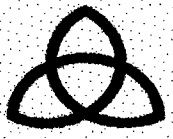


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OFFICE OF THE SECRETARY
FEDERAL MARITIME COMMISSION



AUDAX TRANSPORTATION INC.

ORIGINAL

February 13, 2017

Ms. Rachel E. Dickon
Assistant Secretary
Federal Maritime Commission
800 North Capitol Street N.W.
Washington, DC 20573-0001

RE: Petition of the Coalition for Fair Port Practices for Rulemaking [Petition No. P4-16]

Dear Assistant Secretary Dickon:

My name is Edward O'Callaghan of Audax Transportation, Inc., and I am writing in response to the Federal Maritime Commission (FMC) *Federal Register* notice published on December 28, 2016 concerning a petition for rulemaking from the Coalition for Fair Port Practices. We fully support the policy statement requested by the Coalition, which would help bring about more reasonable demurrage and detention practices for cargo moving through our nation's seaports. We urge the FMC to begin a formal rulemaking on this matter as soon as possible.

Daily, my company is involved in port drayage in Norfolk, Virginia. We hold 48 state trucking authority. We transit many states delivering freight of both importers and exporters.

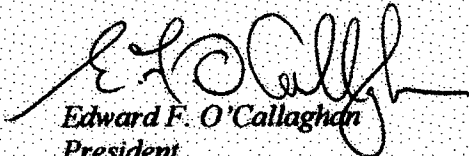
Our company has experienced repeated incidents of severe congestion at container terminals on the U.S. East Coast. Congestion, not controllable by my drivers or customers, threatens our ability to continue to operate a successful company.

All too frequently shippers and truckers are being charged demurrage and detention penalties for late pickup or return of containers when it is not their fault. If the terminal is closed during normal working hours, or if a container is unavailable for pickup during the free time period due to congestion or other disruption at the port, carriers and terminals should not assess demurrage. The same is true for detention charges when attempts to return an empty container are frustrated. These are punitive costs, which poses the threat to our finances and future ability to remain in business.

The FMC has the authority to ensure that demurrage and detention practices are fair and reasonable and it needs to act to address this problem. The Coalition for Fair Port Practices has suggestions, which should be immediately reviewed and implemented to assure that healthy international trade may improve and prosper.

The FMC has taken important steps to examine port congestion issues challenging carriers, shippers, terminals and intermediaries. As the next step, we urge you to grant the petition and open a rulemaking on the Coalition's policy statement to ensure that US imports and exports are not burdened with unfair demurrage and detention charges. Thank you for considering our views on this most important subject.

Sincerely,


Edward F. O'Callaghan
President
Audax Transportation, Inc.