

**BOARD OF COMMISSIONERS OF PILOTS
PORTS OF GALVESTON COUNTY – STATE OF TEXAS**

**GALVESTON COUNTY PILOTS’
SECOND APPLICATION FOR PILOT RATES INCREASE
DATED SEPTEMBER 11, 2009**

**THE PORT OF TEXAS CITY’S
OBJECTION TO THE SECOND APPLICATION FOR PILOTAGE RATE CHANGE**

Texas City Terminal Railway Company d/b/a Port of Texas City (hereinafter referred to as the “Port of Texas City”) hereby objects to the Second Application For Pilotage Rate Change by the Pilots of Galveston County, Texas filed on or about September 11, 2009.

I.

The Port of Texas City operates port and harbor facilities in the City of Texas City, Galveston County, Texas. The Port of Texas City has a legitimate interest in the Pilots’ Application.

II.

The Port of Texas City objects to the Galveston Texas City Pilots’ Application, which seeks to establish rates which are not warranted under the factors set out in Section 67.066 of the Texas Transportation Code and are inconsistent with the Board’s July 17, 2009 ruling on the Pilots’ May 1, 2009 application. The Board has already considered the Pilots’ request for a rate increase and entered an order for a five (5) percent increase in rates during the July 17, 2009 hearing.

III.

Pursuant to Section 67.068 of the Texas Transportation Code, the Port of Texas City requests that the costs that may be assessed by the Board (the costs of fair and just reporting and

stenographic services) be assessed against the Galveston-Texas City Pilots.

WHEREFORE, The Port of Texas City requests that the Second Application for Pilotage Rates Change filed by the Galveston Texas City Pilots on or about September 11, 2009 be denied.

Respectfully submitted,

TEXAS CITY TERMINAL RAILWAY
COMPANY D/B/A THE PORT OF
TEXAS CITY

By: 

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The Port of Texas City

Certificate of Service

I certify that the Port of Texas City's Objection to the Second Application for Pilotage Rate Change was sent to the following Commissioners by electronic delivery on September 28 2009, and by certified mail return receipt requested on September 29, 2009, and to the representative of the Galveston County Pilots by electronic delivery on September 28, 2009 and by certified mail return receipt requested on September 29, 2009.

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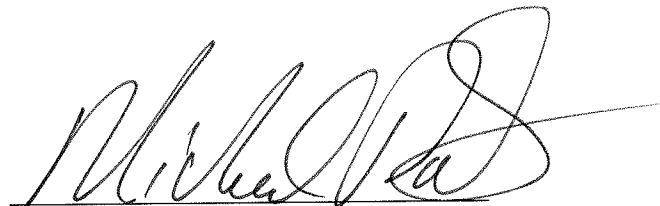
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