

28561
SEC

SERVICE DATE - NOVEMBER 14, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 41996

ASSOCIATED TRAFFIC SERVICES, INC.--PETITION FOR DECLARATORY ORDER--
CERTAIN RATES AND PRACTICES OF SAIA MOTOR FREIGHT LINE, INC.

Decided: November 7, 1997

By decision served September 22, 1997, a schedule was established by which petitioner Associated Traffic Services, Inc. (ATS) would furnish copies of discount notification letters to respondent Saia Motor Freight Line, Inc. (Saia) by October 2, 1997; respondent would be given until October 22, 1997 to rebut petitioner's claim; and petitioner would be given until November 11, 1997 to reply.

In a letter filed October 28, 1997, ATS certified that it had furnished the letters to Saia. However, ATS added that, for reasons unknown, as of that date it still had not received the Board's decision by mail. Petitioner added that, at its request, a copy of the decision was sent by facsimile from the Board and received on October 14, 1997. Accordingly, petitioner requests that we grant the parties an extension of time to satisfy the Board's order and revise the schedule as follows:

1. The date by which ATS is required to provide copies of the letters granting discounts to WEA¹ and to certify same shall be deemed to be October 22, 1997;²
2. Saia shall have until November 25, 1997 to provide any material it may have to rebut the ATS claims; and
3. ATS shall have until December 10, 1997 to reply to any rebuttal material provided by Saia.

Saia agreed that the schedule be revised, but requested that its rebuttal not be due until December 8, 1997.

We will extend the schedule as agreed by Saia, providing further that ATS's reply to Saia's rebuttal will be extended to December 29, 1997.

¹ WEA is Warner/Elektra/Atlantic Corporation, the shipper and payer of freight charges to Saia. ATS is WEA's assignee.

² As indicated, ATS has already provided copies of the letters to Saia.

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

It is ordered:

1. Saia shall have until December 8, 1997 to provide any material it may have to rebut the ATS claim.
2. ATS shall have until December 29, 1997 to reply to any rebuttal material provided by Saia.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

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