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November 11, 2009

VIA OVERNIGHT DELIVERY

Ellen D. Hanson, Esq.
General Counsel
Room 1260
Surface Transportation Board
395 E Street SW
Washington, DC 20423-001

ENTERED
Office of Proceedings

NOV 12 2009

Part of
Public Record

Re: Clean Truck Coalition, LLC ("CTC") - Pooling Application No. MC-F-21034

Dear Ms. Hanson:

The subject Pooling Application ("Application") was filed with the Surface Transportation Board ("STB" or "Board") on June 3, 2009, on behalf of the member carriers of the Clean Truck Coalition, LLC, a California limited liability company, pursuant to the provisions of 49 USC § 14302(c)(1) ("Section 14302"). As filed, the Application included an effective date of August 1, 2009 ("effective date"), more than 50-days beyond the requirement expressed in 49 USC § 14302(c)(1).

Congress mandated in 49 U.S.C. § 14302(c)(2) that the "Board shall determine whether" certain factors are present "[p]rior to the effective date of the agreement." The 50-day period and August 1, 2009 effective date have past with no Board determination of the Section 14302(c)(2) factors having been made as explicitly required by the statute. Therefore, by operation of law the application is now approved and effective and the member carriers may operate in accordance with the Application.

Please let us know if you have any issues with this determination.

Respectfully submitted,

William D. Taylor
Attorney for Member Motor Carriers / Clean Truck Coalition, LLC

WDT/vxs

cc: James Calderwood, Esq.

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SURFACE TRANSPORTATION BOARD
OFFICE OF PROCEEDINGS
COUNSEL