

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.

SECTION 10706(a)(5)(A) APPLICATION NO. 11  
CARBON BLACK PRODUCERS POOLING AGREEMENT

STATEMENT OF THE UNITED STATES DEPARTMENT OF JUSTICE  
IN SUPPORT OF THE MOTION OF THE ASSOCIATION OF AMERICAN  
RAILROADS FOR AN EXTENSION OF TIME IN WHICH TO FILE COMMENTS

On August 16, 1996, the Surface Transportation Board issued a notice of filing of agreement and request for comments concerning the supplemented application of Degussa Corporation and Columbian Chemicals Company for approval of a shippers agreement under 49 U.S.C. §10706(a)(5)(A). Comments are due by September 16, 1996.

The Department of Justice has been informed by the Association of American Railroads ("AAR") that it is today filing a motion for a 60 day extension of time in which to file comments. The Department has also been informed that the Applicants do not object to this request. The Department of Justice supports the motion of the AAR for a 60-day day extension of time.

Applicants request for approval of a shippers' pool raises important jurisdictional issues under the Interstate Commerce Act as well as important competitive issues concerning how a freight car pool can be designed to capture efficiencies without having significant anticompetitive effects. The Department of Justice

wishes to comment in this proceeding, and the additional time will help us to completely analyze the issues and draft comments.

For the forgoing reasons the Department of Justice supports the motion of the American Association of Railroads for an extension of time in which to file comments .

Respectfully submitted,

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