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July 19, 2005

VIA HAND DELIVERY

Mr. Vernon Williams, Secretary
Office of the Secretary
Surface Transportation Board
1925 K Street, NW – Room 700
Washington, DC 20423-0001

ENTERED
Office of Proceedings

JUL 19 2005
Part of
Public Record



Re: STB Docket No. WCC-101, *Government of the Territory of Guam v. Sea-Land Service, Inc., American President Lines, Ltd., and Matson Navigation Company, Inc.*

Dear Secretary Williams:

This firm represents the Government of Guam ("GuamGov") in connection with the above-referenced proceeding currently pending before the Board.

By order served June 7, 2005, the Board directed the GuamGov to show cause why the above-referenced proceeding should not be dismissed. On June 28, 2005, GovGuam filed its Reply to the Order to Show Cause, explaining the reasons for the procedural delays noted in the Board's June 7, 2005 Order, and assuring the Board of both GovGuam's intent and ability to proceed in the above-referenced matter. Pursuant to the Board's June 7, 2005 Order, Defendants Matson Navigation Company ("Matson") and Horizon Lines LLC ("Horizon") filed separate replies on July 8, 2005.

While the Board's June 7, 2005 Order to Show Cause addressed the possibility of dismissal in connection with the procedural delays noted in the Order, the Reply filed by Matson goes well beyond the issues raised in the Board's Order. In particular, the Matson Reply appears to advance entirely different substantive grounds for dismissal than the procedural issues raised in the Board's Order, and is, accordingly, in the nature of an independent *de facto* motion to dismiss.



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Mr. Vernon Williams
July 19, 2005
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We are writing to advise the Board of the intent of GovGuam to respond to Matson's motion to dismiss pursuant to, and within the time frame provided under, the Board's rules and procedures.

Very truly yours,

A handwritten signature in black ink, appearing to read "David K. Monroe", with a stylized, cursive script.

David K. Monroe

cc: All Parties on Attached Service List [via First Class Mail]
Mr. David Konschnik, Office of Proceedings [via Hand Delivery]

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