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FEDERAL MARITIME COMMISSION

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Assistant Secretary
Federal Maritime Commission
800 North Capitol Street N.W.
Washington, D.C. 20573

August 25, 2008

Re: Petition of National Customs Brokers and Freight Forwarders Association of America, Inc. for Exemption from Mandatory Rate Tariff Publication – Docket # P1-08

I am the Corp. Operations Manager of EMO Trans. Inc., a licensed OTI/ NVOCC (FMC / OTI 1797 NF).

The following a number of items in support of relieve from the need of maintaining NVOCC Tariffs:

1. While substantial Dollar amounts and manpower are extended to keep tariffs updated and rates filed we have not been aware of any instance where outside parties actually checked our tariffs.
2. The majority of rates are negotiated with customers and VOCCs many times on an ad-hoc basis and move as bullet rates. Because of this, rates have to be filed ever more frequently and with shorter effective dates.
3. Rates and associated surcharges apply to ever shorter time spans because of frequent changes in surcharges assessed by VOCCs and, thus, making frequent re-filings a must and adding substantial tariff maintenance costs to every NVOCC transaction.
4. Shippers request and are satisfied with written rate quotations (often via e-mail) – they are neither willing to pay for nor do they have the time to compare and monitor multiple NVOCC tariffs.
5. Ocean shipping is faster paced and more competitive then it has ever been – a rather dynamic environment that even competes with unregulated air cargo. Approaching from this environment with the need to respond quickly and with pricing that is market driven to maintain tariffs is a costly endeavor for the sake of compliance which has had merits a long time ago.
6. The NSA was a good idea but has found little favor with shippers. It turns out that shippers rather take advantage of competitive situations created by VOCCs as well as NVOCCS then being tied down and monitoring their commitments.

With export compliance issues, stricter time frames for exports to be adhered to and pressures from market forces it will become more and more difficult to not only file accurately and timely but allow for the additional expenses associated with the tasks.

Substantial efforts, time and costs are devoted to the requirements of rate filings for a Tariff that, at some time had its validity, but is now basically maintained purely for compliance purpose.

We support the National Customs Brokers and Freight Forwarders Association's petition for Exemption from Mandatory Rate Tariff Publication.

Sincerely,
EMO Trans Inc.


Klaus H. Jager
Corporate Operations Manager