

Subject	Subject Description	Feedback
Item 640 (Mixed Freight)	Proposal from Public	Section 2 looks like it is addressing a bol that shows an itemized list of items. Needs clarification.
Item 640 (Mixed Freight)	Proposal from Public	Section 3(b) is what shippers find the most frustrating. The carrier being able to charge by highest class. Say a pallet is 750 pounds of one item that dims at 20 PCF and 1 items that weighs 25 pounds and dims much higher. A carrier can use higher class for the entire shipment at the higher class.
Item 640 (Mixed Freight)	Proposal from Public	<p>While I understand the intent to reduce confusion in mixed-shipment rating, I have genuine concerns that as written, these provisions place a disproportionate burden on shippers while significantly expanding carrier discretion. The requirement to declare and rate tare weight: pallets, skids, shrink wrap, strapping, and unitizing materials on every bill of lading is operationally intensive for shippers of all sizes, and particularly burdensome for small and mid-sized businesses without automated weighing systems. Similarly, requiring itemized class and weight breakdowns at the individual handling-unit level on every mixed-commodity BOL represents a substantial documentation lift that many shippers are not currently equipped to meet.</p> <p>I am also most concerned that Section 3(b), which allows carriers to assess an entire shipment at the highest class present when any single article involves a non-density classification factor, creates a broad and potentially disproportionate reclassification exposure for shippers, with limited recourse. This would potentially result in many quotes on the front end for shippers being found inaccurate and create accounting concerns as they seek to reconcile their invoices with the quote. If they go too all the trouble of breaking out the individual freight classes and details and then it gets hit with the highest freight class this would lead to extreme cost increases. An extreme example would be routing something extremely dense and heavy, and then having a small adhesive or glue (hazmat) on the pallet, and then having the entire shipment rated at a higher class.</p> <p>Taken together, and with the concern of the released value also favoring carriers over shippers in Sec 3(c), these provisions appear to favor motor carriers in inspection and rating disputes without offering equivalent protections or clarity for the broader shipping community. I would respectfully ask that the FCDC consider whether additional shipper safeguards, clearer and fairer thresholds, and slowly phased out implementation guidance could bring these amendments into better balance.</p>
Item 640 (Mixed Freight)	Proposal from Public	In Sec. 3. (a), at the end of the paragraph it states that "density may be calculated based on the total weight and overall cube of the entire shipment or on the weight and dimensions of each individual handling unit." While I understand that either method of calculating density CAN work, one of the most frustrating things for shippers is the unpredictability of carrier charges. Shippers want to know which of these two methods are being used up front. This is also where the line blurs, for shippers, between NMFTA recommendations and Carrier Rules Tariffs. Shippers would prefer if somebody, somewhere, would state that any given carrier (or all carriers) handles this one way or the other. A worst case scenario for shippers is that each carrier picks and chooses on a shipment by shipment basis which method to apply to calculating density. That would be the most unpredictable and chaotic outcome possible. With this statement from the NMFTA it sets the table for that worst case scenario to be possible.
Item 640 (Mixed Freight)	Proposal from Public	<ul style="list-style-type: none"> •Cleaner more daily language. •Guide the shipper and carriers on how to administer them. Trying to eliminate conflict as to what is supposed to happen. Be consistent. •Make sure the language used is focused on classification of freight at the HANDLING UNIT level, but removing reference to "shipment." •Eliminate "options" for carriers or shippers. This makes is clear what is needed and if there are adjustments how they will be handled
Item 640 (Mixed Freight)	Proposal from Public	<p>I can't support the updated rule.</p> <p>A rule that is subject to carrier's discretion is not equitable to both the shipping public and the LTL industry. The NMFC provides rules that protect the carrier from an unscrupulous shipper, but just as importantly, they are meant protect the shipper from an unscrupulous carrier.</p> <p>By deferring to the carrier inside the rule itself, the NMFTA no longer promotes equity between shipper and carrier. This is a change that goes to the very foundation principles of the NMFTA. It's in the NMFTA's motto: "To Promote Equity."</p> <p>The rule should provide a clear explanation for to how shipments will be classed if whether the measured class exceeds the maximum classes applied to the mixed articles, as well as when it fails to exceed the minimum classes. It should not permit carriers to exercise discretion within the rule. This is equitable for the shipping public as well as the carrier.</p> <p>It is up to the individual carrier to accept the rule at it is written, or to publish a replacement or an amendment in the published tariff. That is the only place that shipper's discretion can be applied.</p>