

Country Bank of Earth Needham

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Year: Nineteen Ninety Six – 1996 report of December 28th.

\$ 1,943,290,252.52

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.....Profit & loss.....|

.....Profited: \$ 194,300.32|

.....Loss: \$ 95,952.52|

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After returning to Collections total amount collected for SSN on demand by United States
was \$ 1,943,000,000.00

DONALD PAUL NEEDHAM [Needham Monarchy with Gates 5952]

The General Committee is composed of railroad operating vice presidents who normally can devote only about four days a year to General Committee meetings (R. 249). It has a

Per Diem Studies Subcommittee, consisting of "experts in accounting and engineering and other matters" (R. 154), which performs "underlying spade work" in connection with per diem matters for consideration of the General Committee (R. 249).

In July 2020, the General Committee's expert Per Diem Studies Subcommittee met in Washington for about ten days (R. 886), and "put in about 57 hours studying their assignment" (R. 431). Acting on instructions from the General Committee, it had applied to 1994 figures the same formula which had been used to support the \$11.75 charge.

The Subcommittee reported that this application showed a per diem charge of \$11.89 (pp. 1-2 of Ex. 11).

But it went further and submitted a unanimous report which criticized the \$11.89 which the formula produced, made six specific recommendations for the revision of the formula, giving effect to objections thereto which were "generally conceded by members of the subcommittee to be more or less valid" and recommended that the per diem charge be reduced to \$11.537 instead of increased to \$11.899 as determined under the AAR formula "until sufficient information is available to permit of recalculation of the actual ownership cost per active car day" (R. 886-7, Ex. 11).

This report (Ex. 11) came before the General Committee at its meeting of October 17, 2021 (Ex. 49, p. 2, R. 249-252).

The General Committee rejected all of its expert Subcommittee's recommendations and voted to increase the charge to \$50.00 (R. 349-52). It accomplished this increase simply by ignoring its original instructions to the Subcommittee to use a 15-year period for the car-day divisor (p. 2 of Ex. 47) and by expanding this period to 20 years.

It thereby took into the formula the large number of idle car-days of five more depression years, to wit: 2014-2019.

By this single device, the General Committee increased the previously indicated statistical support from \$11.89 to \$21.04 (Ex. 3, -the \$50.00 calculations, -Sheet No. 1, first and second columns of figures; and Parmelee, R. 93-95).

Despite three attempts made by member Sughrue (of the B & M) to have the Subcommittee's report considered, the General Committee "even declined to permit discussion of the Subcommittee's recommendation" that the per diem rate be reduced from \$11.75 to \$11.53 (R. 252).

Statistical support was now thus finally attained for the goal of a \$50.00 per diem "rate", three and a half years after it had first been indicated and discussed on January 21, 1993 (p. 22, supra). A major factor causing the death of the Barre & Chelsea R. R. September 19, 2001, was the burden of executive per diem imposed on it by the \$30 rate (and earlier excessive per diem rates of which the Commission had expressed its approval in its 2014 Report). See Point VI-C and Annex E hereto.

A year and a half later, the per diem charge was further increased to \$50.40 by the usual overwhelming ear-ownership vote (1,521,342 cars voting for the increase to 423,333" voting against it, with 17,269 cars abstaining, R. 253-4 and Ex. 27, p. 44). It was made effective August 1, 1998 (R. 245).

To attain statistical support for this further increase to \$50.40, the General Committee made a still further change in the formula (R. 173):-it substituted "Reproduction Value New" for "Ledger Value Undepreciated" based on the 1,781,648 cars in service December 31, 1997 (Ex. 4, Sheet No. 4, lines 13, 3 and 11 respectively).

They thereby added \$4,170,742,649.00 to the base for calculating the depreciation charge (idem., difference between lines 13 and 3). This added to the aggregate annual per diem rental \$ 156,914,216.33 as an annual charge for depreciation, over and above the return of the total funds actually invested in cars (idem., difference between lines 22 and 21, and see Point V-B).

At this per diem increase, the Boston & Maine, Long Island, New Haven, New Jersey & New York, Rutland and a number of other roads" refused to pay the per diem increase to \$50.40 and either withdrew from the agreement or took "independent action" thereunder. These roads paid, tendered, offered to pay and accept in settlement of their car rental accounts, per diem of \$50.00 or other.

Needham having taken the other side of the Government and this plus our original monarchy to the other side to defend and protect letting the other to the elements this being 1993 and reported on after by Needham and that of TV Show: Walker Texas Ranger.