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August 27, 2009

Hon. Anne K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

**Re: MC-F-21035, Stagecoach Group plc and Coach U SA, Inc. et al. – Acquisition of Control – Twin America LLC**

Dear Secretary Quinlan:

It has come to our attention that the draft federal register notice filed by applicants with their application on August 19, 2009 contained certain inaccuracies. A corrected version of that draft notice is attached for the Board's benefit.

Respectfully,



David H. Coburn  
Attorney for Applicants

cc: All parties of record

**SURFACE TRANSPORTATION BOARD**

**FINANCE DOCKET NO. MC-F-21035**

**STAGECOACH GROUP PLC AND COACH USA, INC., et al.  
– CONTROL – TWIN AMERICA, LLC**

**AGENCY: SURFACE TRANSPORTATION BOARD**

**ACTION: Notice Tentatively Approving Finance Application**

**SUMMARY:** Stagecoach Group plc (Stagecoach) and its subsidiary, Coach USA, Inc. (Coach USA), non-carriers, and various subsidiaries of each, together with Mr. Zev Marmurstein and City Sights Twin, LLC (collectively, Applicants), filed an application in STB Docket No. MC-F-21035 under 49 U.S.C. 14303 for control of the Twin America, LLC (Twin America), which is owned by co-applicants International Bus Services, Inc., a wholly-owned subsidiary of Coach USA, and City Sights Twin, LLC. Applicants state that currently Twin America does not hold federally issued authority, but that it is engaged in motor passenger operations in interstate commerce and has filed for federal operating authority. Persons wishing to oppose this application must follow the rules under 49 CFR part 1182.5 and 1182.8. The Board has tentatively approved the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action.

**DATES:** Comments are due by \_\_\_\_\_, 2009. Applicants may file a reply by \_\_\_\_\_, 2009. If no comments are filed by \_\_\_\_\_, 2009, this notice is effective on that date.

**ADDRESSES:** Send an original and 10 copies of comments referring to STB Docket No. MC-F-21035 to: Surface Transportation Board, Office of the Secretary, Case Control Branch, 1925 K Street, N.W., Washington, D.C. 20423-0001. In addition, send one copy of comments to Applicants' representative: David H. Coburn, Steptoe & Johnson LLP, 1330 Connecticut Avenue, N.W., Washington, D.C. 20036.

**FOR FURTHER INFORMATION CONTACT:** \_\_\_\_\_. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339]

**SUPPLEMENTARY INFORMATION:** Stagecoach is a public limited corporation organized under the laws of Scotland. Stagecoach is one of the world's largest providers of passenger transportation services. It had annual revenues for the fiscal year ending April 30, 2009 of over \$3 billion. Stagecoach and its subsidiaries currently control Coach USA.<sup>1</sup> Coach USA is a

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<sup>1</sup> See Stagecoach Holdings PLC —Control — Coach USA, Inc., et al., STB Docket No. MC-F-20948 (STB served July 22, 1999). Stagecoach currently controls Coach USA through

Delaware corporation that currently controls several motor passenger carriers. The motor carriers controlled by Coach had gross operating revenues for the 12-month period ending with the date of this application greater than the \$2 million threshold required for Board jurisdiction. Mr. Zev Marmurstein is the sole member of City Sights Twin, LLC, a non-carrier.

Twin America, LLC is a two member LLC formed and owned by International Bus Services, Inc., a Coach USA-controlled carrier and City Sights Twin, LLC, a non-carrier. Twin America, which is based in New York, NY, currently provides tour and sightseeing services, including to points outside New York. It also has filed an application for authorization from the Federal Motor Carrier Safety Administration to operate as a motor common carrier of passengers and intends to operate charter services under the authority it is requesting.

Under 49 U.S.C. 14303(b), we must approve and authorize a transaction we find consistent with the public interest, taking into consideration at least: (1) the effect of the transaction on the adequacy of transportation to the public; (2) the total fixed charges that result; and (3) the interest of affected carrier employees.

Applicants have submitted information, as required by 49 CFR 1182.2, to demonstrate that the proposed acquisition of control is consistent with the public interest under 49 U.S.C. 14303. Applicants state that the proposed transaction will not reduce competitive options, adversely impact fixed charges, or adversely impact the interests of employees. They assert that granting the application will allow Twin America to continue to take advantage of economies of scale and substantial benefits offered by Applicants, including reduced operating costs. In addition, applicants have submitted all of the other statements and certifications required by 49 CFR 1182.2. Additional information, including a copy of the application, may be obtained from the applicants' representative.

On the basis of the application, we find that the proposed acquisition of control is consistent with the public interest and should be authorized. If any opposing comments are timely filed, this finding will be deemed vacated and, unless a final decision can be made on the record as developed, a procedural schedule will be adopted to reconsider the application. See 49 CFR 1182.6(c). If no opposing comments are filed by the expiration of the comment period, this decision will take effect automatically and will be the final Board action.

Board decisions and notices are available on our website at "[WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV)."

The decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

*It is ordered:*

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various co-applicant subsidiaries, namely, Stagecoach Transport Holdings plc; SCUSI Ltd. and Coach USA Administration, Inc.

1. The proposed acquisition of control is approved and authorized, subject to the filing of opposing comments.
2. If timely opposing comments are filed, the findings made in this decision will be deemed as having been vacated.
3. This decision will be effective on \_\_\_\_\_, 2009, unless timely opposing comments are filed.
4. A copy of this notice will be served on: (1) the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, Room 8214, 400 7<sup>th</sup> Street, S.W., Washington, DC 20590; (2) the U.S. Department of Justice, Antitrust Division, 10<sup>th</sup> Street & Pennsylvania Avenue, N.W., Washington, DC 20530; and (3) the U.S. Department of Transportation, Office of the General Counsel, 400 7<sup>th</sup> Street, S.W., Washington, DC 20590.

Decided: \_\_\_\_\_, 2009

By the Board, Chairman Elliott, Vice Chairman Nottingham and Commissioner Mulvey.

**Anne K. Quinlan**  
**Acting Secretary**