

SERVICE DATE - JUNE 15, 1998

SURFACE TRANSPORTATION BOARD

DECISION

STB No. 42016

A. SCHULMAN, INC.; AGATE COVER ENTERPRISES D/B/A SOUND BUSINESS FORMS; ALCAN ALUMINUM CORPORATION; ANSUL FIRE PROTECTION; AVERY DENNISON CORPORATION; B&S SUPPLY; BAYSIDE BUSINESS FORMS; BLOCK GRAPHICS, INC. F/K/A MEDALLION ENVELOPE CO.; BLOCK GRAPHICS, INC. F/K/A SYSTEMS DISTRIBUTION, INC.; BLOUNT SPORTING EQUIPMENT; CAL-TAB SYSTEMS, INC.; CENTRAL VALLEY OAK DIST.; CHEMITHON SURFACE FINISHING, INC.; COSTCO WHOLESALE CORPORATION; DATAFORM PRINT COMMUNICATIONS; DUCKBACK PRODUCTS INC.; DURODYNE, INC.; EVEREADY BATTERY COMPANY, INC.; FEDERAL PAPER BOARD COMPANY, INC.; FMC CORPORATION; GRAN'PA DON'S, INC.; HEHR INTERNATIONAL, INC.; HOLLANDER GLASS, INC.; LYNX GOLF, INC.; MICHELMAN, INCORPORATED; NATIONAL STARCH & CHEMICAL; NATIONWIDE PAPERS; REPUBLIC BAG, INC.; STAR BLENDS, INC.; STOODY COMPANY; SYNSOR CORPORATION; TRAVIS INDUSTRIES, INC.; THE VALSPAR CORPORATION; WALTER E. NELSON; AND WESTERN NEVADA SUPPLY COMPANY--PETITION FOR DECLARATORY ORDER--CERTAIN RATES AND PRACTICES OF WILLIG FREIGHT LINES, INC.

Decided: June 10, 1998

This proceeding arises out of the efforts of Willig Freight Lines, Inc. (respondent) to collect undercharges for certain transportation services performed on behalf of A. Schulman, Inc. (Schulman); Agate Cover Enterprises d/b/a Sound Business Forms (Agate); Alcan Aluminum Corporation (Alcan); Ansul Fire Protection (Ansul); Avery Dennison Corporation (Avery); B&S Supply (B&S); Bayside Business Forms (Bayside); Block Graphics, Inc. f/k/a Medallion Envelope Co. (Medallion); Block Graphics, Inc. f/k/a Systems Distribution, Inc. (Systems); Blount Sporting Equipment (Blount); Cal-Tab Systems, Inc. (Cal-Tab); Central Valley Oak Dist. (Central); Chemithon Surface Finishing, Inc. (Chemithon); Costco Wholesale Corporation (Costco); Dataform Print Communications (Dataform); Duckback Products Inc. (Duckback); Durodyne, Inc. (Durodyne); Eveready Battery Company, Inc. (Eveready); Federal Paper Board Company, Inc. (Federal); FMC Corporation (FMC); Gran'Pa Don's, Inc. (Gran'pa); Hehr International, Inc. (Hehr); Hollander Glass, Inc. (Hollander); Lynx Golf, Inc. (Lynx); Michelman, Incorporated (Michelman); National Starch & Chemical (National); Nationwide Papers (Nationwide); Republic Bag, Inc. (Republic); Star Blends, Inc. (Star); Stody Company (Stody); Synsor Corporation (Synsor); Travis Industries, Inc. (Travis); The Valspar Corporation (Valspar); Walter E. Nelson (Nelson); and Western Nevada Supply Company (Western).

By decision served September 29, 1997, the Board established a procedural schedule in this proceeding. By decision served January 16, 1998, this proceeding was held in abeyance with respect to petitioners Agate, B&S, Bayside, Medallion, Systems, Cal-Tab, Central, Dataform, Durodyne, Gran'pa, Hollander, Michelman, Republic, Synsor, and Nelson, pending a request from the named petitioners for further action.

By letter filed June 4, 1998, petitioners Agate; Ansul; Avery; B&S; Bayside; Medallion; Systems; Cal-Tab; Central; Chemithon; Dataform; Duckback; Durodyne; Eveready; Federal; FMC; Gran'pa; Hollander; Michelman; National; Republic; Stoodly; Synsor; Valspar; and Nelson advised the Board that the matters raised in this proceeding with respect to these named petitioners have been resolved or settled. Petitioners request that they be removed as parties to this proceeding.

The request of petitioners will be granted. Petitioners Agate; Ansul; Avery; B&S; Bayside; Medallion; Systems; Cal-Tab; Central; Chemithon; Dataform; Duckback; Durodyne; Eveready; Federal; FMC; Gran'pa; Hollander; Michelman; National; Republic; Stoodly; Synsor; Valspar; and Nelson will be removed as parties to this proceeding and the proceeding will be dismissed with respect to these petitioners.

It is ordered:

1. This proceeding is dismissed with respect to petitioners Agate; Ansul; Avery; B&S; Bayside; Medallion; Systems; Cal-Tab; Central; Chemithon; Dataform; Duckback; Durodyne; Eveready; Federal; FMC; Gran'pa; Hollander; Michelman; National; Republic; Stoodly; Synsor; Valspar; and Nelson.

2. This decision is effective on its service date.

3. A copy of this decision will be mailed to:

The Honorable Dennis Montali
United States Bankruptcy Court for the
Northern District of California
P. O. Box 7341
San Francisco, CA 94120

Re: Chapter 11 Case No. ND 95-33940-DM,
Adv. Pro. Nos. 96-3842 DM; 96-3558 DM; 97-3416 DM;
96-3566 DM; 96-3755 DM; 96-3701 DM; 96-3848 DM;
96-3761 DM; 96-3580 DM; 96-3764 DM; 96-3638 DM;
96-3858 DM; 96-3621 DM; 96-3260 DM; 96-3263 DM;
96-3745 DM; 97-3378 DM; 96-3677 DM; 96-3707 DM;
96-3648 DM; 97-3380 DM; 96-3793 DM; 97-3397 DM;
97-3209 DM; and 96-3798 DM

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary