

Complainant alleges that Respondent violated 46 U.S.C. 41102(c), 41104(a)(2), 41104(a)(10), and 41102(d), and 46 CFR 545.5 regarding a failure to establish, observe, and enforce just and reasonable practices relating to receiving, handling, storing, and delivering property; a failure to provide service in the liner trade that is in accordance with a service contract; an unreasonable refusal to deal or negotiate; and retaliation against a shipper. Complainant alleges these violations arose from a failure to allocate space as agreed upon and instead, allocating space to shippers willing to pay higher freight prices; a condition on performance requiring the payment of extracontractual prices and surcharges, such as peak season surcharges throughout more than 90% of the service contract period, prior to full performance of its service commitments; an unreasonable assessment of demurrage and detention charges during periods of congestion and shortages of equipment at ports; and a refusal to deal unless an amendment reducing the minimum quantity commitments under the service contract was agreed to.

An answer to the complaint must be filed with the Commission within twenty-five (25) days after the date of service.

The full text of the complaint can be found in the Commission's electronic Reading Room at <https://www2.fmc.gov/readingroom/proceeding/23-10/>. This proceeding has been assigned to the Office of Administrative Law Judges. The initial decision of the presiding judge shall be issued by September 12, 2024, and the final decision of the Commission shall be issued by March 27, 2025.

Jason Guthrie,

*Federal Register Alternate Liaison Officer,
Federal Maritime Commission.*

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FEDERAL MARITIME COMMISSION

[Docket No. 23-05]

Rahal International Inc., Complainant v. Hapag-Lloyd AG, Hapag-Lloyd (America), LLC, and Hapag-Lloyd USA, LLC, Respondents and Third-Party Complainants v. Maher Terminals, LLC, GCT New York LP, and GCT Bayonne PL, Third-Party Respondents; Notice of Filing of Third-Party Complaint

Served: September 8, 2023.

Notice is given that a third-party complaint has been filed with the

Federal Maritime Commission (the "Commission") by Hapag-Lloyd AG, Hapag-Lloyd (America), LLC, and Hapag-Lloyd USA, LLC (collectively, the "Third-Party Complainants") against Maher Terminals, LLC, GCT New York LP, and GCT Bayonne PL (collectively, the "Third-Party Respondents") in Docket No. 23-05. Third-Party Complainants state that the Commission has subject-matter jurisdiction over the third-party complaint under the Shipping Act of 1984, as amended, 46 U.S.C. 40101 *et seq.* (the "Shipping Act"), 46 CFR 502.12, and 46 CFR 502.62(b)(4), and further state that the Commission has personal jurisdiction over the Third-Party Respondents due to an alleged violation of the Shipping Act and the third-party claims arising out of a common nucleus of operative facts as those against Hapag-Lloyd AG, Hapag-Lloyd (America), LLC, and Hapag-Lloyd USA, LLC.

Complainant Rahal International Inc. is an independent importer and broker of high-quality fruit juices, concentrates, and purees in the United States, and is organized and existing under the laws of the state of Delaware with a principal place of business in Oak Brook, Illinois.

Respondent and Third-Party Complainant Hapag-Lloyd AG is a global ocean carrier company based in Hamburg, Germany.

Respondent and Third-Party Complainant Hapag-Lloyd (America), LLC is a United States subsidiary and agent of Hapag-Lloyd AG with its office located in Atlanta, Georgia.

Respondent and Third-Party Complainant Hapag-Lloyd USA, LLC is a United States subsidiary and agent of Hapag-Lloyd AG with its office located in Atlanta, Georgia.

Third-Party Complainants identify Third-Party Respondent Maher Terminals, LLC as a marine terminal operator located in Elizabeth, New Jersey. Third-Party Complainants identify Third-Party Respondents GCT New York LP and GCT Bayonne LP as a marine terminal operator located in Staten Island, New York.

Third-Party Complainants allege that Third-Party Respondents violated 46 U.S.C. 41102(c) regarding a failure to establish, observe, and enforce just and reasonable regulations and practices related to or connected with receiving, handling, storing, or delivering property. Third-Party Complainants allege this violation arose from Third-Party Respondents' full control and operation of the containers and their assessment, billing, and collection of the charges at issue in Complainant Rahal International Inc.'s Verified Complaint (the "Verified Complaint"), and seek, in

the event that the Commission finds Third-Party Complainants liable under the Verified Complaint, an order requiring Third-Party Respondents to pay for all damages assessed as a result of the Verified Complaint, along with attorneys' fees.

An answer to the third-party complaint must be filed with the Commission within twenty-five (25) days after the date of service.

The full text of the third-party complaint can be found in the Commission's electronic Reading Room at <https://www2.fmc.gov/readingroom/proceeding/23-05/>. This proceeding is assigned to the Office of Administrative Law Judges. The initial decision of the presiding judge shall be issued by July 1, 2024, and the final decision of the Commission shall be issued by January 15, 2025.

Jason Guthrie,

*Federal Register Alternate Liaison Officer,
Federal Maritime Commission.*

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FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of