

SERVICE DATE - JANUARY 13, 2000

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. WCC-104

TRAILER BRIDGE, INC.

v.

SEA STAR LINES, LLC

Decided: January 12, 2000

By complaint filed on July 1, 1999, Trailer Bridge, Inc. (Trailer Bridge or complainant), a provider of motor-water intermodal transportation services between United States mainland points and Puerto Rico, seeks a finding that Sea Star Lines, LLC (Sea Star or defendant) has engaged in certain unreasonable practices in violation of 49 U.S.C. 13701(a)(1)(B).¹ Complainant alleges that defendant's continuing violation of the statute has caused, and is continuing to cause, economic injury to Trailer Bridge in an as yet undetermined amount. Sea Star filed an answer to the complaint on July 26, 1999, in which it denied the allegations.

Pursuant to a decision served December 10, 1999, in this proceeding and the Board's General Rules of Practice at 49 CFR 1111.10, the parties submitted a proposed joint procedural schedule on December 27, 1999. That schedule proposes the following dates:

May 1, 2000	Discovery completed
June 5, 2000	Complainant's opening statement
July 10, 2000	Defendant's reply
August 7, 2000	Complainant's rebuttal
September 8, 2000	Briefs

The schedule is reasonable, and it will be adopted. Although the Board's modified procedure rules at 49 CFR part 1112 do not contemplate the filing of briefs, the proceeding could involve novel issues, and therefore briefing could assist the Board in resolving the matter. Thus, the parties' joint proposal for the simultaneous filing of briefs will be adopted.

¹ A second count, alleging that defendant has also violated the National Transportation Policy, was dismissed in a Board decision served December 10, 1999.

It is ordered:

1. Discovery shall be completed by May 1, 2000.
2. Complainant shall file an opening statement by June 5, 2000.
3. Defendant shall file a reply by July 10, 2000.
4. Complainant may file a rebuttal by August 7, 2000.
5. Parties may file briefs by September 8, 2000.
6. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary