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September 6, 2012

Via Electronic Filing

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Ms. Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001ENTERED
Office of Proceedings
September 5, 2012
Part of
Public RecordRe: MC-F 21048; El Expreso Group, LLC – Acquisition and
Consolidation of Assets – CUSA EE, LLC, d/b/a El Expreso

Dear Ms. Brown:

Our firm represents CUSA EE, LLC, being referenced as the “Seller” in the application that initiated the above-captioned matter (the “Application”), filed by the Seller and El Expreso (defined below) with the Board on June 12, 2012. **For reasons set forth below, this is a matter of extreme urgency as severe disruption of public transportation is imminent.**

On August 29, 2012, El Expreso Group, LLC (“El Expreso”) filed with the Board its Reply in Support of Application and Request for an Expedited Decision in this matter (the “Request”). I write, on behalf of the Seller, in support of the Request. We urge immediate action by the Board in order to avoid the imminent disruption of public transportation.

Pursuant to the Application, the Seller and El Expreso seek the approval of the Board for El Expreso to acquire substantially all of the assets of the Seller (the “Contemplated Transaction”). As is set forth in the Application, the Seller is a debtor in a jointly administered bankruptcy case pending in the U.S. Bankruptcy Court for the District of Delaware, and that Bankruptcy Court has approved the Contemplated Transaction.

As is set forth in the Request, August 27, 2012 was the last day upon which comments to the Application could be filed. The sole comment to the Application was filed by Michael Yusim on June 13, 2012, in reply to which El Expreso filed the Request. Accordingly, the matter is ripe for decision.

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The Seller currently serves approximately 3,000 boarding passengers daily with regular route service to over 20 cities in the following states: Alabama, Arkansas, Florida, Georgia, Illinois, North Carolina, Tennessee, Texas and South Carolina. The liability insurance of the Seller that is required for it to continue passenger transportation service will expire at 12:01 a.m. on Sunday, September 16, 2012.

By design, the Contemplated Transaction is intended to provide a seamless transition of the current operations of the Seller to El Expreso; however, lacking liability insurance and a failure to close the Contemplated Transaction, the operations of the Seller will be required to cease on Saturday, September 15, 2012. Due to the size, nature and terms of the Contemplated Transaction, a minimum of three (3) business days is required after the entry of the Board's decision in this matter within which to complete and close the Contemplated Transaction. Not only does the Seller need time to transition the business operations from the Seller to El Expreso, El Expreso also needs time to arrange for the transfer of the requisite interstate and intrastate authorities and attend to all of the other closing logistics that can only be undertaken after the Board's decision has been rendered. In order to close the Contemplated Transaction by next Friday, September 14, 2012 (the last business day before the expiration of the Seller's liability insurance), we submit that the Board's decision needs to be rendered by this Friday, September 7, 2012.

If the Board's decision in this matter is not rendered this week, the Seller will be in real and significant danger of being forced to cease passenger transportation operations, which will have the effect of eliminating the availability of motorcoach transportation for thousands of passengers. Accordingly, in requesting an immediate issuance of a decision, we support the Request filed by El Expreso.

Please contact me as soon as possible if you have any questions.

Very truly yours,



Andrew K. Light

cc: Mr. David H. Coburn
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