

Mr. Glen MacInnes

Office of the British Columbia Container Trucking Commissioner

1085 Cambie Street

Vancouver, BC V6B 5L7

VIA EMAIL: registrar@obcctc.ca

February 25, 2024

RE: OBCCTC 2024 CTS Licence Reform Proposed Changes, January 2024

Dear Commissioner MacInnes,

I thank you for the opportunity to participate in comments regarding the 2024 CTS License Reform Proposed Changes. With as a Licensee with more than 30 years in the industry, my comments will reflect my experience and how these proposals will directly impact both my company and in my opinion, the industry as a whole.

The proposed addition of Section 6 Conditions of Licence subsection 6.16 "The Licensee can only preform Container Trucking Services at a facility in the Lower Mainland approved by the Commissioner" is opposed, and I request that its addition be stricken from the 2024 Licence.

The term is not only vague in not supplying a list of approved facilities for Licensees to consider in our submissions, but given the VAST number of facilities that handle containers in various capacities (i.e. warehousing, repairs, depots, other Licensee's, storage yards or parking facilities, the list is endless) I do not believe that the OBCCTC as bound by the terms of the Container Trucking Act and Regulations, would even be within the bounds of its jurisdiction to restrict access to such locations.

I would also like to voice objection to the inclusion of Appendix A item I-j, in which it notes "The Licensee must not operate in any way directly or indirectly, with a non-licensee who performs unregulated off-dock container trucking services between facilities and locations within the Lower Mainland."

As a diversified company providing trucking in not only Vancouver drayage services, but local LTL, flatbed and highway transport as well. The broad application of meanings behind this addition leave concern that any LTL delivery, highway or flatbed delivery to any company within North American providing non-regulated off-dock services will result in a breach of licence.

Furthermore, given our diverse operations, something that has been key to our longevity given the continued and monthly variation VFPA import and export container traffic, the multiple divisions of our operations share key components of operation including yard space, office space and certain staff in order to optimize efficiency and cost sharing. Under the addition of Appendix A item 1-j, there are concerns that companies structured with diverse operations will no longer be able to continue in this manner and in which case would create significant hardship to the company and our employees.

Moving into the CTS Licence Appendix D and Schedule 3, it should be noted that there are concerns not only by our company, but throughout the industry that the OBCCTC has requested and is building a significant database of information about each Licensee, Related Persons and our Customers that under no uncertain terms requires safeguarding.

Measures on how the proposed data requested in the OBCCTC 2024 Proposed Licence will be protected and used, in our opinion, should be shared with the industry. Furthermore, in recent Orders and Decisions, the OBCCTC has noted specific locations and customers that were tied to specific Licensees. We question whether the OBCCTC has requested consent to include such details, and what safeguards we can supply to our customers who may not wish to be publicly included in your communications without consent.

Finally, I must make the request that consideration be given to companies who have significant history of operations at the Vancouver Fraser Port Authority terminals, as well as those who have spent significant financial resources into port-specific upgrades or improvements.

It should be noted that such improvements, such as in our case, the purchase of tri-axle trucks, may not have constant use to apply against the VFPA Scorecard or TLS GeoTab data in understanding use or operations. These investments are still significant and are used to improve operations as a CTS Licensee and should be considered based on the value of investment over a particularly narrow dataset.

I thank you for your consideration, and look forward to continued consultation during the 2024 CTS License period.

Sincerely,

TBC

  
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