

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. MC-F-21009 TA

CUSA PCSTC, LLC D/B/A PACIFIC COAST SIGHTSEEING TOURS & CHARTERS —
ACQUISITION OF ASSETS AND BUSINESS OPERATIONS — LAIDLAW TRANSIT
SERVICES, INC. D/B/A ROESCH LINES

Decided: December 23, 2004

On December 14, 2004, CUSA PCSTC, LLC d/b/a Pacific Coast Sightseeing Tours & Charters (PCSTC),¹ a motor passenger carrier, applied for interim approval under 49 U.S.C. 14303(i) and the Board's regulations at 49 CFR 1182.7 to permit it to acquire control and operate certain assets of Roesch Lines (Roesch), a motor passenger carrier and subsidiary of Laidlaw Transit Services, Inc. (Laidlaw). PCSTC seeks interim approval pending a decision on its concurrently filed application for permanent approval of the transaction.

According to PCSTC, Roesch has been unable to restore its sightseeing, tour and charter business to sufficiently profitable levels in the years following September 11, 2001, and is generating insufficient returns on invested capital. A grant of interim approval will allow PCSTC to use the assets being acquired to provide bus service to the public following Roesch's planned cessation of operations in January 2005. This will enable passenger service that Roesch is currently providing to continue unimpaired while PCSTC's concurrently filed application for permanent approval is pending.

Under 49 U.S.C. 14303(i), and 49 CFR 1182.7(b), the Board finds that PCSTC has demonstrated that failure to grant interim approval of the proposed finance transaction 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.

It is ordered:

¹ PCSTC is wholly owned by CUSA, LLC, a noncarrier, which in turn is wholly owned by KBUS Holdings, LLC, which is also a noncarrier.

1. PCSTC is authorized to acquire control and operate certain assets of Roesch under 49 U.S.C. 14303(i) and 49 CFR 1182.7. The application will be considered 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, 400 7th Street, S.W., Room 8214, 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, 400 7th Street, S.W., Washington, DC 20590.

By the Board, Chairman Nober, Vice Chairman Mulvey, and Commissioner Buttrey.

Vernon A. Williams
Secretary