

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

_____)
In the Matter of _____)
_____)

KENTUCKY HOUSEHOLD
GOODS CARRIERS
ASSOCIATION, INC.,

a corporation.

Docket No. 9309

this proceeding and the relief sought in the Complaint herein; and (2) granting such other and further relief as may be appropriate.

The reasons supporting the within Motion and the position of KTC are set forth in the attached Declaration of Hon. Maxwell C. Bailey, Kentucky Secretary of Transportation.

Dated: Frankfort, KY
February 18, 2004

Respectfully submitted,

Kentucky Transportation Cabinet

By: 

J. Todd Shipp

Assistant General Counsel

Office of Legal Services

Transportation Cabinet Office Building

Motion to Intervene as Respondent
Page 3

CERTIFICATE OF SERVICE

This is to certify that on February 12, 2004, I caused a copy of the

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In the Matter of

KENTUCKY HOUSEHOLD
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Docket No. 9309

**DECLARATION OF MAXWELL C. BAILEY IN SUPPORT OF
KENTUCKY TRANSPORTATION CABINET'S MOTION TO
INTERVENE AS RESPONDENT AND FOR OTHER RELIEF**

Respondent Kentucky Household Goods Carriers Association, Inc.

("Kentucky Association" or "Respondent") which is presently

is seeking relief from the Administrative Law Judge and (c) to permit

KTC to make, oppose, or join in such other applications or motions as may be necessary to protect (i) the interests of KTC; and (ii) the interests of consumers of Kentucky intrastate household goods transportation services; which KTC believes are unjustly threatened by the prosecution of this proceeding and the relief sought in the Complaint herein; and (2) granting such other and further relief as may be appropriate.

3. In this proceeding, Complaint Counsel allege, among other things, that KTC has failed to act in a manner consistent with applicable law to "actively supervise" the Kentucky Association's tariff

process as a result of which KTC sets collectively proposed rates.