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SERVICE DATE – NOVEMBER 3, 2010

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. MC-F 21035

STAGECOACH GROUP PLC AND COACH USA, INC., ET AL.–  
ACQUISITION OF CONTROL–TWIN AMERICA, LLC

Decided: November 2, 2010

On August 19, 2009, Stagecoach Group PLC; its noncarrier intermediate subsidiaries;<sup>1</sup> Coach USA, Inc.; International Bus Services; City Sights Twin, LLC; and Mr. Zev Marmurstein (collectively, Applicants) filed an application under 49 U.S.C. § 14303 to acquire control of Twin America, LLC (Twin America) once Twin America became a carrier.<sup>2</sup> In a notice served and published in the Federal Register on September 18, 2009 (74 Fed. Reg. 47,985-86), the Board requested comments. By decision served January 12, 2010, the Board adopted a procedural schedule to allow interested persons to submit additional comments and evidence in opposition to the application. On April 27, 2010, the Board held an oral argument in which Applicants, the New York State Attorney General (NYSAG), and Continental Guest Services Corporation (CGSC) participated.

Under 49 U.S.C. § 14303(e), “the Board shall conclude evidentiary proceedings by the 240th day after the date on which notice of the application is published . . .” and “shall issue a final decision by the 180th day after the conclusion of the evidentiary proceedings.” The statute also allows for the time periods to be extended, in total, for up to 90 days. Here, the evidentiary proceedings would have concluded by May 14, 2010.<sup>3</sup> However, the Board has continued to receive filings from Applicants, NYSAG, CGSC, and other interested persons. In order for the Board to have the opportunity to consider these additional filings as part of the record, the Board will add 90 days to the evidentiary period. Therefore, the evidentiary proceedings concluded on August 12, 2010.

The Board anticipates that a final decision will be issued within 180 days of the conclusion of the evidentiary proceedings, by February 8, 2011.

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<sup>1</sup> Stagecoach Transport Holdings plc, SCUSI Ltd., Coach USA Administration, Inc.

<sup>2</sup> As of November 17, 2009, Twin America is a registered motor passenger carrier (MC-688284).

<sup>3</sup> The 240th day was May 16, 2010. Because that day is a Sunday, the evidentiary proceedings would have concluded on Friday, May 14, 2010.

It is ordered:

1. The evidentiary period is extended by 90 days.
2. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.