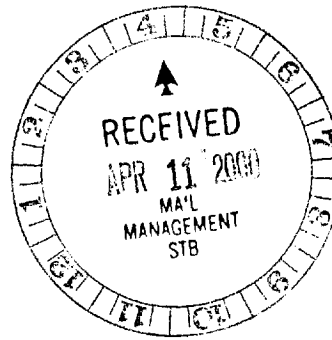


PATTON BOGGS LLP
ATTORNEYS AT LAW

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April 11, 2000

BY HAND

The Hon. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, NW Suite 700
Washington, DC 20423-0001

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Office of the Secretary

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Re: Sec. 5a Application No. 61 (Sub-No. 6), National Classification Committee – Agreement; Sec. 5a Application No. 118 (Sub-No. 1), et al., EC-MAC Motor Carriers Service Association, Inc., et al. (and embraced dockets) \

198061

Dear Secretary Williams:

Enclosed for filing in this docket are the original and 10 copies of the Comments of the Halogenated Solvents Industry Alliance, Inc., together with a separate Request for Suspension of Current Classification Proceedings. Also enclosed is a computer diskette containing a copy of these filings in WordPerfect 5.x.

Both of the enclosed filings have been served upon parties of record.

Please acknowledge receipt of these papers by date-stamping the enclosed duplicate copy and returning it with our messenger. Thank you.

Sincerely,

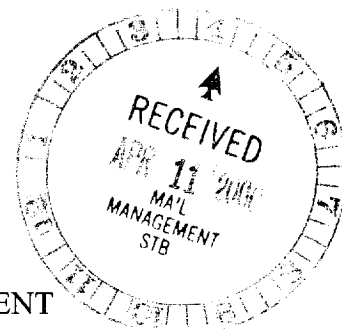
Scott N. Stone

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BEFORE THE
SURFACE TRANSPORTATION BOARD



Sec. 5a Application No. 61 (Sub-No. 6),
NATIONAL CLASSIFICATION COMMITTEE – AGREEMENT

198061 → Sec. 5a Application No. 118 (Sub-No. 1), et al.,
EC-MAC MOTOR CARRIERS SERVICE ASSOCIATION, INC., ET AL.
(and embraced dockets)

REQUEST FOR SUSPENSION OF CURRENT
CLASSIFICATION PROCEEDINGS

The Halogenated Solvents Industry Alliance, Inc. ("HSIA") respectfully requests that the Board temporarily suspend all pending reclassifications until it has formulated new procedures to improve shipper participation in classification decisions and realign collectively set benchmark rates with market levels.

Statement of HSIA's Interest

HSIA is a non-profit trade association representing companies that manufacture, distribute and use halogenated solvents such as dichloromethane and trichloroethylene. Such solvents are often shipped by motor carrier, both in bulk tanker and, in packaged form, in truckload or less-than-truckload shipments. Several HSIA members formulate industrial and commercial products (e.g., aerosols, adhesives, and coating removers) with chlorinated solvents and ship these products exclusively by motor freight, often by common carrier.

HSIA is currently participating in a proceeding in which a panel of the National Classification Committee has increased the classification of certain chemicals by up to 55% higher than their previous classes. HSIA's concerns about this proceeding are explained in more detail in HSIA's comments in these embraced dockets filed today.

Discussion

HSIA has submitted comments in response to the Board's decisions served December 18, 1998 and February 11, 2000 in these and the embraced dockets. In the former docket the Board seeks suggested methods for increasing shipper participation in the classification process, and in the latter docket the Board seeks comment on how to adjust collectively set benchmark rates to prevailing market-based rates.

The two fundamental changes the Board has demanded as a condition to the continued extension of antitrust immunity to collective motor carrier action are designed to re-balance the process by which benchmark rates and classifications are established. The Board has determined that, absent these changes, the classification process is inherently biased against shippers. Sec. 5a Application No. 61 (Sub-No. 6), National Classification Committee – Agreement, decision served February 11, 2000 (“[T]he barriers to shipper participation are strong enough to produce a bias toward classification changes that overall result in rate increases.”)

HSIA submits that it would be unjust to allow carriers, under a cloak of antitrust immunity, to move forward with pending reclassification proceedings when the Board has found such proceedings to be biased against shippers. HSIA therefore requests a temporary suspension of all pending reclassification proceedings pending the Board's review of the

comments submitted in response to the February 11, 2000 decision in these dockets, and the Board's determination of a path forward for collective motor carrier proceedings.

HSIA submits that the Board has broad discretion to take the requested action as a "legitimate, reasonable, and direct adjunct to [its] explicit statutory power." ICC v. American Trucking Ass'ns, Inc., 467 U.S. 354, 364-65 (1984). Absent suspension of pending reclassification proceedings, shippers could be permanently and irreparably penalized by reclassifications that result from inherently unfair procedures. It is not enough to say that shippers will not inevitably be penalized because they have the option of negotiating a better deal rather than accepting the reclassification. The Board has found that collective motor carrier actions do inevitably affect market rates, and that finding underlies its conditions that such collective actions may have continuing immunity only if the collective processes are substantially reformed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Scott N. Stone', written over a horizontal line.

Scott N. Stone
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Counsel for the Halogenated Solvents
Industry Alliance, Inc

CERTIFICATE OF SERVICE

This is to certify that I have, this 11th day of April 2000, caused copies of the foregoing request for suspension to be served upon parties of record in Sec. 5a Application No. 61 (Sub-No. 6), National Classification Committee – Agreement and Sec. 5a Application No. 118 (Sub-No. 1), et al., EC-MAC Motor Carriers Service Association, Inc., et al.

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a smaller, more complex flourish.

Scott N. Stone