

**SURFACE TRANSPORTATION BOARD
OPEN VOTING CONFERENCE
MARCH 21, 2003**

*National Classification Committee–Agreement,
Section 5a Application No. 61 (Sub-No. 6)*

**STATEMENT OF MAYNARD H. DIXON, JR., ATTORNEY ADVISOR,
OFFICE OF PROCEEDINGS**

Good morning Chairman Nober and Commissioner Morgan.

In this proceeding, the National Classification Committee, which I will refer to as “the Committee,” is seeking approval of a revised agreement among its motor carrier members under which the members would continue to be allowed to discuss and to establish freight classifications collectively. In a decision issued in November 2001, the Board renewed its approval of the Committee’s current bureau agreement, subject to two conditions designed to increase the rights of shippers. First, the Board required the Committee to give shippers access to specified information, such as classification studies, at an earlier stage in the classification process. Second, the Board required the Committee to adopt a procedure whereby it would resolve classification matters in a single decision and would give parties a right to seek an initial review of that decision by a neutral arbitrator.

The Board’s November 2001 decision left it to the Committee to propose the details for implementation of the conditions to protect shippers. To accomplish this, the Committee submitted a draft revised agreement. Various comments and replies were received from shipper groups. Those comments proposed numerous changes to the portions of the revised agreement

dealing with the provision of information, the arbitration process, and the way the Committee is to conduct business. The draft decision before you addresses these matters.

In our view, the Committee's revised agreement complies with the requirements set forth in the Board's prior decision in all material respects. The parties submitting comments for the most part acknowledge this, and, although they raise numerous issues, all involve minor concerns. The shipper groups do not challenge the overall thrust of the revised agreement.

The draft decision addresses each substantive change proposed by shipper groups for the Committee's revised agreement. The draft decision directs the Committee to submit a revised agreement incorporating the changes set forth in the decision.

We would be happy to address any questions you might have.