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SEC

SERVICE DATE - NOVEMBER 2, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42048

PETITION FOR DECLARATORY ORDER--NANCY HALL v. ALOHA INTERNATIONAL MOVING SERVICES, INC., ALLIED VAN LINES, INC., VIP TRANSPORT, INC., AND ALLIED INTERNATIONAL N.A., INC.

Decided: October 27, 1999

By petition filed September 13, 1999, Ms. Nancy Hall (petitioner) seeks a declaratory order to resolve issues concerning tariff applicability, rates, and the reasonableness of rates for the transportation of household goods. Petitioner states that the Board has jurisdiction over the issues pursuant to 49 U.S.C. 13501, 13701, 13702, 13710, and 14701, and that the matter is before the Board on referral from the United States District Court for the District of Minnesota, in Case No. 98-1217 (MJD/JGL), Nancy Hall v. Aloha International Moving Services, Inc., Allied Van Lines, Inc., VIP Transport, Inc., and Allied International N.A., Inc. According to petitioner, the court's referral order, dated June 1, 1999, stayed the court proceedings pending the Board's determination of the issues. By reply filed October 13, 1999, defendants in the Minnesota district court case summarily deny petitioner's allegations.

Under the Board's authority in 5 U.S.C. 554(e) and 49 U.S.C. 721, a proceeding is being instituted to resolve the controversy here.¹ In addition to a declaratory order, petitioner also seeks a protective order to treat as highly confidential petitioner's verified statement in support of her request for waiver of the filing fee to initiate this proceeding. Petitioner states that the verified statement is not related to any substantive aspect of the declaratory order proceeding, is submitted solely in support of her filing fee waiver request, and contains highly personal information. Petitioner's request is reasonable and will be granted.

It is ordered:

1. Petitioner's motion for protective order is granted. The verified statement of Nancy Hall, filed September 13, 1999, will be classified as highly confidential, will not be made part of the public docket, and may not be viewed by any person other than the Board, its staff, or respondents' attorneys.

2. This decision is effective on the date of service.

¹ The order instituting the proceeding will be issued by the Director of the Office of Proceedings, who has been delegated the responsibility for taking initial action in disposing of such matters. See 49 CFR 1011.8(c)(6).

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By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary