

BEFORE
THE
SURFACE TRANSPORTTION BOARD

STB EXPARTE NO. 656
MOTOR CARRIER BUREAUS
PERIODIC REVIEW PROCEEDING

PETITION FOR POSTPONEMENT OF THE EFFECTIVE DATE

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Transportation Council, Inc.

Dated: June 5, 2007

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North American Transportation Council, Inc (NATC) petitions the Surface Transportation Board to postpone the effective date or to extend it to September 4, 2008 or later.

In support of this request petitioner states:

1- Petitioner has operated with anti-trust immunity for about 70 years. During all this time period its operations have been in accordance with the laws in effect during this period. In doing so it has provided valuable services to its member carriers in the areas of rate making and tariff publication as well as cost studies and adaptation to technological advances. During this time its members have

relied on NATC to perform these services, especially the smaller carriers and even more importantly carriers performing joint line service. Most of NATC's members are relatively small carriers performing interline service between the United States and Canada. With the immunity being eliminated the need for these services remains but the methods and procedures will have to change significantly.

2 - STB in reaching its decision deliberated for over two years giving careful consideration to all the pleadings that had been filed. The only area where little consideration and no reasoning was given was the selection of the effective date. The Board could have just as easily made the effective date 90 days, 120 days, six months, a year, eighteen months or two years as was given the ocean carriers when their immunity was eliminated. The inadequacy of the 120 days is further exacerbated by the fact it spans the summer months when carrier meetings are nearly impossible to arrange due to the difficulty in obtaining a quorum.

3 - Petitioner must completely modify all of procedures and establish new bylaws. This requires carrier meetings and board meetings. In addition as these procedures are revised it may be necessary to provide the member carriers the reassurances they are entitled to by filing with the Department of Justice for a Business Review Letter.

4 - Petitioner will diligently proceed to make the necessary adjustments to conform with the Board decision but to do a good and through job will require more time than the decision allows. It is for this reason the postponement of the Decision or the extension of the effective date is requested.

CONCLUSION

The granting of this petition will have no adverse effect on anyone, shipper or carrier. All have lived with the anti-trust immunity for over half a century and its continuation for the brief period requested will have no adverse effect.

However the failure to provide for the few more months being requested to make the changes required to comply with the Order will have serious consequences for the motor carriers who, for all these years, have relied on Bureaus to assist them in their rate making and tariff publication.

For the foregoing reasons, Petitioner respectfully requests its Petition be granted and the Board's Decision be postponed or the effective date extended to September 4, 2008 or later.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert G. Gawley", with a stylized flourish at the end.

Robert G. Gawley
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CERTIFICATE OF SERVICE

I hereby certify that I have this 5th day of June, 2007 caused copies of the foregoing document to be served by first-class mail on all parties of record.

A handwritten signature in black ink, appearing to read "Robert G. Gawley", written over a horizontal line.

Robert G. Gawley