

From: [David Cannillo](#)
To: [Secretary](#)
Subject: FMC Seeks Comments on Benefits of Issuing Emergency Order Requiring Information Sharing
Date: Monday, August 15, 2022 2:44:00 PM

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TO: Federal Maritime Commission, sent via email to secretary@fmc.gov

FROM: David Cannillo MTI, inc.

RE: Docket No. 22-19, Request for Information

I am writing to share my feedback on Docket No. 22-19, which seeks comment on whether supply chain congestion has created conditions warranting the issuance of an emergency order requiring common carriers and marine terminal operators (MTOs) to share key information with shippers, truckers, and railroads.

Based on my experience as a motor carrier moving freight at the Port of NY/NJ, I strongly support the issuance of an emergency order. The lack of adequate information sharing has created an emergency situation that is adversely affecting our operations, impeding the efficient movement of freight. An emergency order issued by the Commission would help alleviate this situation.

I believe the scope of this emergency order should include (but not necessarily be limited to) the following:

- Marine Terminals that require appointments for movement of freight (**import loaded containers**) must clearly indicate the number of appointments available for each type of move (specific to time slot, SSL, and container size), and must notify shippers, motor carriers and ocean carriers when those appointment slots are fully booked/no longer available.
- **SSLs must make available empty return locations sufficient enough to accept all empties with unlimited appointments every day. Motor carries must have the right negotiate with the SSL the cost to return the empty outside the immediate port area. Empties MUST be accepted back to the terminal they originated from with additional secondary (optional) return locations.**
- **Marine Terminal Operators should NOT restrict the free flow of Empty Container Returns (e.g. requiring double moves only, restricting returns for a specific SSL to certain time windows, etc.).**
- When on-street congestion and/or extreme traffic conditions warrant temporary closure of access to the terminal, notification must be sent to Shippers, Ocean Carriers and Motor Carriers, including time stamps of when the metering commenced, and when free flow into the terminal resumed. Port law enforcement agencies and port operations personnel may assist in this notification process as warranted.
- When system issues adversely affect a terminal's ability to process trucks, notification must be sent to Shippers, Ocean Carriers and Motor Carriers, including time stamps indicating when the system issue commenced, and when the issue was resolved.
- All of the above notifications must be posted and archived on a platform that is readily accessible by Shippers, Motor Carriers and Ocean Carriers for later reference, in order to

document issues that have the potential to impact detention and demurrage billing.

Thank you for the opportunity to share my comments on this emergency situation. I urge the FMC to take immediate action to issue the emergency order requiring information sharing, as stipulated above.

Sincerely,

Thank you,

David Cannillo

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