 funding for the project.

15 Is there any discussion?

16 (No response.)

17 ACTING CHAIRMAN FLORES: Any objections?

18 (No response.)

19 ACTING CHAIRMAN FLORES: Hearing none, the
20 Orders are entered.

21 Item RR-10 is Docket Number T05-0058.

22 This docket concerns the establishment of new

1 highway/rail grade crossings in Williamson County,
2 and before the Commission today is a Fourth
3 Supplemental Order granting an extension of time for
4 the project's completion. Administrative Law Judge
5 Kirkland-Montague recommends the extension be
6 granted.

7 Is there any discussion?

8 (No response.)

9 ACTING CHAIRMAN FLORES: Any objections?

10 (No response.)

11 ACTING CHAIRMAN FLORES: Hearing none, the
12 Fourth Supplemental Order is entered.

13 Moving now to the Motor Carriers
14 portion of today's agenda, Items MC-1 through MC-3
15 can be taken together. These items concern
16 stipulated settlement agreements surrounding alleged
17 violations of the Illinois Commercial Transportation
18 Law. In each case Staff recommends entry of an Order
19 accepting the stipulated settlement agreement.

20 Is there any discussion?

21 (No response.)

22 ACTING CHAIRMAN FLORES: Any objections?

1 (No response.)

2 ACTING CHAIRMAN FLORES: Hearing none, the
3 Orders are entered and the settlement agreements are
4 approved.

5 Items MC-4 and MC-5 can be taken
6 together. These items concern applications by Juan
7 Luis Diaz and Steven Hribal-Bartelli for operator's
8 employment permits under Section 18a-403 of the
9 Illinois Commercial Relocation of Trespassing
10 Vehicles Law. In each case Staff recommends entry of
11 an Order granting the application.

12 Is there any discussion?

13 (No response.)

14 ACTING CHAIRMAN FLORES: Any objections?

15 (No response.)

16 ACTING CHAIRMAN FLORES: Hearing none, the
17 Orders are entered and the applications are granted.

18 Items MC-6 through MC-10 can be taken
19 together. These items concern applications for
20 renewal of Commercial Relocation Towing Licenses
21 pursuant to Section 401 of the Illinois Commercial
22 Relocation of Trespassing Vehicles Law. In each case

1 Staff recommends entry of an Order granting the
2 company's renewal application.

3 Is there any discussion?

4 (No response.)

5 ACTING CHAIRMAN FLORES: Any objections?

6 (No response.)

7 ACTING CHAIRMAN FLORES: Hearing none, the
8 Orders are entered and the license renewals are
9 granted.

10 We have one administrative matter left
11 to address. This concerns a proposed citation
12 against Keokuk Junction Railway Company concerning a
13 failure to maintain existing highway/rail grade
14 crossing surfaces consistent with the requirements of
15 92 Illinois Administrative Code Part 1535 for a
16 crossing at McDonough County. Staff recommends entry
17 of a Citation Order requiring the company to address
18 this situation.

19 Is there any discussion?

20 (No response.)

21 ACTING CHAIRMAN FLORES: Any objections?

22 (No response.)

1 ACTING CHAIRMAN FLORES: Hearing none, the
2 Citation Order is entered.

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

5 MR. MATRISCH: Nothing further this morning.
6 Thank you.

7 ACTING CHAIRMAN FLORES: Thank you, sir.
8 Hearing none, that concludes today's Transportation
9 agenda. Keep up the good work, folks.

10 TRANSPORTATION AGENDA CONCLUDED

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