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BEFORE THE
ILLINOIS COMMERCE COMMISSION

TRANSPORTATION BENCH SESSION

Chicago, Illinois
December 16, 2009

Met pursuant to notice at 10:30 a.m.

BEFORE:

- MR. CHARLES E. BOX, Chairman
- MS. LULA M. FORD, Commissioner
- MS. ERIN M. O'CONNELL-DIAZ, Commissioner
- MR. SHERMAN J. ELLIOTT, Commissioner
- MR. JOHN T. COLGAN, Commissioner

SULLIVAN REPORTING COMPANY, by
Tracy L. Overocker, CSR

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RAILROAD

T09-0132, T09-0133, T09-0134. 4

T08-0163, T08-0166, T09-0167
T08-0168, T09-0019 (Supp.). 5

MOTOR CARRIERS

142168 MC Sub 1. 5

Investigation # 08-0513 (144282 MC),
Investigation # 09-0166 (159353 MC),
Investigation # 09-0290 (137451 MC),
Investigation # 09-0738 (157917 MC),
Investigation # 09-0873 (130143 MC),
Investigation # 09-0898 (43099 MC),
Investigation # 09-1153 (129531 MC),
Investigation # 09-1179 (163854 MC),
Investigation # 09-1220 (157193 MC). . . . 6

1 CHAIRMAN BOX: Pursuant to the provisions of
2 Illinois Open Meetings Act, I now convene a regularly
3 scheduled bench session of the Illinois Commerce
4 Commission. With me in Chicago are Commissioners
5 Ford, O'Connell-Diaz, Elliott and Colgan and myself,
6 Chairman Box; we have a quorum.

7 Before moving into the agenda, this is
8 the time we allow for members of the public to
9 address our Commission. Members of the public
10 wishing to address the Commission must notify the
11 Chief Clerk's Office at least 24 hours prior to the
12 bench session. According to the Chief Clerk's
13 Office, there have been no requests to speak.

14 First, on the Transportation agenda,
15 we have minutes to approve from the November 12th,
16 2009 Special Open Meeting.

17 Is there a motion to approve the
18 minutes.

19 COMMISSIONER O'CONNELL-DIAZ: So moved.

20 CHAIRMAN BOX: Is there a second?

21 COMMISSIONER ELLIOTT: Second.

22 CHAIRMAN BOX: It's been moved and seconded.

1 All in favor say "aye."

2 (Chorus of ayes.)

3 Opposed?

4 (No response.)

5 The vote is 5-0, the minutes are
6 approved.

7 We will then begin with the Railroad
8 Section. Items RR-1 through RR-3 will be taken
9 together. These are stipulated agreements for safety
10 improvement projects to grade crossings. Over
11 \$730,000 in Grade Crossing Protection Funds will be
12 used. Staff recommends entering the stipulated
13 agreements.

14 Is there a motion to enter the
15 stipulated agreements?

16 COMMISSIONER FORD: So moved.

17 CHAIRMAN BOX: Is there a second?

18 COMMISSIONER ELLIOTT: Seconded.

19 CHAIRMAN BOX: It's been moved and seconded.

20 All in favor say "aye."

21 (Chorus of ayes.)

22 Opposed?

1 (No response.)

2 The vote is 5-0. The order is
3 granted. The stipulated agreements are entered.

4 Items RR-4 through RR-8 will be
5 taken together. These are supplemental petitions for
6 an extension of time to make various rail safety
7 improvement projects. Staff recommended entering the
8 supplemental orders.

9 Is there a discussion?

10 (No response.)

11 Any objections?

12 (No response.)

13 Hearing none, the supplemental
14 orders are entered. That concludes the railroad
15 portion of today's agenda.

16 Turning to the Motor Carrier's
17 Section, Item MC-1 is an application for a temporary
18 certificate of public convenience and necessity filed
19 by King David Moving & Storage, Inc. Administrative
20 Law Judge Kirkland-Montague recommends entering the
21 order approving the application for a temporary
22 certificate.

1 Is there any discussion?

2 (No response.)

3 Any objections?

4 (No response.)

5 Hearing none, the order is entered.

6 Items MC-2 through MC-10 will be
7 taken together. These are stipulated agreements
8 concerning various alleged violations of the Illinois
9 Commercial Transportation Law. Staff recommends
10 entering the orders accepting the stipulated
11 settlement agreements.

12 Is there any discussion?

13 (No response.)

14 Any objections?

15 (No response.)

16 Hearing none, the orders are
17 entered. That concludes the Motor Carrier's portion
18 of today's agenda.

19 Miss Kelley, anything else to come
20 before us today?

21 MS. KELLEY: That's all. Thank you.

22 CHAIRMAN BOX: Thank you.