

# FEDERAL MARITIME COMMISSION

PETITION OF COSCO CONTAINER  
LINES COMPANY LIMITED FOR  
AN EXTENSION OF TIME FOR  
EXEMPTION FROM 46 C.F.R. §  
530.10

Petition No. P1-16

Served: May 19, 2016

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**BY THE COMMISSION:** Mario CORDERO, *Chairman*; Rebecca F. DYE, Richard A. LIDINSKY, Jr., Michael A. KHOURI, and William P. DOYLE, *Commissioners*.

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## **Order to Inform Parties of Filed Petition for Extension of Time**

### **I. Petition**

On January 15, 2016, COSCO Container Lines Company Limited (“COSCON”) (Petitioner), petitioned the Commission pursuant to 46 C.F.R. § 502.76 of the Commission’s Rules of Practice and Procedure, for an exemption from the Commission’s rules requiring individual service contract amendments, 46 C.F.R. § 530.10. Petitioner explained that “[o]n or about March 1, 2016, COSCON will acquire by time charter the containerships and certain other assets of China Shipping Container Lines Co. (“China Shipping”)” and, as such, requested that the Commission permit the

submission of a “universal notice to the Commission and to the service contract parties” instead of filing an amendment for each of the seven hundred (700) service contracts that will be assigned to COSCON. In addition, COSCON proposed to send electronic notice to each shipper counter party. Because China Shipping tariffs would be taken over by COSCON and renumbered and republished, COSCON also sought a waiver to avoid amending each contract with the new tariff number, by publishing a notice of the change in the existing China Shipping and COSCON tariffs. Notice of the petition appeared in the Federal Register on January 27, 2016, 81 Fed. Reg. 4,627.

The Commission granted the petition by order on February 29, 2016. Although COSCON only requested an exemption from 46 C.F.R. § 530.10, the Commission determined that COSCON’s proposal to republish and renumber China Shipping’s tariffs as its own, separate tariffs would require an exemption from 46 C.F.R. § 520.7(a)(4). The Commission placed several conditions on the exemption, one of which was to limit the duration of the new COSCON tariffs until June 1, 2016, noting that “most of the relevant service contracts w[ould] expire on or before April 30, 2016, rendering the new tariffs unnecessary after that date.”

On May 13, 2016, COSCON filed a Petition for Extension of Exemption stating that “there remains a very limited number of shippers (around 30), as to which the discussions have taken longer than COSCON anticipated,” and so requests a continuation of the exemption to July 31, 2016.

The Commission plans to publish a notice in the Federal Register indicating that the petition for extension has been filed and requesting comment. In order to ensure proper notice is given to affected shippers, the Commission is issuing this Order to Inform Parties of Filed Petition for Extension of Time relating to the previously granted Petition for Exemption.

THEREFORE, IT IS ORDERED, that by May 23, 2016, COSCON inform all affected shippers of the Petition for Extension of Exemption and the Commission's request for comments.

By the Commission.

Karen V. Gregory  
Secretary