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BEFORE THE
ILLINOIS COMMERCE COMMISSION
TRANSPORTATION REGULAR OPEN MEETING
Wednesday, November 26, 2019
Chicago, Illinois

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

PRESENT:

- CARRIE ZALEWSKI, Chairwoman
- MARIA BOCANEGRA, Commissioner
- BRIEN J. SHEAHAN, Commissioner (telephonically)
- SADZI M. OLIVA, Commissioner
- D. ETHAN KIMBREL, Commissioner

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

1 CHAIRWOMAN ZALEWSKI: Hi. I have 10:30. I'm
2 going to go ahead and get started.

3 Good morning. Are we ready to proceed
4 in Springfield?

5 CHIEF CLERK: Yes. We are.

6 CHAIRWOMAN ZALEWSKI: Thank you.

7 Under the Open Meetings Act, I call
8 the November 26th, 2019, Regular Open Meeting to
9 order. Commissioners Bocanegra, Oliva, and Kimbrel,
10 are with me in Chicago. We have a quorum.

11 Commissioner Sheahan is seeking to
12 participate by phone. Commissioner Sheahan, are you
13 with us?

14 COMMISSIONER SHEAHAN: I am. Thank you.

15 CHAIRWOMAN ZALEWSKI: Thank you.

16 Are there any objections to allowing
17 Commissioner Sheahan to participate by phone?

18 (No response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none,
20 Commissioner Sheahan is granted permission to
21 participate.

22 We have no requests to speak from

1 members of the public, so we will move on to our
2 Transportation Agenda.

3 There are edits to the October 30th,
4 2019, Transportation Regular Open Meeting Minutes.

5 Are there any objections to approving
6 the Minutes as edited?

7 (No response.)

8 CHAIRWOMAN ZALEWSKI: Hearing none, the Minutes
9 are approved.

10 Under our Railroad items, Items RR-1
11 and RR-2 concern various railroad safety, public
12 safety projects. The Orders extend the time for the
13 parties to complete the projects.

14 Are there any objections to
15 considering these items together and approving the
16 Orders?

17 (No response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none, the Orders
19 are approved.

20 Item RR-3 concerns Docket T17-0033,
21 which is the Illinois Department of Transportation's
22 petition for approval of a permanent easement at a

1 property jointly owned by BNSF and Union Pacific
2 Railroad.

3 We have substantive edits to the Order
4 proposed by Commissioner Bocanegra's office.

5 Commissioner Bocanegra?

6 COMMISSIONER BOCANEGRA: Thank you, Chairman.

7 The Commission, after careful thought
8 and consideration, finds that IDOT's petition for
9 eminent domain seeking certain property jointly owned
10 by BNSF and Union Pacific Railroad is preempted by
11 federal law, and the petition is denied.

12 CHAIRWOMAN ZALEWSKI: Okay. A motion
13 to --

14 COMMISSIONER BOCANEGRA: So moved.

15 CHAIRWOMAN ZALEWSKI: -- approve the edits?

16 Is there a second?

17 COMMISSIONER OLIVA: Second.

18 CHAIRWOMAN ZALEWSKI: Any discussion?

19 (No response.)

20 CHAIRWOMAN ZALEWSKI: All in favor of approving
21 the proposed edits, say aye.

22 (Chorus of ayes.)

1 CHAIRWOMAN ZALEWSKI: Opposed, nay.

2 (No response.)

3 CHAIRWOMAN ZALEWSKI: Thank you. The ayes have
4 it, and the edits are approved.

5 Are there any objections to approving
6 the Order as edited?

7 (No response.)

8 CHAIRWOMAN ZALEWSKI: Hearing none, the Order
9 is approved.

10 Moving to our Motor Carrier items,
11 Item MC-1 concerns a correction to a stipulated
12 settlement agreement concerning an alleged violation
13 of the Illinois Commercial Transportation Law. This
14 amended Order clarifies the civil penalty amount owed
15 by the respondent and finds that the respondent has
16 paid the required penalty amount and is in compliance
17 with Commission regulations.

18 We have non-substantive edits to the
19 Order proposed by my office that clarify the edits to
20 the previous Commission order.

21 Is there a second to approving the
22 edits?

1 COMMISSIONER BOCANEGRA: Second.

2 CHAIRWOMAN ZALEWSKI: Any discussion?

3 (No response.)

4 CHAIRWOMAN ZALEWSKI: All in favor of approving
5 the proposed edits, say aye.

6 (Chorus of ayes.)

7 CHAIRWOMAN ZALEWSKI: All opposed, nay.

8 (No response.)

9 CHAIRWOMAN ZALEWSKI: The ayes have it. The
10 edits are approved.

11 Are there any objections to approving
12 the Order as edited?

13 (No response.)

14 CHAIRWOMAN ZALEWSKI: Hearing none, the Order
15 is approved.

16 Do any of the Commissioners have any
17 other business to discuss?

18 (No response.)

19 CHAIRWOMAN ZALEWSKI: I would just like to wish
20 Christy George, our new executive director, a warm
21 welcome. She started on November 16th. We're very
22 excited to have her here.

1 And, then, I'd like to wish everyone
2 else a wonderful Thanksgiving. I'm particularly
3 thankful to work with staff and colleagues who are
4 dedicated to the mission of the Agency and serving
5 the people of the State of Illinois. So I'm
6 appreciative of that.

7 On behalf of myself and the rest of
8 the commissioners, we wish everyone a safe and happy
9 holiday.

10 With that, the meeting is adjourned.

11 Thank you.

12 (Whereupon the above
13 matter was adjourned.)

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