

32470
EB

SERVICE DATE – JANUARY 11, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Section 5a Application No. 118 (Sub-No. 2), et al.¹

EC-MAC MOTOR CARRIERS SERVICE ASSOCIATION, INC., ET AL.

Decided: January 10, 2002

By decision served on November 20, 2001, we indicated that we would approve renewal of the rate bureau agreements in these proceedings, subject to two conditions. First, when a bureau member carrier quotes a rate that is “based on or references a bureau-set class rate,” the carrier must give the potential shipper a “truth-in-rates” notice that prominently discloses the range of discounts provided to shippers by bureau members. Second, bureaus must provide, as a condition of membership, that their member carriers may not impose a loss-of-discount penalty for late payment that references or is linked in any way to a bureau-set class rate. We ordered the bureaus to submit to us the range-of-discount information discussed in our decision by January 22, 2002, and to submit revised bureau agreements comporting with our decision by March 20, 2002. Our decision became effective on December 20, 2001.

Petitions for reconsideration of our decision have been filed by several rate bureaus, and by the National Small Shipments Traffic Conference, a shipper organization. In addition, by petitions filed on December 31, 2001, and on January 3, 2002, five rate bureaus request that the compliance deadlines established in our decision be extended until we rule on the petitions for reconsideration.

¹ This decision embraces the following other motor carrier bureau applications: Pacific Inland Tariff Bureau, Inc. - Renewal of Agreement, Section 5a Application No. 22 (Sub-No. 8); The New England Motor Rate Bureau, Inc., Section 5a Application No. 25 (Sub-No. 9); Middlewest Motor Freight Bureau, Inc. - Renewal of Agreement, Section 5a Application No. 34 (Sub-No. 10); Niagara Frontier Tariff Bureau, Inc., Section 5a Application No. 45 (Sub-No. 16); Southern Motor Carriers Rate Conference, Inc., Section 5a Application No. 46 (Sub-No. 21); Motor Carriers Traffic Association - Agreement, Section 5a Application No. 55 (Amendment No. 2); Machinery Haulers Association Inc. - Agreement, Section 5a Application No. 58 (Sub-No. 4); Rocky Mountain Tariff Bureau, Inc., Section 5a Application No. 60 (Sub-No. 11); Nationwide Bulk Trucking Association, Inc. - Agreement, Section 5a Application No. 63 (Sub-No. 4); Western Motor Tariff Bureau, Inc. - Agreement, Section 5a Application No. 70 (Sub-No. 12); and Willamette Tariff Bureau, Inc. - Renewal of Agreement, STB Section 5a Agreement No. 116 (Sub-No. 1).

Section 5a Application No. 118 (Sub-No. 2), et al.

We will grant the requests for extension of the compliance deadlines until we rule on the petitions for reconsideration. Replies to the petitions for reconsideration will be due by January 22, 2002, after which we will address the matters raised in the petitions expeditiously so that these proceedings can finally be concluded.

It is ordered:

1. The compliance deadlines in our decision served on November 20, 2001, are extended until we issue a decision ruling on the petitions for reconsideration, in which decision we will set new compliance deadlines as appropriate.
2. Replies to the petitions for reconsideration are due by January 22, 2002.
3. This decision is effective on its date of service.

By the Board, Chairman Morgan and Vice Chairman Burkes.

Vernon A. Williams
Secretary