

FMC Orders Investigation of Vessel Capacity and Equipment Availability in U.S. Export and Import Liner Trades

On March 17, the Federal Maritime Commission (FMC) issued an Order of Investigation in Fact Finding Investigation No. 26, Vessel Capacity and Equipment Availability in the United States Export and Import Liner Trades (Fact Finding Investigation). Specifically, the FMC seeks to investigate recent reports of container vessel capacity and equipment constraints, and whether such constraints are hindering the economic recovery. The information gathered through the Fact Finding Investigation will be utilized by the agency to determine future policies with respect to vessel capacity and equipment shortages. The FMC has appointed Commissioner Rebecca F. Dye as the Fact Finding Officer (FFO) who has been tasked with developing a record of the following:

- Recent conditions in the U.S. export liner trades
- Recent conditions in the U.S. import liner trades
- Current and forecasted common practices by vessel-operating common carriers (VOCCs) regarding the management and allocation of equipment owned by VOCCs, shippers and leasing companies for the U.S. import and export trades, specifically the management, supply, allocation and availability of containers for all U.S. export commodities and categories
- Current practices and plans of VOCCs regarding the deployment of vessel capacity in the U.S. trades
- Current and planned common practices relating to service contracting in the U.S. liner trades, specifically:
 - The practices of VOCCs with respect to the booking of cargo before and after a minimum quantity commitment of a service contract has been met but before the term of a contract has expired
 - The practices of VOCCs with respect to the cancellation of cargo bookings
 - The practices of carriers and shippers with respect to the overbooking of cargo
 - The impact of those practices on the availability of liner service to meet the demands of U.S. exporters and importers
- Any related conditions or practices that affect the U.S. trade liners

The order requires the FFO to issue an interim report of the findings and recommendations to the FMC no later than June 15, 2010, with a final report issued to the FMC no later than July 31, 2010. The order directs parties interested in participating in the Fact Finding Investigation to contact Commissioner Dye at 202.523.5715, 202.275.0521 (fax) or factfinding@fmc.gov.



FOR MORE INFORMATION

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