



MOL (America) Inc.  
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December 6, 2017

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

By email: [secretary@FMC.gov](mailto:secretary@FMC.gov)

Re: Petition No. P4-16; Petition of the Coalition for Fair Port Practices for Rulemaking;  
Notice of Intent to Testify of Richard J. Craig, MOL (America), Inc.

Dear Ms. Dickon:

On November 16, 2017, the Commission issues a notice scheduling a public hearing on January 16 and 17, 2018, in Petition P4-16. Please accept this notice of my intent to testify on behalf of MOL (America), Inc. I am President and CEO of MOL (America), Inc, and my address is 700 East Butterfield Road, Suite 250, Lombard, IL 60148. I can be reached by email at [Richard.Craig@MOL-Liner.com](mailto:Richard.Craig@MOL-Liner.com) or phone 630-812-3820.

In my testimony, I intend to explain the logic and necessity for demurrage and detention charges to facilitate as efficient a supply chain as possible as containers must flow through marine terminals expeditiously for the terminals to remain fluid and minimize congestion, while at the same time ocean carriers must maintain a balanced flow of equipment to ensure containers are properly positioned for subsequent loading requirements.

My organization MOL (America) recognizes extenuating circumstances that at times can prevent the movement of equipment in and out of terminals. At such times, MOL attempts to proactively avoid imposing unfair charges, and has a well-documented process for dealing with any disputes remaining after the fact. To the undersigned's knowledge, this process has worked reasonably well to the mutual satisfaction of the parties involved. We believe an outside regulatory scheme is unnecessary and may even be detrimental to supply chain efficiency as the ocean transportation market is extremely competitive; if a party does not like how one carrier handles a demurrage/detention situation, the party is free to negotiate different contractual arrangements; alternatively, the party may freely switch to another carrier. Any criteria an outside entity determines as appropriate for prohibiting the imposition of such charges will likely be subjective and, at least from the perspective of the equipment providers, controversial. Also, situations such as severe weather events are disruptive and costly to all involved parties; it does not seem reasonable to pre-determine that the ocean carriers are the ones that will always be bearing the costs here.

Thank you and please let me know if you have any questions.

Sincerely

*Richard J Craig*

Richard J. Craig  
President & CEO  
MOL (America) Inc.