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SEC

SERVICE DATE – OCTOBER 1, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Section 5a Application No. 46 (Sub-No. 20)

SOUTHERN MOTOR CARRIERS RATE CONFERENCE, INC.

Decided: September 30, 2004

The Surface Transportation Board will hold an oral argument on Wednesday, October 27, 2004, at 10:00 a.m., in Room 760, the Board's Hearing Room, on the 7th floor at the Board's headquarters in the Mercury Building, 1925 K Street, N.W., Washington, DC. Participation is limited to the parties' representatives, as set out below. At issue is whether to grant nationwide collective ratemaking authority to the Southern Motor Carriers Rate Conference, Inc. (SMCRC), which currently operates on a regional basis.

Each party representative who wishes to appear and make a presentation at the oral argument should file a notice of intent to participate and a requested time allotment, as soon as possible, but no later than October 20, 2004.

Following receipt of notices of intent to participate at the oral argument, the Board will issue a schedule of parties due to appear, with their time allotments. Each party on the schedule will then be required to provide the full name and title of its speaker to the Board, together with a written summary (not to exceed 3 pages) of the specific points it wishes to discuss at the oral argument, as soon as possible, but no later than October 20, 2004.

No additional written comments may be filed in connection with the oral argument (other than the written summary noted above), as an extensive written record has already been developed in this proceeding. Each party representative who is scheduled to speak is encouraged to use the oral argument time to call attention to the points the party believes are particularly important. The purpose of oral argument is not to restate the written arguments previously made, but to summarize and emphasize the key points of a party's case, and provide an opportunity for questions that the Board may have regarding any issue in the proceeding.

If a party wishes to enhance its argument by using projector-adaptable visual displays and/or handouts, it may do so. Staff will be available to demonstrate the Hearing Room's projection system on October 26, 2004, from 2 p.m. to 4 p.m. Please call (202) 565-1618 to make arrangements.

**Instructions for Attendance at Oral Argument**

The Board requests that all persons attending the oral argument use the Mercury Building's main entrance at 1925 K Street (on the northeast corner of the intersection of 20th and K Streets). There will be no reserved seating. Please plan to arrive early enough to be seated no later than 9:45 a.m. For security reasons, all persons should be prepared to produce photo identification (such as a driver's license), pass through a metal detector, and submit to an inspection of all briefcases, handbags, and any other bags. Visitors must be cleared through security in the Board's Suite 100 (on the 1st Floor, at the top of the ramp to the left of the main lobby) prior to being escorted to the hearing room.

Quiet laptops and tape recorders may be brought into the hearing room, but absolutely no provision will be made for the connection of personal computers to Board telephone lines. Cellular telephone use is not permitted in the hearing room, or in the rear anteroom. Cellular phones may only be used outside the hearing room.

The Board's hearing room does comply with the Americans With Disabilities Act, and persons needing such accommodations should contact Beverly Ledbetter in the Board's Office of Proceedings at (202) 565-1618, by the close of business on October 22, 2004.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

**It is ordered:**

1. Oral argument in this proceeding will be held on Wednesday, October 27, 2004, beginning at 10:00 a.m., in the Surface Transportation Board Hearing Room (Room 760), at 1925 K Street, N.W., Washington, D.C.

2. Notices of intent to participate in the oral argument, together with a requested time allotment, are due no later than October 12, 2004.

3. Once the Board has issued a schedule for the oral argument with time allotments, each party on the schedule shall provide the full name and title of its speaker to the Board, together with a written summary (not to exceed 3 pages) of the specific points it wishes to discuss at the oral argument, as soon as possible, but no later than October 20, 2004.

4. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary