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August 15, 2012

Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

DOCKET NO: MCF\_21048\_0

EL Expreso Group, LLC, and Tornado Bus Company Inc.--Asset Acquisition--Cusa EE, LLC D/  
B/A EL Expreso

Surface Transportation Board,

I am writing this letter in response to:

RE: MCF-21048, El Expreso Group, LLC - Asset Acquisition - CUSA EE, LLC, d/b/a El  
Expreso (232701)

***In light of the Bankruptcy Court Order, El Expreso renews its request for Board approval of the pending interim authority and the application for permanent control authority.***

Just as El Expreso is renewing its request for permanent control authority, I am renewing my request that the Board deny the application for permanent control authority.

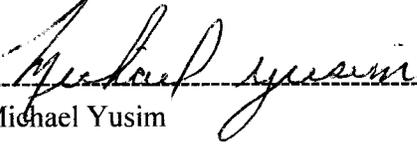
As I have repeatedly argued, the Coach America bus companies accept false records of duty status from their drivers. The Coach America bus companies:

- (1) eliminate Provision 3 in Question 2 of the Guidance to FMCSR 395.2 as a necessary condition for logging off-duty during a tour of duty;
- (2) accept false records of duty status from drivers who log off-duty during their tours of duty without the written instructions mandated by Provision 3 in Question 2 of the Guidance to FMCSR 395.2;
- (3) require drivers to change their original logs, shred the original logs, and then present the changed logs as the original logs;
- (4) require drivers to log off-duty for durations that are greater than the durations made known to the drivers by the written instructions mandated by Provision 3 in Question 2 of the Guidance to FMCSR 395.2;
- (5) dispatch drivers into tours of duty that require the drivers to record 10 and 15 hours of service violations, and then write the drivers up for accurately recording the 10 and 15 hours of service violations.
- (6) fire drivers for refusing to log off-duty without the written instructions mandated by Provision 3 in Question 2 of the Guidance to FMCSR 395.2;
- (7) fire drivers for refusing to change their logs;
- (8) accept logs from drivers who logged off-duty on days that the drivers worked.

The public interest is not served by allowing the sale of bus companies that accept false records of duty status from their drivers.

I therefore renew my request, that the Surface Transportation Board deny the application for permanent control, until such time as the Secretary of Labor is given the opportunity to hear and decide the discrimination cases in regard to accurately reporting hours on duty, in accordance with 49 USC 31105.

Sincerely,

  
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Michael Yusim

cc:

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