

ORIGINAL

(S E R v E D)
(AUGUST 13, 1999)
(FEDERAL MARITIME COMMISSION)

FEDERAL MARITIME COMMISSION

DOCKET NO. 99-16

CAROLINA MARINE HANDLING, INC.

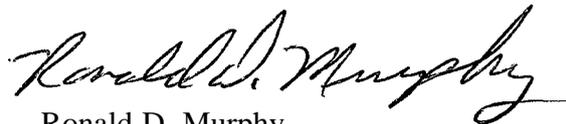
v.

SOUTH CAROLINA STATE PORTS AUTHORITY;
CHARLESTON NAVAL COMPLEX REDEVELOPMENT AUTHORITY;
CHARLESTON INTERNATIONAL PROJECTS, INC.
AND CHARLESTON INTERNATIONAL PORTS, LLC

NOTICE OF FILING OF COMPLAINT AND ASSIGNMENT

Notice is given that a complaint was filed by **Carolina Marine** Handling, Inc. ("Complainant"), against South Carolina State Ports Authority ("SPA"), Charleston Naval Complex Redevelopment Authority ("RDA"), Charleston International Projects, Inc. ("CIP"), and Charleston International Ports, LLC ("CIP"), herein collectively referred to as ("Respondents"). The complaint was served on August 13, 1999. Complainant alleges that Respondents violated sections 10(d)(1) and, pursuant to the provisions of section 20(e)(3), sections 10(b)(1), 10(b)(12), 10(d)(3) and 10(d)(4) of the Shipping Act of 1984, 46 U.S.C. app. § 1709(d)(1) and, pursuant to the provisions of § 1719(e)(3), §§ 1709(b)(1), (b)(12), (d)(3) and (d)(4), by refusal to negotiate with or to make available to Complainant adequate and suitable terminal, pier, dock, and storage facilities; interference with Complainant's right to use of such facilities; and by granting terminal space and concessions to Respondent CIP and others while unreasonably denying comparable terminal space and concessions to Complainant.

This proceeding has been assigned to the office of Administrative Law Judges. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61, and only after consideration has been given by the parties and the presiding officer to the use of alternative forms of dispute resolution. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record. Pursuant to the further terms of 46 CFR 502.61, the initial decision of the presiding officer in this proceeding shall be issued by August 14, 2000, and the final decision of the Commission shall be issued by December 12, 2000.



Ronald D. Murphy
Assistant Secretary