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ALJ

SERVICE DATE - LATE RELEASE OCTOBER 4, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. WCC-104

TRAILER BRIDGE, INC.

v.

SEA STAR LINES, LLC

Decided: October 4, 2001

On September 18, 2001, Trailer Bridge, Incorporated ("Trailer") filed a second motion to compel Sea Star Line, LLC ("Sea Star") to respond to certain discovery requests ordered by the Surface Transportation Board previous to assignment of the proceeding to the undersigned. In the same motion, Trailer renewed its request for sanctions against Star for failure to respond to aforementioned discovery requests. On October 3, 2001, oral argument on the matter before the undersigned resulted in the following rulings:

Defendant Sea Star was ordered to fully respond to interrogatory number 13, 15, 20 and the request for production of documents, number 2 and 3.

Sea Star is to provide for interrogatory no. 13, all underlying documentation and a description of the cost accounting procedure by which it determines the operating costs of its vessels, including the cost of transporting a container, trailer, automobile or other cargo between each U.S. mainland port and each Puerto Rico port served by Sea Star. This information includes, for each voyage by quarter, starting in 1998, or its first quarter of operations, up to 2001, the average rate received for trailers, containers, automobiles, and other cargo and the vessel capacity utilization of each vessel required to break even (or indication of exact break even percentage).

For interrogatory number 15, Sea Star is to provide the underlying documentation and data requested in the interrogatory on a quarterly basis starting in 1998 up to the present. This information includes a comparison of the overall actual cost per load moved using barges to the overall actual cost per load using self-propelled vessels. This information also includes a comparison of the actual average revenue per load.

It is ordered:

1. Sea Star has to comply with this order by **October 15, 2001**.
2. The Second Motion for Enforcement of Orders Compelling Discovery and Renewed Request for Sanctions **IS GRANTED** to the extent specified in this order.
The request for sanctions **IS DENIED**.

By Administrative Law Judge, Carmen Cintron