

36403
SEC

SERVICE DATE – NOVEMBER 14, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. WCC-101

GOVERNMENT OF THE TERRITORY OF GUAM

v.

SEA-LAND SERVICE, INC., AMERICAN PRESIDENT LINES, LTD., AND MATSON
NAVIGATION COMPANY, INC.

Decided: November 14, 2005

By decision served on October 3, 2005, the Surface Transportation Board announced that it will hold an oral argument in this proceeding on Wednesday, November 16, 2005, 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 the appropriate rate reasonableness standard to be applied in this rate case involving the noncontiguous domestic water carrier trade to and from Guam.

Instructions for Attendance at Hearing

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) 565-1664, by the close of business on Tuesday, November 15, 2005.

Schedule of Appearances

In response to the Board's decision scheduling the oral argument, the parties provided the names of their respective speakers, together with written summaries of the specific points to be raised at the oral argument. The speakers should be prepared to answer questions from the bench, particularly with respect to the matters the parties propose to address.

The complainant will be allotted 30 minutes of argument time and the defendants collectively will have 30 minutes of argument time. The complainant will open and may reserve part of its time for rebuttal. The following speakers are scheduled to address the Board: for the complainant, the Government of the Territory of Guam, Edward D. Greenberg; for the defendant, Horizon Lines LLC, C. Jonathan Benner; and for the defendant, Matson Navigation Company, Inc., Richard A. Allen.

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 November 15, 2005, from 2 p.m. to 4 p.m. Please call (202) 565-1664 to make arrangements.

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

It is ordered:

1. Admittance to the Surface Transportation Board oral argument on November 16, 2005, will be based upon the conditions set forth above.
2. Time is allocated to the speakers as discussed above.
3. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary