

# Port Transportation Association

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February 11, 2020

Dear OBCCTC,

Today the commissioner was interviewed on Connect FM this morning February 11, 2020. The commissioner was asked a variety of questions; We wanted to bring a few points to your attention. This morning, talk show host Vijay Saini asked "I was looking at the minimum threshold of the minimum trucks is going to go up from five trucks to ten, this can easily be looked at as an attempt to stifle the smaller operators, what are your thoughts on that?"

Commissioner's response:

I appreciate that concern folks have, the reason we have proposed this, and I want to be clear this is a proposal, it isn't happening yet, what have seen historically with the smaller operators is more challenges with some of the recordkeeping issues with the companies, rate payment, number of other practices, tag sales a variety of other things... Now that's not to say that isn't an issue with some of the larger companies, it's not strictly on the smaller companies.. We want to get it right we want to make sure we have a group of companies that are paying the right rates and doing the right thing and if they just so happen to be smaller, okay, we can take a look at that.

In shorter terms the commissioner has said smaller companies have challenges with record keeping, rate payment, tag sales etc. He then goes on to say this is also a problem with larger carriers. We are not satisfied with this explanation as the commissioner is not clear on his answer. He first states smaller companies have a problem with record keeping etc. Then goes on saying the larger companies have the same problem. This answer completely avoids the question



as to why the minimum tags have been increased. Can the commissioner provide proof that smaller companies have had a problem with record keeping? Looking into the audits that have been issued it looks like all companies have completed their audits and have as well paid penalties imposed by the commissioner. All companies big and small can occur record keeping problems. However, record keeping and rate pay do not justify the increase from five truck tags to ten. We see this answer as widely discriminatory towards smaller carriers. As an association we do not view this justification sufficient.

Also, the commissioner has said if companies happen to be smaller while paying the right rates, they can have a look at it. However, today at 3:39pm the OBCCTC posted a supplemental to its website. In the supplemental posted it is stated "it is proposed that applications for a CTS licence must have at least ten trucks". How is this at all reasonable?

At 8am the commissioner attends an interview and seven hours later the commissioners website posts a supplemental that contradicts his statements made earlier in the day.

How would the commissioner "take a look" at smaller carriers when the supplemental clearly states the first requirement to apply is to have a minimum of ten trucks.

Further, how has the commissioner already posted a supplemental, while consultations have not been completed. The commissioner was too quick to post a supplemental and should have posted it when all stakeholder consultations have been concluded. When remaining consultations are completed will the commissioner be submitting another supplemental? If a supplemental was submitted already, what was the reason in holding stakeholder consultations? As an association rapidly growing, currently representing thirty-five companies, these are all fair questions the Port Transportation Association has, and we would like the commissioner to give us a clear explanation.

Sincerely,

Port Transportation Association