

§ 402.10

§ 402.10 Operational surcharge after postponements.

Item	Column 1 Place in Montreal-Lake Ontario	Column 2 Period after clearance date	Column 3 Amount (\$) (5 locks) ¹
(a)	Cape Vincent (downbound) or Cape Saint-Michel (upbound):		
	(1) If the postponement is for 24 hours	(a) 24 hours or more but less than 36 hours (b) 36 hours or more but less than 48 hours (c) 48 hours or more but less than 72 hours (d) 72 hours or more but less than 96 hours	20,000 40,000 60,000 80,000
	(2) If the postponement is for 48 hours	(a) 48 hours or more but less than 56 hours (b) 56 hours or more but less than 64 hours (c) 64 hours or more but less than 72 hours (d) 72 hours or more but less than 96 hours	20,000 40,000 60,000 80,000
	(3) If the postponement is for 72 hours	(a) 72 hours or more but less than 78 hours (b) 78 hours or more but less than 84 hours (c) 84 hours or more but less than 90 hours (d) 90 hours or more but less than 96 hours	20,000 40,000 60,000 80,000
(b)	Port, dock or wharf within St. Lambert—Iroquois lock segment:		
	(1) If the postponement is for 24 hours	(a) 24 hours or more but less than 48 hours (b) 48 hours or more but less than 60 hours (c) 60 hours or more but less than 72 hours (d) 72 hours or more but less than 96 hours	n/a 20,000 40,000 60,000
	(2) If the postponement is for 48 hours	(a) 48 hours or more but less than 72 hours (b) 72 hours or more but less than 80 hours (c) 80 hours or more but less than 88 hours (d) 88 hours or more but less than 96 hours	n/a 20,000 40,000 60,000
	(3) If the postponement is for 72 hours or more.	(a) 72 hours or more but less than 96 hours	n/a

¹ Prorated on a per-lock basis.

PART 403—RULES OF PROCEDURE OF THE JOINT TOLLS REVIEW BOARD

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- 403.1 Purpose of the Joint Tolls Review Board. [Rule 1]
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AUTHORITY: 68 Stat. 92-96, 33 U.S.C. 981-990; Agreement between the Governments of United States and of Canada dated March 9, 1959, 10 U.S.T. 323, unless otherwise noted.

SOURCE: 24 FR 9307, Nov. 18, 1959; 24 FR 10445, Dec. 23, 1959, unless otherwise noted.

§ 403.1 Purpose of the Joint Tolls Review Board. [Rule 1]

The Board shall hear complaints relating to the interpretation of the St. Lawrence Seaway Tariff of Tolls or allegations of unjust discrimination arising out of the operation of the said Tariff and shall conduct such other business as agreed to by the Board (Rule 1).

[47 FR 13805, Apr. 1, 1982]

§ 403.2 Scope of rules. [Rule 2]

These rules govern practice and procedure before the Joint Tolls Review Board unless the Board directs or permits a departure therefrom in any proceeding [Rule 2].

(68 Stat. 92-97, 33 U.S.C. 981-990, as amended; Agreement between the Governments of the United States and Canada finalized on March 20, 1978)

[43 FR 30539, July 17, 1978. Redesignated at 47 FR 13805, Apr. 1, 1982]

§ 403.3 Definitions. [Rule 3]

In these rules, unless the context otherwise requires:

- (a) *Application* includes complaint;

(b) *Affidavit* includes a written affirmation;

(c) *Board* means the Joint Tolls Review Board;

(d) Words in the singular include the plural and words in the plural include the singular [Rule 3].

[24 FR 9307, Nov. 18, 1959; 24 FR 10445, Dec. 23, 1959, as amended at 43 FR 30539, July 17, 1978. Redesignated at 47 FR 13805, Apr. 1, 1982]

§ 403.4 Applications. [Rule 4]

(a) Every proceeding before the Board shall be commenced by an application made to it, which shall be in writing and signed by, or on behalf of, the applicant.

(b) An applicant shall file six copies of his application setting forth a clear and complete statement of the facts the grounds for the complaint, and the relief or remedy to which the applicant claims to be entitled.

(c) Applicants resident in Canada shall file their complaints with the St. Lawrence Seaway Joint Tolls Reviews Board, Tower "A", Place de Ville, 320 Queen Street, Ottawa, Ontario K1R 5A3. Applicants resident in the United States of America shall file their complaints with the St. Lawrence Seaway Joint Tolls Review Board, 800 Independence Ave., SW., Washington, D.C. 20591. Other applicants may file their complaints with the Board at either address.

(d) One copy of each application received shall be held and be available for public inspection at the offices of the Board in Ottawa, Ontario, and Massena, N.Y.

(e) The Board shall publish notice of the receipt of applications in the "Canada Gazette" and the FEDERAL REGISTER.

(f) Interested parties shall have thirty days from date of publication of notice in which to make representations or to submit briefs to the Board. [Rule 4]

(68 Stat. 92-97, 33 U.S.C. 981-990, as amended; Agreement between the Governments of the United States and Canada finalized on March 20, 1978)

[24 FR 9307, Nov. 18, 1959; 24 FR 10445, Dec. 23, 1959, as amended at 43 FR 30539, July 17, 1978. Redesignated and amended at 47 FR 13805, Apr. 1, 1982]

§ 403.5 Meetings and functions of Board. [Rule 5]

(a) The Board shall meet at such time and place as the Chairman may decide.

(b) The Board may schedule hearings at such time and place as the Chairman may decide.

(c) If hearings are scheduled the Board shall so notify applicants on record by mail, and may cause notice of the time and place of hearings to be published in the "Canada Gazette" and the FEDERAL REGISTER.

(d) Three members of the Board, one of whom shall be the Chairman, shall constitute a quorum.

(e) The Chairman shall have the right to vote at meetings of the Board and in case of equal division shall also have a casting vote.

(f) The Chairman shall cause to be kept minutes of meetings and a record of proceedings at hearings. [Rule 5]

[24 FR 9307, Nov. 18, 1959; 24 FR 10445, Dec. 23, 1959. Redesignated at 47 FR 13805, Apr. 1, 1982]

§ 403.6 Additional information. [Rule 6]

The Board may require further information, particulars or documents from any party. [Rule 6]

[24 FR 9307, Nov. 18, 1959; 24 FR 10445, Dec. 23, 1959. Redesignated at 47 FR 13805, Apr. 1, 1982]

§ 403.7 Action on applications; notices of requirements. [Rule 7]

The Board may at any time require the whole or any part of an application, answers or reply to be verified by affidavit, by giving a notice to that effect to the party from whom the affidavit is required. If the notice is not complied with, the Board may set aside the application, answer or reply or strike out any part not verified according to the notice. [Rule 7]

[24 FR 9307, Nov. 18, 1959; 24 FR 10445, Dec. 23, 1959. Redesignated at 47 FR 13805, Apr. 1, 1982]

§ 403.8 Proceedings; stay or adjournment. [Rule 8]

The Board may stay proceedings or any part of the proceedings as it thinks