

August 15, 2022

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

FROM: Thomas Connery
RPM Courier Systems
Coffee Transport
2900 Woodbridge Ave.
Edison, NJ 08837

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 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:

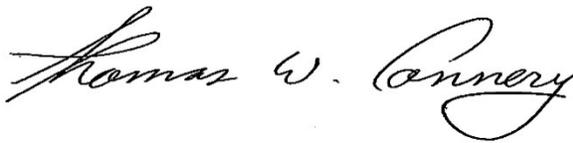
- Marine Terminals that require appointments for movement of freight must clearly indicate the number of appointments available for each type of move (specific to time slot, SSL, and container size), and must notify shippers, motor carriers and ocean carriers when those appointment slots are fully booked/no longer available.
- When a location is designated as an Empty Container Return location, notice must be given on the total number of containers being accepted (specific to SSL and container size). If capacity is reached before the end of the day and empties are shutout by the terminal, notice must be sent to shippers, ocean carriers and motor carriers, documenting the lack of available return location.
- If a Marine Terminal Operator places restrictions on the free flow of Empty Container Returns (e.g. requiring double moves only, restricting returns for a specific SSL to certain time windows, etc.), Shippers, Ocean Carriers and Motor Carriers must be notified of these restrictions, as they may adversely affect the motor carriers' ability to return the container.
- 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.**

The lack of information sharing has adversely affected our ability to move freight efficiently as we are unable to secure appointments for an extended period of time and we have experienced drivers getting shutout of empty returns midday due to lack of terminal capacity. Additionally, drivers are repeatedly unable to access a terminal due to traffic metering which leads to demurrage and/or detention fees. This is unacceptable and needs to be remedied.

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,

A handwritten signature in black ink that reads "Thomas W. Connery". The signature is written in a cursive style with a large, looping 'C' at the end.

Thomas W. Connery

Chief Operating Officer

RPM Courier Systems, LLC

Coffee Transport, LLC