

(S E R V E D)
(JULY 22, 1997)
(FEDERAL MARITIME COMMISSION)

FEDERAL MARITIME COMMISSION

WASHINGTON, D. C.

July 22, 1997

DOCKET NO. 95-11

MAR-MOL CO. AND COPYCORP.

v.

SEA-LAND SERVICE, INC.

**AMOUNT OF REPARATION AND
DATE OF INJURY DETERMINED;
INTEREST TO BE COMPUTED**

On June 10, 1997, the parties were instructed to comply with Rule 251, 46 CFR § 502.251, and either agree or make proof regarding the amount of reparations due to Mar-Mol Co. for the injury which, in its Report and Order served June 25, 1997, the Commission found Mar-Mol sustained in paying the unreasonable license tax to Sea-Land Service, Inc. The parties agree that 40 collect shipments were made on which the total license tax, as now correctly computed, of \$635 was paid on the cargo moved from July 2, 1990 to January 14, 1994, by Sea-Land Service, Inc. in the Puerto Rican trade as shown in

the Appendix hereto. Complainant Mar-Mol Co., is entitled to an order awarding it reparation of \$635 plus interest. Interest will be awarded from the date shown in the Appendix for each shipment. An appropriate order will be entered. The Commission's notice finalizing this order will specify the amount of interest and the date upon which payment shall be made pursuant to Rule 253, 46 CFR § 502.253.

IT IS ORDERED:

Complainant Mar-Mol Co. has been found to have been injured by paying Sea-Land Service, Inc. the unreasonable license tax on 40 collect shipments from July 2, 1990 to January 14, 1994, in the Puerto Rico trade, and it is entitled to an award of reparation of \$635 plus interest computed from the date shown in the Appendix hereto for each shipment to the date specified in the Commission order awarding reparation. The Commission will compute the interest pursuant to 46 CFR § 502.253.¹


Frederick M. Dolan, Jr.
Administrative Law Judge

¹ § 502.253 Interest in reparation proceedings.

... Compounding will be daily from the date of injury to the date specified in the Commission order awarding reparation. Normally, the date specified within which payment must be made will be fifteen (15) days subsequent to the date of service of the Commission order.

(a) On awards of reparation granted under the Shipping Act of 1984, or the Shipping Act, 1916, interest shall be computed on the basis of the average monthly secondary market rate on six-month U.S. Treasury bills commencing with the rate for the month that the injury occurred and concluding with the latest available monthly U.S. Treasury bill rate at the date of the Commission order awarding reparation. The monthly secondary market rates on six-month U.S. Treasury bills for the reparation period will be summed up and divided by the number of months for which interest rates are available in the reparation period to determine the average interest rate applicable during the period.

Appendix

<u>Date</u>	<u>Bill of Lading No.</u>	<u>License Tax Amt</u>	<u>ICC/FWC Tariff</u>	<u>Method of Payment</u>
7/02/90	SEAU901592039	\$10.00	FMC Item6340	Collect
12/17/90	SEAU961969286	\$20.00	FMC Item202400	Collect
12/23/90	SEAU961969512	\$10.00	FMC Item202400	Collect
12/28/90	SEAU961969647	\$10.00	FMC Item202400	Collect
7/24/92	SEAU971190733	\$15.00	FMC Item202390	Collect
12/17/92	SEAU707044782	\$15.00	FMC Item202400	Collect
12/17/92	SEAU707044783	\$15.00	FMC Item202400	Collect
12/17/92	SEAU707044784	\$15.00	FMC Item202390	Collect
2/24/93	SEAU707322274	\$15.00	FMC Item9403-1101	Collect
3/12/93	SEAU707099796	\$45.00	FMC Item202390	Collect
5/07/93	SEAU707131704	\$30.00	FMC Item9403-1-404	Collect
5/14/93	SEAU707132436	\$15.00	FMC Item9403-1101	Collect
5/14/93	SEAU707132406	\$15.00	FMC Item9403-1101	Collect
5/14/93	SEAU707133271	\$15.00	FMC Item9403-1101	Collect
5/15/93	SEAU707132435	\$15.00	FMC Item9403-1101	Collect
6/04/93	SEAU707146388	\$15.00	FMC Item9403-1101	Collect
6/25/93	SEAU707171900	\$15.00	FMC Item9403-1101	Collect
7/09/93	SEAU707180349	\$15.00	FMC Item9403-1101	Collect
7/23/93	SEAU707252233	\$15.00	FMC Item9403-1101	Collect
7/30/93	SEAU707198356	\$15.00	FMC Item9403-1101	Collect
8/06/93	SEAU707184016	\$15.00	FMC Item9403-1101	Collect
8/23/93	SEAU707255606	\$15.00	FMC Item9403-1101	Collect
8/27/93	SEAU707211368	\$15.00	FMC Item9403-1101	Collect
8/31/93	SEAU707256547	\$15.00	FMC Item9403-1101	Collect
9/03/93	SEAU707210142	Blind Memo Bill (\$15.00)		
9/10/93	SEAU707223299	\$15.00	FMC Item9403-1101	Collect
9/25/93	SEAU707235286	\$15.00	FMC Item9403-1101	Collect
10/01/93	SEAU707246205	\$15.00	FMC Item9400-1102	Collect
10/23/93	SEAU707264585	\$15.00	FMC Item9400-1102	Collect
11/05/93	SEAU707277548	\$15.00	FMC Item9403-1101	Collect
11/19/93	SEAU707297433	\$15.00	FMC Item9403-1101	Collect
11/19/93	SEAU707297432	\$15.00	FMC Item9403-1101	Collect
11/20/93	SEAU707295834	\$15.00	FMC Item9403-1101	Collect
11/26/93	SEAU707303362	Blind Memo Bill (\$15.00)		
12/04/93	SEAU707310657	\$15.00	FMC Item9403-1101	Collect

<u>Date</u>	<u>Bill of Lading No.</u>	<u>License Tax Amt</u>	<u>ICC/FMC Tariff</u>	<u>Method of Payment</u>
12/10/93	SEAU707312321	\$15.00	FMC Item9403-1101	Collect
12/10/93	SEAU707312322	\$15.00	FMC Item9403-1101	Collect
12/10/93	SEAU707312323	\$15.00	FMC Item9403-1101	Collect
12/31/93	SEAU707327434	\$15.00	FMC Item9403-1101	Collect
01/14/94	SEAU707335032	\$15.00	FMC Item9403-1101	Collect
Total Number of Bills of Lading - 40				
Total Number of Bills of Lading on a freight collect basis - 40				
Total amount of License Tax paid; - <u>\$635.00</u>				