



To: Federal Maritime Commission (secretary@fmc.gov)
From: Austin McCombs, Co-Founder & CEO, Gnosis Freight
Date: September 7, 2022
Re: Docket No. 22-19, Request for Information

Comments: I am writing to share my thoughts on Docket No. 22-19 in which the Federal Maritime Commission seeks comment on issuing an emergency order requiring any common carrier or marine terminal operator to share certain information with shippers and other specified entities, but my comments are not directed towards if an emergency order should be issued, or even what should be included. My comments are on the realistic nature of a mandate making a substantial change to the data, or current processes that are driven by the available data.

In my opinion there are two fundamental questions that need to be addressed if an emergency order such as is being considered would have the intended impact, or any impact at all.

The first question is do the common carriers and marine terminal operators have the data that such an emergency order would require them to provide? In most cases I think they do, and I would say in general they would have preferred for their customers to have had this data all along.

This leads to the second question, which I believe is the fundamental issue in all of this. How would they go about providing this information in a format that would meet the standards for a Commission-issued emergency order?

It's often believed that the carriers and terminals are resistant to technology, but the opposite is true. If you got back to the early 2000's you'll find that many of them were early movers in technology, realizing how critical it was to begin developing some type of technical infrastructure. They made giant investments to stand up new technologies and built new systems and then built their business processes around it.

Unfortunately, because there were no standards for providing shipping data at the time when all these systems and processes were built, each one was designed to provide slightly different data and different formats based on the carrier or terminal company preferences. This has made it incredibly burdensome for shippers to organize and interpret the data they currently receive. In many cases, we've seen that providing more data just makes the situation worse.

Since then, technology has evolved rapidly and data transferability in 2022 is completely different than how they built their systems 10-20 years. While they probably intended to make changes and adapt their technical infrastructure over time, it seems as though they've likely only been able to essentially put Band-Aids on top of their systems since then.

So, the issue comes down to how do they take the data they have out of their legacy systems and formats, convert it into an API format, and then make that API accessible from both a permission and scalability perspective to accommodate what the emergency order would require?

This is where I think the major challenge lies. Even with the best intentions, these are large, slow-moving organizations. By the time any of this technological modernization would occur, it's likely that the emergency order, and the purpose of the emergency order, would be expired.

The point of all this is that I believe a technology vendor needs to be involved for an emergency order like this to have any impact on the current supply chain disruption. There are already a number of technology companies that have been working on this problem for a while, largely due to the fact that

the carrier and terminals were slow to provide complete data to their customers. A lot of the hard work that is required to execute on the emergency order has already been done.

Gnosis Freight for example, is already taking data from all these sources (common carriers, ports/terminals, rail operators, etc.), normalizing it, and then presenting it in a standard format that's easier for our customers (shippers, drayage companies, etc.) to interpret and act on.

For another example, let's say a marine terminal wanted to provide data to its customers in API format due to an emergency order. We already have the data in a standardized/normalized format, and already have customers utilizing it through an API. Gnosis could extract the data from the terminals legacy infrastructure, normalize it, cleanse it, store it in a database, and then make it retrievable in an API format to any companies involved in the movement of containerized cargo. We could likely complete that project in a few weeks. For the terminal operator to do it themselves, it would probably take well over a year to complete in a satisfactory way and would cost them millions of dollars.

In summary, I think it will be very difficult for common carriers and marine terminal operators to modify and modernize their infrastructure in any meaningful fashion on a timeline that would be congruent with a Commission-issued emergency order as described in Section 18 of OSRA 2022. While I don't think it is realistic to expect them to do it themselves, I believe it is feasible and plausible that the intention can be reasonably accomplished with the help of a technology provider.

I would be happy to discuss any of this further including how Gnosis Freight can assist the commission in alleviating some of the data driven friction points causing a chain reaction of problems. This is a problem we have been working on for many years and feel confident that we can help.

Sincerely,

A handwritten signature in black ink that reads "A-McC". The letters are stylized and connected.

Austin McCombs
Co-Founder & CEO
Gnosis Freight