

Voting Conference, February 23, 2005

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Atlas Van Lines, Inc., et al.–Pooling Agreement
STB Docket No. MC-F-21010

Good morning, Chairman Nober, Vice Chairman Buttrey, and Commissioner Mulvey.

Atlas Van Lines, Inc., together with Atlas agents that participate in transportation of household goods of military and civilian personnel being relocated by the United States Department of Defense (DOD), filed an application under 49 U.S.C. 14302 for approval of a revised pooling agreement among Atlas and its pooling agents.

Under 49 U.S.C. 14302 and 49 CFR 1184.3, the Board must determine whether the proposed pooling agreement is in the interest of better service to the public and of economy in operation and whether it would unreasonably restrain competition. Under 49 U.S.C. 14302(c)(4), a proposed pooling agreement is presumed to satisfy these criteria if the practices proposed to be carried out are the same as or similar to practices carried out under agreements previously approved by the ICC prior to January 1, 1996. The proposed agreement is sufficiently similar to the current agreement to satisfy presumptively those requirements. The current agreement, which has been in effect since 1983, precludes pooling agents from holding authorities allowing transportation of non-military traffic; the proposed agreement would also limit the use of such authorities for non-military traffic. Under both agreements, pooling agents would operate under their own authorities to carry military traffic and operate under Atlas' authority to carry other traffic.

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