



1 CHAIRWOMAN ZALEWSKI: Good morning. Under  
2 the Open Meetings Act and in accordance with the  
3 Governor's Executive Orders, I call the April 1,  
4 2021, Regular Open Meeting to order. Before we  
5 proceed, for the clarity of the record, I would ask  
6 everyone to state their name and to speak slowly  
7 and clearly so that the court reporter can capture  
8 everything that is said.

9 All four commissioners are on and  
10 so we have a quorum.

11 First, moving on to our  
12 Transportation Agenda.

13 There are no edits to the March 4,  
14 2021, Transportation Regular Open Meeting Minutes.  
15 Are there any objections to approving the minutes?

16 (No verbal response.)

17 CHAIRWOMAN ZALEWSKI: Hearing none, the  
18 minutes are approved.

19 Under our Railroad Items, Items  
20 RR-1 through our RR-5 concern public safety  
21 improvement projects at railway crossings. The  
22 orders approve the projects, extend the project

1 deadlines and approve cost apportionment. Are  
2 there any objections to considering these items  
3 together and approving the orders?

4 (No verbal response.)

5 CHAIRWOMAN ZALEWSKI: Hearing none, the  
6 orders are approved.

7 Item RR-6 concerns a complaint  
8 filed by Norfolk Southern Railway Company, alleging  
9 that NewWave installed cable television facilities  
10 under NS track at a roadway track crossing without  
11 authority and contrary to the statutorily required  
12 procedure. The parties filed a motion to dismiss  
13 pursuant to a settlement agreement. The motion to  
14 dismiss asserts that all issues have been fully  
15 settled and that case should be dismissed with  
16 prejudice. The order grants the motion to dismiss.  
17 Are there any objections to approving the order?

18 (No verbal response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none, the  
20 order is approved.

21 Item RR-7 concerns an application  
22 for determination that applicant's proposed

1 installation will not present a dangerous condition  
2 or interrupt service. The applicant filed a motion  
3 to dismiss, asserting that all matters between the  
4 applicant and Union Pacific have been resolved, the  
5 order grants the motion to dismiss. Are there any  
6 objections to approving the order?

7 (No verbal response.)

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

10 Under our Motor Carrier Items,  
11 Items MC-1 through MC-3 concern applications for  
12 Certificates of Public Convenience and Necessity.  
13 The orders grant temporary one-year household  
14 goods, property, motor carrier certificates,  
15 finding that the Applicants meet the requirements.  
16 Are there any objections to considering these items  
17 together and approving the orders?

18 (No verbal response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none, the  
20 orders are approved.

21 Items MC-4 through MC-6 concern  
22 applications for renewal of commercial vehicle

1 relocator's licenses. The orders grant the  
2 applications, finding that the Applicants meet the  
3 requirements. Are there any objections to  
4 considering these items together and approving the  
5 orders?

6 (No verbal response.)

7 CHAIRWOMAN ZALEWSKI: Hearing none, the  
8 orders are approved.

9 Under Administrative Matters, Item  
10 AM-1 concerns the 2022 through 2026 Crossing Safety  
11 Improvement Program, a five-year plan that will be  
12 submitted to the governor and the general assembly  
13 upon the Commission's approval. The report  
14 represents the rail safety section recommended list  
15 of highway, rail safety capital improvement  
16 projects for the Commission's 2022 through 2026  
17 plan. The Staff now submitted an Amended Appendix  
18 2 to the plan that corrects the table to add the  
19 projects that were inadvertently omitted from the  
20 plan when submitted by Staff at the March 18th  
21 Bench Session. Are there any objections to  
22 approving the Amended Appendix 2 of the plan?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

(No verbal response.)

CHAIRWOMAN ZALEWSKI: Hearing none, the Amended Appendix 2 is approved.

This concludes our Transportation Agenda.

(WHEREUPON, the above-entitled matter was adjourned.)