

ZUCKERT SCOUTT & RASENBERGER, L.L.P.

ATTORNEYS AT LAW

214375

888 Seventeenth Street, NW, Washington, DC 20006-3309  
Telephone [202] 298-8660 Fax [202] 342-0683  
www.zsrlaw.com

RICHARD A. ALLEN

DIRECT DIAL (202) 973-7902  
raallen@zsrlaw.com

July 20, 2005

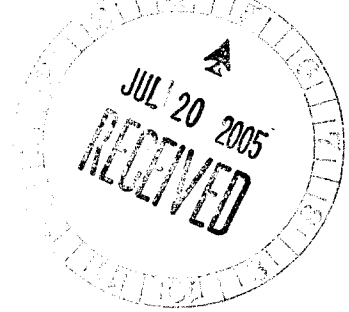
**BY HAND**

Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

ENTERED  
Office of Proceedings

JUL 21 2005

Part of  
Public Record



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

Dear Secretary Williams:

I am writing on behalf of Matson Navigation Company ("Matson") in response to a letter filed yesterday by counsel for the Government of Guam ("GovGuam") in this proceeding. In that letter, GovGuam's counsel asserts that the reply that Matson filed on July 8, 2005 to GovGuam's response to the Board's June 7, 2005 show cause order went beyond "the issues raised in the Board's Order" and therefore constitutes "an independent *de facto* motion to dismiss," to which, counsel informs the Board, GovGuam intends to respond in due course.

GovGuam's assertions are incorrect, and there is no basis for permitting GovGuam to delay this proceeding further (and further deplete the Governor's emergency funds) by filing an unauthorized reply to a reply. First, nothing in the Board's show cause order limited the issues it wanted the parties to address, and all of the points made in Matson's reply are relevant to the question whether the proceeding should be dismissed. Furthermore, Matson's brief discussion of the merits was in fact responsive to points made in GovGuam's reply, which asserted that GovGuam is "vitally interested in obtaining relief from rate levels assessed by the respondents," and claimed that dismissal would "jeopardize the public welfare of the citizens of Guam." GovGuam Reply at 3, 4. It was therefore entirely appropriate for Matson to point out that the complaint is without merit and that dismissal will not deprive any Guam shipper of protection from unreasonable rates.

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Matson respectfully submits that the Board should dismiss the complaint in this case without further delay.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard A. Allen". The signature is fluid and cursive, with the first name "Richard" being more prominent and the last name "Allen" following in a similar style.

Richard A. Allen

cc: All Parties of Record