



K&R Transportation, LLC

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OFFICE OF THE SECRETARY
FEDERAL MARITIME COMMISSION

February 14, 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:

This letter is being written in response to your notice published on December 28, 2016 concerning a petition for rulemaking from the Coalition for Fair Port Practices. K&R Transportation which is the company I represent supports the policy statement requested by the Coalition which would help bring about more reasonable demurrage and detention practices for cargo moving through the Southern California ports. I am urging that the FMC begin a formal rulemaking on this matter as soon as possible.

I am the General Manager of K&R Transportation, Long Beach, California. We serve the Ports of Los Angeles and Long Beach moving containers from the ports to warehouse destinations and moving export loads to the ports. I oversee approximately 200 owner-operators who move cargo every day for our customers located in the Southern California area.

K&R Transportation experienced repeated incidents of congestion at nearly every container terminal in both Long Beach and Los Angeles from 2014 to the present time. In many cases we have been unable to pick up the containers for our customers during the required free-time because we could not enter the container terminal because of the long lines and the congestion. Moreover, when we are able to pick up the containers, many times they are under demurrage and we have been forced to pay this demurrage before we are permitted to pick up the containers even though we had tried to pick up the containers during the free-time period. This is not a rare occurrence – but a common one.

We urge you to grant the petition of the Coalition for Fair Port Practices and to institute a hearing that would expose the inequities that exist every day at the Ports in both Los Angeles and Long Beach relative to the trucking industry being forced to pay demurrage because of the inefficiency of the terminals and the inability to deliver the cargo timely during the free time.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Eugene Fagin'.

Eugene Fagin
General Manager

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