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SERVICE DATE - DECEMBER 5, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33506

COACH USA, INC.--CONTROL EXEMPTION--BROWDER TOURS, INC.
AND EL EXPRESO, INC.

AGENCY: Surface Transportation Board.

ACTION: Notice of Filing of Petition for Exemption.

SUMMARY: Coach USA, Inc. (Coach), a noncarrier in control of 28 motor passenger carriers at the time of filing its petition,¹ seeks an exemption under 49 U.S.C. 13541 from the prior approval requirements of 49 U.S.C. 14303(a)(5) to acquire control of Browder Tours, Inc. (Browder) and El Expreso, Inc. (El Expreso), through acquisition of all of the outstanding shares of stock of the two motor passenger carriers.²

DATES: Comments must be filed by January 5, 1998. Petitioner may file a reply by January 14, 1998.

ADDRESSES: Send an original and 10 copies of comments referring to STB Finance

¹ Coach currently controls the Nation's second largest group of motor passenger carriers. See Coach USA, Inc.--Control Exemption--America Charters, Ltd., STB Finance Docket No. 33393 (STB served Oct. 3, 1997), slip op. at 1. Since the filing of the instant petition on October 31, 1997, Coach has been authorized to acquire control of an additional three motor passenger carriers in Coach USA, Inc., and Leisure Time Tours--Control and Merger Exemption--Van Nortwick Bros., Inc., The Arrow Line, Inc., and Trentway-Wager, Inc., STB Finance Docket No. 33428 (STB served Nov. 13, 1997).

In addition to the instant petition, Coach has two other pending petitions: Coach USA, Inc. and K-T Contract Services, Inc.--Control and Merger Exemption--Gray Line Tours of Southern Nevada, STB Finance Docket No. 33431 (STB served Aug. 22, 1997), in which it seeks an exemption to acquire control of one additional motor passenger carrier, and Coach USA, Inc.--Control Exemption--Air Travel, Inc.; Airlines Acquisition Co., Inc.; and Transportation Management Services, Inc., STB Finance Docket No. 33471 (STB served Nov. 14, 1997), in which it seeks to acquire control of three additional motor passenger carriers.

² The stock of Browder and El Expreso was placed in an independent voting trust to avoid any unlawful control pending disposition of this proceeding.

Docket No. 33506 to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. Also, send one copy of comments to petitioner's representatives: Betty Jo Christian and David H. Coburn, Steptoe & Johnson LLP, 1330 Connecticut Avenue, N.W., Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 565-1600 [TDD for the hearing impaired: (202) 565-1695.]

SUPPLEMENTARY INFORMATION: Coach, a noncarrier, seeks an exemption to acquire control of two motor carriers of passengers: (1) Browder Tours, Inc. (MC-236290), a Tennessee corporation that is authorized to operate as a common carrier of passengers in interstate commerce over irregular routes transporting passengers in charter and special services between points in the United States, other than Alaska and Hawaii;³ and (2) El Expreso, Inc. (MC-244195), a Texas-based corporation that is authorized to operate as a common carrier of passengers in interstate commerce over regular routes transporting passengers between various points within Texas, including points on the U.S./Mexico border, as well as between points in several southeastern states.⁴

Coach reported, at the time it filed this petition for exemption, that it controlled 28 motor carriers of passengers. Coach claims that its acquisition of control of the two motor carriers through the acquisition of their stock will not inhibit competition or reduce transportation options available to the public. Coach asserts that the two carriers do not compete with any Coach-owned carrier.

Petitioner also claims that the acquisition of control of the two carriers will allow each carrier to offer improved service at lower costs. This will be made possible by the coordination of functions, centralized management, financial support, rationalization of resources, and economies of scale that are anticipated from the common control. Coach also states that all collective bargaining agreements will be honored and that employee benefits will improve. Additional information may be obtained from petitioner's representatives.

³ Browder focuses on tour and charter operations in Tennessee and nearby states.

⁴ El Expreso focuses on providing service to persons traveling between Mexico and the United States, as well as to persons traveling between Texas and other states.

STB Finance Docket No. 33506

A copy of this notice will be served on the Department of Justice, Antitrust Division,
10th Street and Pennsylvania Avenue, N.W., Washington, DC 20530.

Decided: November 25, 1997

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams
Secretary

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