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BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH MEETING
(TRANSPORTATION)

Chicago, Illinois
Wednesday, November 7, 2011

Met, pursuant to notice, at 10:30 a.m. in
N801, Eighth Floor, 160 North LaSalle Street,
Chicago, Illinois.

PRESENT:

DOUGLAS P. SCOTT, Chairman

LULA M. FORD, Commissioner

ERIN M. O'CONNELL-DIAZ, Commissioner

SHERMAN J. ELLIOTT, Commissioner
via videoconference

JOHN T. COLGAN, Acting Commissioner
via videoconference

SULLIVAN REPORTING COMPANY, by
Alisa A. Sawka, CSR, RPR
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PROCEEDINGS

CHAIRMAN SCOTT: Pursuant to the provisions of the Illinois Open Meetings Act, I now convene a regularly scheduled Bench Session of the Illinois Commerce Commission. With me in Chicago are Commissioners Ford and O'Connell-Diaz, and with us in Springfield are Commissioner Elliott and Acting Commissioner Colgan. I'm Chairman Scott. We have a quorum.

Before moving into the Agenda, according to Section 1700.10 of Title II 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 the Bench Session. According to the Chief Clerk's Office, we have no requests to speak at today's session.

Under the Transportation Agenda, we'll begin today with approval of minutes from prior Commission meetings. Up first are minutes from our November 2nd Bench Session. I understand amendments

1 have been forwarded.

2 Is there a motion to amend the
3 minutes?

4 COMMISSIONER FORD: So moved.

5 CHAIRMAN SCOTT: Is there a second?

6 COMMISSIONER O'CONNELL-DIAZ: Second.

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

8 All in favor say, Aye.

9 (Chorus of ayes.)

10 CHAIRMAN SCOTT: Any opposed?

11 (No response.)

12 CHAIRMAN SCOTT: The vote is 5 to nothing and
13 amendments to the November 2nd minutes are adopted.

14 Is there a motion to approve the
15 minutes as amended?

16 COMMISSIONER FORD: So moved.

17 ACTING COMMISSIONER COLGAN: So moved.

18 CHAIRMAN SCOTT: Is there a second?

19 COMMISSIONER ELLIOTT: Second.

20 COMMISSIONER FORD: Second.

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

22 All in favor say, Aye.

1 (Chorus of ayes.)

2 CHAIRMAN SCOTT: Any opposed?

3 (No response.)

4 CHAIRMAN SCOTT: The vote is 5 to nothing and
5 the November 2nd Bench Session minutes as amended are
6 approved.

7 Moving on to the Railroad Section,
8 Items RR-1 through RR-8 will be taken together.
9 These items are stipulated agreements regarding
10 public safety improvements at highway-rail grade
11 crossings across Illinois. In each case Staff
12 recommends entry of an Order approving the stipulated
13 agreement.

14 Is there any discussion?

15 (No response.)

16 CHAIRMAN SCOTT: Is there a motion to enter the
17 Orders?

18 COMMISSIONER O'CONNELL-DIAZ: So moved.

19 CHAIRMAN SCOTT: Is there a second?

20 COMMISSIONER FORD: Second.

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

22 All in favor say, Aye.

1 (Chorus of ayes.)

2 CHAIRMAN SCOTT: Any opposed?

3 (No response.)

4 CHAIRMAN SCOTT: The vote is 5 to nothing and
5 the Orders are entered.

6 We will use this 5 to nothing vote for
7 the remainder of the Transportation Agenda unless
8 otherwise noted.

9 Items RR-9 through RR-11 can be taken
10 together. These items are Petitions for
11 Authorization of construction projects of crossings
12 across Illinois. In each case the ALJ recommends
13 entry of an Order authorizing the project.

14 Is there any discussion?

15 (No response.)

16 CHAIRMAN SCOTT: Any objections?

17 (No response.)

18 CHAIRMAN SCOTT: Hearing none, the Orders are
19 entered.

20 Items RR-12 through RR-17 can be taken
21 together. These items are stipulated agreements
22 regarding public safety improvements at highway-rail

1 grade crossings across Illinois. In each case Staff
2 recommends entry of a Supplemental Order allowing
3 additional time and/or funding for the project's
4 completion.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Any objections?

8 (No response.)

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

11 On to Motor Carriers. Items MC-1 is
12 Bloomington Relocation Systems' Application for a new
13 Household Goods Property Motor Carrier Authority.
14 ALJ Duggan recommends entry of an Order granting the
15 Application.

16 Is there any discussion?

17 (No response.)

18 CHAIRMAN SCOTT: Any objections?

19 (No response.)

20 CHAIRMAN SCOTT: Hearing none, the Order is
21 entered and the Application is granted.

22 Item MC-2 through MC-4 can be taken

1 together. These are Applications for the renewal of
2 the Applicants' Commercial Relocation Towing
3 Licenses. In each case Staff recommends entry of an
4 Order granting the license renewal.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Any objections?

8 (No response.)

9 CHAIRMAN SCOTT: Hearing none, the Orders are
10 entered and the renewals are granted.

11 Item MC-5 concerns Rapid Recovery's
12 Application for a Commercial Relocator's License.
13 Before us today is a Motion for Rehearing brought by
14 Intervenors in this matter and ALJ Kirkland-Montague
15 recommends that the Motion for Rehearing be denied.

16 Is there any discussion?

17 (No response.)

18 CHAIRMAN SCOTT: Are there any objections to
19 denying the motion?

20 (No response.)

21 CHAIRMAN SCOTT: Hearing none, the Intervenor's
22 Petition for Rehearing is denied.

1 We have one administrative item for
2 consideration today. Item AM-1 concerns proposed
3 rules for implementing Public Act 97-0576 concerning
4 the recovery of collateral. Transportation Bureau
5 Chief Matrisch recommends adoption of a Resolution
6 authorizing submission of a notice of proposed rule
7 to the Illinois Secretary of State to initiate a
8 rulemaking.

9 Is there any discussion?

10 I had a couple questions for you,
11 Mr. Matrisch, if you could.

12 MR. MATRISCH: Sure.

13 CHAIRMAN SCOTT: I'm understanding that there
14 were a couple of workshops that were held in advance
15 of these rules being promulgated.

16 MR. MATRISCH: That's correct, Chairman. There
17 was a workshop held on October 17th in Springfield
18 and one October 26th in Chicago where we met with
19 representatives from the industry and worked out some
20 issues with the rules. And the rules that are before
21 the Commission today are post-workshop rules where we
22 have incorporated some of the suggested changes by

1 the industry.

2 CHAIRMAN SCOTT: Okay. Thank you. And my
3 understanding, this is the first time that this
4 particular piece of this industry has been regulated?

5 MR. MATRISCH: That's correct, in Illinois. I
6 believe Chicago regulates repossession -- the
7 repossession industry in the Chicago area. But in
8 Illinois, this is state-wide regulation. This is the
9 first time that this industry has been regulated in
10 Illinois.

11 CHAIRMAN SCOTT: Thank you very much. I
12 appreciate it.

13 Any further questions? Any other
14 discussion?

15 (No response.)

16 COMMISSIONER O'CONNELL-DIAZ: My only comment
17 is I hope I don't see this on a reality show. I
18 think there's been about four repoman shows out
19 there.

20 CHAIRMAN SCOTT: That's right.

21 MR. MATRISCH: So do I, Commissioners.

22 CHAIRMAN SCOTT: Especially the rules. How bad

1 would it be if the rules ended up on a reality show?

2 COMMISSIONER O'CONNELL-DIAZ: Oh, I tell you.

3 Yeah, right.

4 CHAIRMAN SCOTT: That would really be bad.

5 Any further discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Are there any objections to
8 the Resolution?

9 (No response.)

10 CHAIRMAN SCOTT: Hearing none, the Resolution
11 is adopted.

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

14 MR. MATRISCH: Nothing further, Chairman.
15 Thank you.

16 CHAIRMAN SCOTT: Thank you, sir.

17 Hearing none, that concludes today's
18 Transportation Agenda.

19 (Whereupon, the Public Utility
20 Agenda is contained in a
21 separate transcript.)

22