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Q: Should the Commission include both VOCCs (Vessel Operating Common Carrier) and NVOCCs in a proposed regulation on demurrage and detention billing?

A: No

Q: Should the Commission include MTOs (Marine Terminal Operators) in a proposed demurrage billing regulation?

A: Yes

Q: Should a proposed demurrage billing regulation distinguish between the demurrage MTOs charge to shippers and the demurrage MTOs charge to VOCCs?

A: No

Q: What percentage of demurrage and detention bills contain inaccurate information?

A: Up to 10%

Q: Which information is most often disputed?

A: the attempts to retrieve or deliver containers. Usually, appointments are the most restrictive barrier to preventing detention

Q: How much does the type of information included on or with demurrage and detention billings vary among common carriers, among marine terminal operators, and between VOCCs and NVOCCs?

A: It is hard to know because investigating the problems takes people away from day to day work

Q: What type of information should be required on billings. Should the Commission require certain essential information included on invoices such as:

A:

Bill of lading number: Yes

Container number: Yes

Billing date: Yes

Payment due date: Yes

Start/end of free time: Yes

Start/end of demurrage/detention/per diem clock: Yes

Demurrage/detention/per diem rate schedule: Yes

Location of the notice of the charge: Yes

Q: For import shipments, Should the invoicing include:

A:

Vessel arrival date: Yes

Container availability date: Yes

Q: For export shipments, Should the invoicing include:

A: Earliest return date, including identifying any modifications to the earliest return date: Yes

Q: Any intervening clock-stopping events, for example:

A:

Unavailability of container: Yes

Unavailability of pickup or return locations: Yes

Unavailability of appointments (where applicable): Yes

Restrictions on chassis accepted: Yes

Force majeure-related events: Yes

Is any portion of the charge is a pass-through of charges levied by the MTO or Port? No

Q: What information or timeframes should be required for VOCC and NVOCC demurrage and detention bills? Should the Commission require different types of information or timeframes?

A: The regular bit of information

Q: Do common carriers invoice multiple parties for demurrage and/or detention charges?

A: The invoices come to the account holder

Q: Should the billing party be required to identify the basis of why the invoiced party is the proper party in interest and therefore liable for the charges?

A: not necessarily, every customer that has an account with a carrier or forwarder knows they

are ultimately responsible for paying charges

Q: Should the Commission, for purposes of clarity and visibility of charges, require MTOs to bill demurrage directly to shippers (rather than billing VOCCs who then bill shippers for demurrage)?

A: I think this is going around the main issue of capacity at the terminals. The US Army or Reserves should be deployed, pull containers to off site location and then allow importers to pick up their containers.

Q: How long from the point of accrual of a demurrage or detention charge does it typically take to receive a demurrage or detention invoice or billing?

A: 2 weeks to a month

Q: Should the Commission require demurrage and detention invoices to be issued within 60 days of date when the detention/demurrage/per diem stops accruing?

A: Yes

Q: (If no) Please provide number of preferred days:

A: 30 Days

Q: Should the Commission require specific information be included on the invoice regarding how to dispute a charge? If so, what information should be required?

A: yes

Q: How long from the point of dismissal of a charge does it typically take to receive a refund?

A: it varies but typically 60 days

Q: How would a regulation on demurrage and detention billing requirements impact, conflict with, or preempt any other applicable laws, regulations, or arrangements such as the UIIA (Uniform Intermodal Interchange and Facilities Access Agreement)?

A: the issue is not demurrage, it is the warehouse capacity in Southern California or other port areas. The longshormen union is not performing in an effective manner and the train infrastructure that brings containers in and out is lackluster. Moving imported containers out of a restrictive part section to an off site facility would remove the bottlenecks that cause

demurrage.

Q: Please provide any other views or data you believe would help inform the Commission's decision whether to pursue a proposed regulation on demurrage and detention billing information and practices.

A: Regulating demurrage will have a different consequence all together. Ok, so you cap demurrage /detention charges at the US ports what that will do is cause the carriers to alter their price scheme and make it so that US companies cannot pay for the import ocean freight. At this point, the overseas exporter will be the only party that can pay for ocean freight and then on the hook for demurrage and detention but they will build that into their shipping cost to the American businesses. Sure, the American business won't pay demurrage but they will have less control and visibility into the ocean freight prices.