

21432
SEC

SERVICE DATE - JANUARY 13, 1997

SURFACE TRANSPORTATION BOARD¹

DECISION

No. 41664

OSCAR MAYER FOODS CORP.--PETITION FOR DECLARATORY ORDER--
CERTAIN RATES AND PRACTICES OF AMERICAN FREIGHT SYSTEM, INC.

Decided: January 8, 1997

By decision served December 6, 1995, the ICC established a procedural schedule in this proceeding. Petitioner filed its opening statement on August 29, 1996.

By letter filed December 23, 1996, petitioner advised the Board that this proceeding has been settled and should be withdrawn. The request will be granted and the proceeding will be dismissed.

It is ordered:

1. This proceeding is dismissed.
2. This decision is effective on the service date.
3. A copy of this decision will be mailed to:

The Honorable James A. Pusateri
United States Bankruptcy Court for
the District of Kansas
One Metropolitan Square
204 U. S. Courthouse
444 Quincy
Topeka, KS 66683

Re: Case No. 88-41050-11,
Adv. No. 90-7472

By the Board, Vernon A. Williams, Secretary.

¹ On December 29, 1995, the President signed the ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (ICC Termination Act or the Act). Effective January 1, 1996, the Act abolished the Interstate Commerce Commission (ICC) and transferred various ICC functions to a newly created Surface Transportation Board (Board), including the resolution of issues in motor carrier undercharge proceedings, 49 U.S.C. 13709-13711.

Vernon A. Williams
Secretary