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SERVICE DATE – MARCH 20, 2009

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. MC-F-21033 TA

HOLLAND AMERICA LINE INC.–ACQUISITION–ROYAL HYWAY TOURS, INC.

Decided: March 18, 2009

On March 5, 2009, Holland America Line Inc. (Applicant), a noncarrier, applied for interim approval under 49 U.S.C. 14303(i) and the Board's regulations at 49 CFR 1182.7 to permit Applicant to acquire management control of Royal Hyway Tours, Inc. (RHT), a motor passenger carrier (MC-182214). Applicant seeks interim approval pending a decision on a concurrently filed application to acquire 100% of the stock of RHT.¹

Applicant seeks to acquire RHT as part of its fleet of motor passenger carriers serving the Pacific Northwest, including Southeast Alaska. Applicant states that interim approval is necessary to allow for a seamless transition with adequate and continuous service to the public. Applicant seeks the interim management control so that it may adequately prepare for operations during the upcoming summer season for the Alaska cruise tour business. Applicant contends that interim management will enable Applicant to hire and train its seasonal staff in safety and customer service procedures prior to the summer tourist season and while the concurrently filed application for permanent approval of the acquisition of RHT's stock is pending.

Under 49 U.S.C. 14303(i), and 49 CFR 1182.7(b), the Board finds that Applicant has demonstrated that failure to grant interim approval of the proposed finance transaction may result in the destruction of, or injury to, the properties being acquired or may substantially interfere with their future usefulness in providing adequate and continuous service to the public.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

¹ Applicant currently controls five motor passenger carriers: (1) Evergreen Trails, Inc., d/b/a Gray Line of Seattle (MC-107638); (2) Westours Motor Coaches, Inc. (MC-118832); (3) Westmark Hotels of Canada Ltd. (MC-405618); (4) Horizon Coach Lines, Ltd. (MC-144339); and (5) Discover Alaska Tours, Inc. (DAT) (MC-636105). RHT holds a minority non-controlling interest in DAT. Applicant states that the acquisition of control of RHT is part of an internal corporate restructuring including Applicant and several noncarrier subsidiaries and affiliates. Applicant states that it is likely that DAT will be merged into RHT upon completion of the proposed transaction, with RHT being the surviving entity.

It is ordered:

1. Applicant is authorized on an interim basis to acquire management control of RHT under 49 U.S.C. 14303(i) and 49 CFR 1182.7. The application for permanent authority will be addressed in a separate decision.

2. This decision is effective on its service date.

3. A copy of this decision will be served on: (1) the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, S.E., Washington, DC 20590; (2) the U.S. Department of Justice, Antitrust Division, 10th Street & Pennsylvania Avenue, N.W., Washington, DC 20530; and (3) the U.S. Department of Transportation, Office of the General Counsel, 1200 New Jersey Avenue, S.E., Washington, DC 20590.

By the Board, Chairman Mulvey, and Vice Chairman Nottingham.

Anne K. Quinlan
Acting Secretary