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SEC

SERVICE DATE - SEPTEMBER 23, 1999

SURFACE TRANSPORTATION BOARD

DECISION

INVESTIGATION AND SUSPENSION DOCKET NO. 35004

PROTEST OF NCC ACTION TAKEN MAY 3, 1999
(National Motor Freight Classification)

Decided: September 22, 1999

By decision served July 16, 1999, the Board instituted an investigation in this proceeding and suspended operation of certain tariff schedules. By decision served August 30, 1999, the Board announced its procedural schedule for submission of evidence.

On September 1, 1999, the National Motor Freight Traffic Association, Inc. (NMFTA), filed a letter stating that a new tariff proposal that makes changes to one of the tariff items under suspension may remedy the concerns expressed by the Board in its July 16 decision. NMFTA expects that the provisions that are now subject to suspension most likely will be withdrawn and the need for any further action in this proceeding will be obviated. Accordingly, it requests that the procedural schedule be deferred.¹ In these circumstances, the procedural schedule announced in the August 30 decision will be vacated and this proceeding will be held in abeyance.

It is ordered:

1. The procedural schedule set forth in the August 30, 1999 decision is vacated and this proceeding is held in abeyance.
2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

¹ On September 7, 1999, a copy of the letter from NMFTA was served on Secondary Materials and Recycled Textiles Association, the protestant in this proceeding, and no objection to the request has been filed.