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PROCEEDINGS

CHAIRMAN SCOTT: Is everything ready
in Springfield?

COMMISSIONER COLGAN: We're set to
go, Chairman.

CHAIRMAN SCOTT: Thank you.

Pursuant to the provisions of the
Open Meetings Act, I now convene a regularly
scheduled Bench Session of the Illinois Commerce
Commission. With us in Springfield are
Commissioner Colgan and Acting Commissioner del
Valle. With me in Chicago are Commissioner
McCabe and Acting Commissioner Maye. I'm
Chairman Scott. We have a quorum.

Before moving into the agenda,
according to Section 1700.10 of Title 2 of the
Administrative Code, this is the time we allow
members of the public to address the Commission.
Members of the public wishing to address the
Commission must notify the Chief Clerk's office
at least 24 hours prior to Commission meetings.
According to the Chief Clerk's office, we have no
requests to speak at today's Bench Session.

I want to make a quick announcement

1 here before we get into the agenda, and that is
2 that the Bilandic Building has a fire drill
3 scheduled this morning, which means they're
4 evacuating floor by floor. If they get to us
5 during the -- during the course of our meeting,
6 we're going to take a quick recess and then come
7 back. We're told that it takes approximately 10
8 to 15 minutes to do that. So we'll -- we'll let
9 you know. You'll hear it, if it happens, and
10 they tell us that our floor needs to evacuate.
11 So I just wanted to give you that heads up and
12 feel free to evacuate in Springfield if you want
13 to.

14 UNIDENTIFIED: Hopefully during --

15 CHAIRMAN SCOTT: I know, but we're
16 going to --

17 UNIDENTIFIED: Okay.

18 CHAIRMAN SCOTT: We're going to --
19 we're going to obey. We'll do what we're told
20 here today.

21 Okay. Moving to the Transportation
22 agenda, Items RR-1 through RR-6 can be taken
23 together. These items are stipulated agreements
24 seeking authorization for safety improvement

1 projects at highway-rail grade crossings in
2 Illinois. In each case our transportation
3 counsel recommends an Order approving the
4 stipulated agreement.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Is there a motion to
8 enter the Orders?

9 COMMISSIONER MCCABE: So moved.

10 CHAIRMAN SCOTT: Is there a second?

11 ACTING COMMISSIONER MAYE: Second.

12 COURT REPORTER: I'm sorry. Who? I
13 didn't catch who second -- so moved and seconded.

14 COMMISSIONER MCCABE: Commissioner
15 McCabe moved, and Commissioner Maye seconded.

16 COURT REPORTER: Thank you.

17 CHAIRMAN SCOTT: Okay. Any
18 discussion?

19 (No response.)

20 CHAIRMAN SCOTT: All in favor say
21 aye.

22 (Ayes heard.)

23 CHAIRMAN SCOTT: Any opposed?

24 (No response.)

1 CHAIRMAN SCOTT: Vote is 5-0, and the
2 Orders are entered.

3 We will use this 5-0 vote for the
4 remainder of today's Transportation agenda unless
5 otherwise noted.

6 Item RR-7 is Docket No. T12-0111.
7 This is Alton and Southern Railway's petition for
8 authorization to construct a safety improvement
9 project at a highway-rail grade crossing in
10 Madison County. Petitioners have filed a motion
11 to vacate the Commission's prior June 26, 2013,
12 Order granting authorization, and ALJ Duggan
13 recommends entry of a Supplemental Order granting
14 the requested relief.

15 Is there any discussion?

16 (No response.)

17 CHAIRMAN SCOTT: Any objections?

18 (No response.)

19 CHAIRMAN SCOTT: Hearing none, the
20 Supplemental Order is entered.

21 Items RR-8 through RR-10 can be taken
22 together. These items are stipulated agreements
23 seeking authorization for safety improvement
24 projects at highway-rail grade crossings in

1 Illinois. In each case the parties have
2 requested additional time or funding to complete
3 the project, and in each case our transportation
4 counsel recommends entry of a Supplemental Order
5 granting the parties' requested relief.

6 Is there any discussion?

7 (No response.)

8 CHAIRMAN SCOTT: Any objections?

9 (No response.)

10 CHAIRMAN SCOTT: Hearing none, the
11 Supplemental Orders are entered.

12 On to Motor Carriers, Item MC-1 is a
13 stipulated settlement agreement concerning
14 alleged violations of the Illinois Commercial
15 Transportation Law by Gordon Trucking. Our
16 transportation counsel recommends entry of an
17 Order accepting the settlement agreement.

18 Is there any discussion?

19 (No response.)

20 CHAIRMAN SCOTT: Are there any
21 objections?

22 (No response.)

23 CHAIRMAN SCOTT: Hearing none, the
24 Order is entered.

1 Item MC-2 is Black Dog Moving,
2 Incorporated's application for a certificate for
3 household goods/property motor carrier authority
4 under the Illinois Commercial Transportation Law.
5 ALJ Kirkland-Montague recommends entry of an
6 Order granting the application.

7 Is there any discussion?

8 (No response.)

9 CHAIRMAN SCOTT: Any objections?

10 (No response.)

11 CHAIRMAN SCOTT: Hearing none, the
12 Order is entered.

13 (Fire drill announcement.)

14 CHAIRMAN SCOTT: Okay. So that was
15 us. So we are going to take a quick recess, and
16 we will be back probably in about 10 to 15
17 minutes.

18 (Short recess.)

19 CHAIRMAN SCOTT: Springfield, you
20 guys ready? We've had our little two-floor jog
21 here.

22 COMMISSIONER COLGAN: Yeah, we're
23 ready.

24 CHAIRMAN SCOTT: All right. We'll go

1 back on the record now.

2 Item MC-3 is Darrell's,
3 Incorporated's application for a license to
4 operate as a commercial vehicle relocation towing
5 service pursuant to Illinois Commercial
6 Relocation of Trespassing Vehicles Law. ALJ
7 Kirkland-Montaque recommends entry of an Order
8 granting the application.

9 Is there any discussion?

10 (No response.)

11 CHAIRMAN SCOTT: Any objections?

12 (No response.)

13 CHAIRMAN SCOTT: Hearing none, the
14 Order is entered.

15 Items MC-4 and MC-5 can be taken
16 together. These items are applications for
17 operator employment permits pursuant to the
18 Illinois Commercial Relocation of Trespassing
19 Vehicles Law. In both cases ALJ Kirkland-
20 Montaque recommends entry of an Order granting
21 the application.

22 Is there any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: Any objections?

1 (No response.)

2 CHAIRMAN SCOTT: Hearing none, the
3 Orders are entered.

4 Moving now to Collateral Recovery,
5 Item CR-1 is David Bryan Kline's application for
6 a Class "E" recovery permit pursuant to Section
7 45 of the Collateral Recovery Act. ALJ Duggan
8 recommends entry of an Order granting the
9 application.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: Any objections?

13 (No response.)

14 CHAIRMAN SCOTT: Hearing none, the
15 Order is entered.

16 Item CR-2 is Jonathan A. Jendral's
17 application for a Class "E" recovery permit
18 pursuant to Section 45 of the Collateral Recovery
19 Act. ALJ Kirkland-Montaque recommends entry of
20 an Order granting the application.

21 I believe Commissioner Maye had some
22 edits to this. Commissioner Maye.

23 ACTING COMMISSIONER MAYE: I do.

24 Thank you.

1 We do believe that it is important
2 for the Commission to remain consistent, and a
3 few months back we did deny a permit for an
4 applicant who did not disclose past criminal
5 convictions.

6 However, we did just want to state in
7 this Order that, while we do not condone
8 omissions of any type relating to past criminal
9 convictions, we are recommending that -- or we
10 are granting the petition because we do feel like
11 this particular candidate did not act with any
12 malice or did not intend to deceive the
13 Commission. Due to his age and the length of
14 time that has gone between the convictions and
15 the time of the request for the permit, we do
16 believe he reasonably misunderstood that he was
17 supposed to list those on the application.

18 However, we want to remain
19 consistent. We just wanted to add some language
20 that stated that we do not condone such omissions
21 but that this particular candidate was not one of
22 those type.

23 So we do agree with the ALJ in this
24 matter.

1 CHAIRMAN SCOTT: Per the
2 Commissioner's explanation, Commissioner Maye,
3 are you moving the adoption of the revisions?
4 ACTING COMMISSIONER MAYE: Yes.
5 Thank you.
6 CHAIRMAN SCOTT: Is there a second?
7 COMMISSIONER MCCABE: Second.
8 CHAIRMAN SCOTT: Second by
9 Commissioner McCabe.
10 We're moved and seconded.
11 Any discussion on the edits?
12 (No response.)
13 CHAIRMAN SCOTT: All in favor of the
14 edits vote aye.
15 (Ayes heard.)
16 CHAIRMAN SCOTT: Any opposed?
17 (No response.)
18 CHAIRMAN SCOTT: The amendments are
19 adopted 5-0.
20 Is there now a motion to enter the
21 Order as amended?
22 COMMISSIONER MCCABE: So moved.
23 CHAIRMAN SCOTT: Moved by
24 Commissioner McCabe.

1 Is there a second?

2 ACTING COMMISSIONER MAYE: Second.

3 CHAIRMAN SCOTT: Second by

4 Commissioner Maye.

5 Any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: All in favor say

8 aye.

9 (Ayes heard.)

10 CHAIRMAN SCOTT: Any opposed?

11 (No response.)

12 CHAIRMAN SCOTT: Vote is 5-0 and the

13 Order as amended is entered.

14 Item CR-3 is Antonio Garcia Ramirez'

15 application for a Class "E" recovery permit

16 pursuant to Section 45 of the Collateral Recovery

17 Act. ALJ Duggan recommends entry of an Order

18 granting the application.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: Any objections?

22 (No response.)

23 CHAIRMAN SCOTT: Hearing none, the

24 Order is entered.

1 We have two administrative items for
2 consideration today.

3 Item AM-1 concerns our rulemaking to
4 amend 92 Illinois Administrative Code Section
5 1480, rules that pertain to collateral recovery.
6 Staff recommends that the Commission adopt a
7 resolution authorizing submission of the second
8 notice to JCAR.

9 Is there any discussion?

10 Commissioner McCabe.

11 COMMISSIONER MCCABE: Mr. Matrisch,
12 were there any major changes from the last
13 version?

14 MR. MATRISCH: No, Commissioner. The
15 only changes were made at the suggestion of JCAR,
16 and they were nothing more than minor
17 grammatical/punctuation changes. There were no
18 substantive changes made.

19 COMMISSIONER MCCABE: Thank you.

20 CHAIRMAN SCOTT: Further discussion?

21 (No response.)

22 CHAIRMAN SCOTT: Are there any
23 objections?

24 (No response.)

1 CHAIRMAN SCOTT: Hearing none, the
2 resolution is adopted.

3 Item AM-2 is Safeway Towing and
4 Recovery's petition for rehearing of an
5 administrative citation ruling. ALJ Kirkland-
6 Montaque recommends that we deny the petition.

7 Is there any discussion?

8 (No response.)

9 CHAIRMAN SCOTT: Is there any
10 objections to deny the petition?

11 (No response.)

12 CHAIRMAN SCOTT: Hearing none, the
13 petition for rehearing is denied.

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

17 MR. MATRISCH: No, Chairman. Thank
18 you.

19 CHAIRMAN SCOTT: Thank you, sir.

20 Hearing none, this concludes today's
21 Transportation agenda.

22 END OF TRANSPORTATION AGENDA

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CERTIFICATE OF REPORTER

STATE OF ILLINOIS)
) ss.
COUNTY OF SANGAMON)

I, ROBIN A. ENSTROM, a Registered Professional Reporter and Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that the foregoing proceedings were taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

ROBIN A. ENSTROM
Illinois CSR No. 084-002046