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FEDERAL MARITIME COMMISSION

46 CFR PARTS 502, 503, 510, 514, 540, and 583

[Docket No. 94-14]

UPDATE OF EXISTING FILING AND SERVICE FEES

AGENCY: Federal Maritime Commission.

ACTION: Proposed Rule.

SUMMARY: The Federal Maritime Commission ("Commission") proposes to revise its existing fees for (1) filing petitions, complaints, and special docket applications; (2) various public information services, such as record searches, document copying, and admissions to practice; (3) filing freight forwarder applications; (4) various ATFI-related services; (5) filing applications by cruise operators for performance and casualty certificates; and (6) providing NVOCC listings. This proposal will update existing fees to reflect current costs to the Commission.

DATE: Comments due [Insert date forty-five (45) days after publication in the Federal Register].

ADDRESS: Comments (original and fifteen copies) to:

Joseph C. Polking, Secretary
Federal Maritime Commission
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Washington, D.C. 20573-0001

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

The Commission is authorized under the Independent Offices Appropriation Act ("IOAA"), 31 U.S.C. 9701, to establish fees for services and benefits that it provides to specific recipients. The IOAA provides:

(a) . . . that each service or thing of value provided by an agency . . . to a person . . . be self-sustaining to the extent possible.

(b) . . . each charge shall be-

- (1) fair; and
- (2) based on-

- (A) the costs to the Government;
- (B) the value of the service or thing to the recipient;
- (C) public policy or interest served; and
- (D) other relevant facts.

31 U.S.C. § 9701.

The primary guidance for implementation of IOAA is Office of Management and Budget ("OMB") Circular A-25, as revised July 8, 1993. OMB Circular A-25 requires that a reasonable charge be made to each recipient for a measurable unit or amount of Government service from which the recipient derives a benefit, in order that the Government recover the full cost of rendering that service.

OMB Circular A-25 further provides that costs be determined or estimated from the best available records in the agency, and that cost computations shall cover the direct and indirect costs to the Government of carrying out the activity, including but not limited to:

- (a) Direct and indirect personnel costs, including salaries and fringe benefits such as medical insurance and retirement. . . .;
- (b) Physical overhead, consulting, and other indirect costs including material and supply costs, utilities, insurance, travel and rent . . . ;
- (c) The management and supervisory costs.
- (d) The costs of enforcement, collection, research, establishment of standards, and regulations, including any required environmental impact statements.

OMB Circular A-25, paragraphs 6 d. (a), (b), (c), and (d). OMB Circular A-25 also calls for a periodic reassessment of costs, with related adjustment of fees, if necessary, and the establishment of new fees where none exists.¹

The Commission's current filing and service fees have been in effect since 1983. The fees established at that time are no longer representative of the Commission's actual costs for providing such services. The Commission, accordingly, proposes to update its fees to reflect current costs to the Commission.

The Commission has reviewed its current fees and developed data on the time and cost involved in providing particular services to arrive at the updated direct labor costs for those services. The direct labor costs included clerical, professional, supervisory, and executive time expended on an activity, plus a

¹ In a companion rulemaking proceeding Docket No. 94-15, New Filing Fees, the Commission is proposing implementing new fees for tariff and agreement filings; applications for filing alternate data, for extension of time to file, and for waiver of detailed filing of financial data in the domestic offshore trades; and the filing of general rate increases in the domestic offshore trades.

check processing cost of \$1.00. Indirect costs (overhead and other assignable costs) were added to direct labor costs to arrive at fully distributed costs for providing each service. The indirect costs include Government overhead costs, which are fringe benefits and other wage-related Government contributions contained in OMB Circular A-76;² Commission general and administrative expenses;³ and office general and administrative overhead expenses.⁴ The sum of these indirect cost components gives an indirect cost factor that is added to the direct labor costs of an activity to arrive at the fully distributed cost. Appendix A is a detailed explanation of how the indirect cost factor was computed.

All current fees, except as noted, are being revised to reflect the higher costs to the Commission in providing its services. A summary schedule of revised fees is provided in Appendix B. A detailed summary of the data used to arrive at the proposed fees is available from the Secretary of the Commission upon written request.

² These include leave and holidays, retirement, workmen's compensation awards, health and life insurance, and Medicare. These are expressed as a percentage of basic pay.

³ These costs include all salaries and overhead, such as rent, utilities, supplies, and equipment, allocated to the Offices of the Commissioners, Managing Director, General Counsel, and the Bureau of Administration. The percentage of these costs to the total agency budget is allocated across all Commission programs.

⁴ These expenses are limited to the overhead expenses allocated to those bureaus and offices involved in fee-generating activities, and is derived from dividing allocated overhead expenses by the total funding for these fee-generating offices.

PROPOSED FEES

Part 502 Fees

The Commission assesses a number of fees under its Rules of Practice and Procedure codified at 46 CFR Part 502. The fees contained in Part 502 are being revised to reflect the current cost to the Commission of providing particular services. General petitions and petitions for declaratory orders filed with the Commission are currently assessed a filing fee of \$50. The Commission proposes to raise this amount to \$162.⁵ The formal complaint filing fee is increased to \$166 from \$50. The fee for filing special docket applications is increased to \$86 from \$25. The filing fee for informal complaints is increased to \$68 from \$25. Persons using the Commission's conciliation services will be assessed a \$61 fee, up from \$25.

Part 503 Fees

The Commission's rules on public information, 46 CFR Part 503, contain fees to be charged for certain services provided to the public. These fees also are being updated to reflect the current cost to the Commission. Record search services performed by Commission staff will be increased from \$11 to \$15 per hour for clerical staff, and from \$23 to \$30 per hour for professional staff; the minimum charge for a record search will increase from \$11 to \$15. The charge for reviewing documents to determine

⁵ All proposed revised fees have been rounded down to the nearest dollar.

whether they are exempt from disclosure under the Freedom of Information Act is being increased to \$63 per hour from \$38. While the per-page copying charge of five cents per page (one side) is not being revised, the service charge for copying performed by Commission staff will increase to \$15 per hour. The minimum service fee for copying remains unchanged at \$3.50. The fee for validating and certifying documents is increased to \$70 per certificate. Annual subscription services for Commission publications will be increased as follows: \$278 for initial and final orders in all formal proceedings, and \$223 for final orders only in all formal proceedings. Subscription fees for copies of Commission rules and regulations are increased as follows: \$83 for initial set of the rules and regulations, and \$7 for an annual subscription for all amendments to existing rules and new rules issued during the year. The latter fee is a decrease from the current fee of \$8.25. The fee to have one's name placed on a mailing list of a specific docket to receive all issuances pertaining to the proceeding is increased to \$7 per proceeding, up from \$3. The fee for copies of the Commission Rules of Practice and Procedure will be \$9 and an annual subscription to amendments will be \$7; these are increased from \$4.25 and \$4, respectively. The fee for applications for admission to practice before the Commission for persons not attorneys at law will increase from \$13 to \$77.

Under its rules regarding access to records of personal information, the Commission assesses fees for copying, certifying, and validating documents. The Commission is reducing its per-page copying charge under these rules from 30 cents a page to 5 cents a page; this is consistent with the Commission's general copying charge. The Commission is increasing its fee for certification and validation of documents under these rules to \$70 per document; this is also consistent with similar fees assessed elsewhere.

The Commission is also clarifying and updating its policy contained in 46 CFR Part 503 regarding the waiver or reduction of service and filing fees. It is the general policy of the Commission not to waive or reduce service or filing fees. The Commission will, however, entertain requests for waiving or reducing fees based on public interest grounds or undue hardship.

In a somewhat related matter, the Commission no longer publishes a guide on the shipping of automobiles, entitled Automobile Manufacturers Measurements. Therefore, the Commission proposes to delete the obsolete reference to this guide in 46 CFR Part 503.

Freight Forwarder Fees

Part 510 of the Commission's regulations, 46 CFR Part 510, contains fees associated with the filing of applications for ocean freight forwarder licenses. The Commission proposes to revise its fees under these regulations as follows: increase the license application fee to \$687 from \$350, increase the fee for reissuance

of a license or status change application to \$365 from \$100, and increase the fee for supplemental investigations of pending license applications to \$213 from \$100.

ATFI Fees

The Commission's regulations on tariff filing, 46 CFR Part 514,⁶ contain fees for filing applications requesting special permission to depart from established rules, and fees related to the Commission's Automated Tariff Filing and Information System ("ATFI"). The application fee for special permission requests will increase to \$146 from \$100. ATFI-related fees will go up as follows:

ATFI Registration	\$162
Registration Changes	\$136
Certification of Software	
Functionality	\$359
Initial Set of ATFI Tapes	\$336
Daily Update of ATFI Tapes	\$ 61
Weekly Update of ATFI Tapes	\$ 86
Monthly Update of ATFI Tapes	\$136
Miscellaneous Tapes	\$ 61

Updates of ATFI tapes include a set number of tapes; if more tapes are required, the fee will increase by \$25 per additional tape. The Commission currently charges the public, under section 502 of Public Law 102-582, 46 U.S.C. 1707a, 46 cents per minute for

⁶ The Commission is not proposing any changes to Parts 550, Publishing, Filing, and Posting of Tariffs in Domestic Offshore Commerce, and 580, Publishing and Filing Tariffs by Common Carriers in the Foreign Commerce of the United States, because these parts are obsolete, are subsumed in Part 514, and will be removed in the near future.

data retrieval from the ATFI database.⁷ The Commission is not proposing any change in this charge at this time. Likewise, the Commission is not proposing any change in fees for ATFI user manuals. The Commission is studying its costs in these areas, and will propose revised fees in the future.

Financial Responsibility Certificate Fees

Under 46 CFR Part 540, Security for the Protection of the Public, passenger vessel operators file applications for certificates to show that they have sufficient coverage to (1) indemnify passengers for nonperformance of transportation, and (2) meet any liability incurred for death or injury. The Commission proposes to increase the filing fees for these certificates as follows: for certificate of performance, \$1,874, and for certificate of casualty, \$830.

NVOCC List Fee

The Commission provides, upon request, a listing of tariffed and bonded non-vessel-operating common carriers ("NVOCCs"). This list is used as proof by common carriers that listed NVOCCs are in compliance with the Commission's regulations, i.e., that they are tariffed and bonded. The Commission proposes to increase the charge for providing this list to \$122. Those requesting the list can have the information in several forms: hard paper copy,

⁷ The Commission's authority to assess an ATFI retrieval fee, under section 502 of Pub. L. 102-582, expires on September 30, 1995.

diskette, or tape.

In keeping with OMB guidelines, the Commission intends to update its fees on an annual basis. In updating its fees, the Commission will incorporate changes in the wages and salaries of its employees into direct labor costs associated with its services, and recalculate its indirect costs (overhead) based on current level costs.

The Commission, in its latest amendment to 46 CFR Part 502, omitted a reference to "Pub. L. 88-777" in its Authority statement (58 FR 36848, July 19, 1993). This omission is proposed to be corrected in this document.

The Commission certifies pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605(b), that this rule will not have a significant economic impact on a substantial number of small entities, including small businesses, small organizational units, and small governmental jurisdictions. The Commission recognizes that these proposed fees may have some impact on the shipping industry, but not of the magnitude that would be contrary to the requirements of the Regulatory Flexibility Act. For the most part, entities impacted by the proposed increases are ocean common carriers, who traditionally have not been viewed as small entities. Fees collected from the general public for Commission information recover the total cost to the Commission for providing specific services. Fees for filing petitions, formal and informal complaints, in the Commission's view, do not impose an undue burden nor have a chilling effect on filers. Furthermore, Commission

regulations provide for waiver of fees for those entities that can make the required showing of undue hardship.

This proposed rule does not contain any collection of information requirements as defined by the Paperwork Reduction Act of 1980, as amended. Therefore, OMB review is not required.

List of Subjects

46 CFR Part 502

Administrative practice and procedure, Claims, Equal access to justice, Investigations, Lawyers, and Reporting and recordkeeping requirements.

46 CFR Part 503

Classified information, Freedom of information, Privacy, and Sunshine Act.

46 CFR Part 510

Freight forwarders, Maritime carriers, Reporting and recordkeeping requirements, and Surety bonds.

46 CFR Part 514

Freight, Harbors, Maritime carriers, and Reporting and recordkeeping requirements.

46 CFR Part 540

Insurance, Maritime carriers, Penalties, Reporting and recordkeeping requirements, and Surety bonds.

46 CFR Part 583

Freight, Maritime carriers, reporting and recordkeeping requirements, and Surety bonds.

Pursuant to 5 U.S.C. 553, the Independent Offices Appropriations Act, 31 U.S.C. § 9701, and section 17 of the Shipping Act of 1984, 46 U.S.C. app. § 1716, the Commission proposes to amend title 46 of the Code of Federal Regulations as follows:

Part 502 - RULES OF PRACTICE AND PROCEDURE

1. The authority citation for Part 502 is revised to read as follows:

AUTHORITY: 5 U.S.C. 504, 551, 552, 553, 556(c), 559, 561-569, 571-596; 12 U.S.C. 1141j(a); 18 U.S.C. 207; 26 U.S.C. 501(c)(3); 28 U.S.C. 2112(a); 31 U.S.C. 9701; 46 U.S.C. app. 817, 820, 826, 841a, 1114(b), 1705, 1707-1711, 1713-1716; E.O. 11222 of May 8, 1965 (30 FR 6469); 21 U.S.C. 853a; and Pub. L. 88-777 (46 U.S.C. app. 817d, 817e).

Subpart E-Proceedings; Pleadings; Motions; Replies

2. Section 502.62(f) is revised to read as follows:

§ 502.62 Complaints and fee.

* * * * *

(f) The complaint shall be accompanied by remittance of a \$166 filing fee.

* * * * *

3. Section 502.68(a)(3) is revised to read as follows:

§ 502.68 Declaratory orders and fee.

(a) * * *

(3) Petitions shall be accompanied by remittance of a \$162 filing fee.

* * * * *

4. Section 502.69(b) is revised to read as follows:

§ 502.69 Petitions—general and fee.

* * * * *

(b) Petitions shall be accompanied by remittance of a \$162 filing fee. [Rule 69.]

Subpart F—Settlement; Prehearing Procedure

5. Section 502.92(a)(3)(ii) is revised to read as follows:

§ 502.92 Special docket applications and fee.

(a) * * *

(3)(i) * * *

(ii) The application for refund or waiver must be accompanied by remittance of an \$86 filing fee.

* * * * *

Subpart K—Shortened Procedure

6. The last sentence of section 502.182 is revised to read as follows:

§ 502.182 Complaint and memorandum of facts and arguments and filing fee.

* * *

The complaint shall be accompanied by remittance of a \$166 filing fee. [Rule 182.]

Subpart S—Informal Procedure for Adjudication of Small Claims

7. The last sentence of section 502.304(b) is revised to read as follows:

§ 502.304 Procedure and filing fee.

* * * * *

(b) * * *

Such claims shall be accompanied by remittance of a \$68 filing fee.

* * * * *

Subpart U—Conciliation Service

8. The last sentence of section 502.404(a) is revised to read as follows:

§ 502.404 Procedure and fee.

(a) * * *

The request shall be accompanied by remittance of a \$61 service fee.

* * * * *

PART 503 - PUBLIC INFORMATION

9. The authority citation for Part 503 is revised to read as follows:

AUTHORITY: 5 U.S.C. 552, 552a, 552b, 553; 31 U.S.C. 9701; E.O. 12356, 47 FR 14874, 15557, 3 CFR 1982 Comp., p. 167.

Subpart E—Fees

10. The introductory paragraph of section 503.41 is revised to read as follows:

§ 503.41 Policy and services available.

Pursuant to policies established by the Congress, the Government's costs for services provided to identifiable persons are to be recovered by the payment of fees (Independent Office

Appropriations Act, 31 U.S.C. 9701 and Freedom of Information Reform Act of 1986, October 27, 1986, 5 U.S.C. 552). Except as otherwise noted, it is the general policy of the Commission not to waive or reduce service and filing fees contained in this Chapter. In extraordinary situations, the Commission will accept requests for waivers or fee reductions. Such requests are to be made to the Secretary of the Commission at the time of the information request or the filing of documents and must demonstrate that the waiver or reduction of a fee is in the best interest of the public, or that payment of a fee would impose an undue hardship. The Secretary will notify the requestor of the decision to grant or deny the request for waiver or reduction.

* * * * *

11. In section 503.43, paragraphs (c)(1)(i) and (ii), the first sentence of paragraph (c)(2), paragraph (c)(3)(ii), paragraph (c)(4), paragraphs (d)(1), (2), and (3), and paragraph (e) are revised; paragraphs (f) and (i) are removed; paragraphs (g), (h), and (j) are redesignated paragraphs (f), (g), and (h); and newly designated paragraphs (f) and (g) are revised to read as follows:

§ 503.43 Fees for services.

* * * * *

(c) * * *

(1) * * *

(i) Search will be performed by clerical/administrative personnel at a rate of \$15.00 per hour and by professional/executive personnel at a rate of \$30.00 per hour.

(ii) Minimum charge for record search is \$15.00.

(2) Charges for review of records to determine whether they are exempt from disclosure under § 503.35 shall be assessed to recover full costs at the rate of \$63.00 per hour. * * *

(3) * * *

(i) * * *

(ii) By Commission personnel, at the rate of five cents per page (one side) plus \$15.00 per hour.

(iii) * * *

(4) The certification and validation (with Federal Maritime Commission seal) of documents filed with or issued by the Commission will be available at \$70.00 for each certification.

(d) * * *

(1) Orders, notices, rulings, and decisions (initial and final) issued by Administrative Law Judges and by the Commission in all formal docketed proceedings before the Federal Maritime Commission are available at an annual subscription rate of \$278.

(2) Final decisions (only) issued by the Commission in all formal docketed proceedings before the Commission are available at an annual subscription rate of \$223.

(3) General rules and regulations of the Commission are available at the following rates: (i) Initial set including all current regulations for a fee of \$83, and (ii) an annual subscription rate of \$6 for all amendments to existing regulations and any new regulations issued.

* * * * *

(e) To have one's name and address placed on the mailing list of a specific docket as an interested party to receive all issuances pertaining to that docket: \$7 per proceeding.

(f) Loose-leaf reprint of the Commission's complete, current Rules of Practice and Procedure, part 502 of this chapter, for an initial fee of \$9. Future amendments to the reprint are available at an annual subscription rate of \$7.

(g) Applications for admission to practice before the Commission for persons not attorneys at law must be accompanied by a fee of \$77 pursuant to § 502.27 of this chapter.

* * * * *

Subpart G—Access to Any Record of Identifiable Personal Information

12. In section 503.69, paragraphs (b) (1) and (2) are revised to read as follows:

§ 503.69 Fees.

* * * * *

(b) * * *

(1) The copying of records and documents will be available at the rate of five cents per page (one side), limited to size 8¼" x 14" or smaller.

(2) The certification and validation (with Federal Maritime Commission seal) of documents filed with or issued by the Commission will be available at \$70 for each certification.

* * * * *

PART 510 - LICENSING OF OCEAN FREIGHT FORWARDERS

13. The authority citation for Part 510 is revised to read as follows:

AUTHORITY: 5 U.S.C. 553; 31 U.S.C. 9701; 46 U.S.C. app. 1702, 1707, 1709, 1710, 1712, 1714, 1716, and 1718; 21 U.S.C. 853a.

Subpart B-Eligibility and Procedure for Licensing; Bond Requirements

14. Section 510.12(b) is revised to read as follows:

§ 510.12 Application for license.

(a) * * *

(b) Fee. The application shall be accompanied by a money order, certified check or cashier's check in the amount of \$687 made payable to the Federal Maritime Commission.

* * * * *

15. The penultimate sentence in section 510.14(b) is revised to read as follows:

§ 510.14 Surety bond requirements.

(a) * * *

(b) * * *

The fee for such supplementary investigation shall be \$213 payable by money order, certified check or cashier's check to the Federal Maritime Commission. * * *

16. The first sentence of section 510.19(e) is revised to read as follows:

§ 510.19 Changes in organization.

* * * * *

(e) Application form and fee. Applications for Commission approval of status changes or for license transfers under paragraph (a) of this section shall be filed in duplicate with the Director, Bureau of Tariffs, Certification and Licensing, Federal Maritime Commission, on form FMC-18 Rev., together with a processing fee of \$365, made payable by money order, certified check or cashier's check to the Federal Maritime Commission. * * *

PART 514 - TARIFFS AND SERVICE CONTRACTS

17. The authority citation for Part 514 continues to read as follows:

AUTHORITY: 5 U.S.C. 552 and 553; 31 U.S.C. 9701; 46 U.S.C. app. 804, 812, 814-817(a), 820, 833a, 841a, 843, 844, 845, 845a, 845b, 847, 1702-1712, 1714-1716, 1718, 1721, and 1722; and sec. 2(b) of Pub. L. 101-92, 103 Stat. 601.

Subpart C-Form, Content and Use of Tariff Data

18. In section 514.21, paragraphs (c), (e)(1), (f), (j), and (k) are revised to read as follows:

§ 514.21 User charges.

* * * * *

(c) Registration for user (filer and/or retriever ID and password (see exhibit 1 to this part and §§514.4(d), 514.8(f) and 514.20)): \$162 for initial registration for firm and one individual; \$136 for additions and changes.

(d) * * *

(e) Certification of batch filing capability (by appointment through the Bureau of Administration) (§ 514.8(l)).

(1) User charge: \$359 per certification submission (covers all types of tariffs for which the applicant desires to be certified as well as recertification required by substantial changes to the ATFI system).

* * * * *

(f) Application for special permission (§ 514.18): \$146.

* * * * *

(j) Database tapes (§ 514.20(d)). The fees for subscriber tapes, similar to other fees in this section, reflect the cost of providing those copies, including staff time, the cost of duplication, distribution, and user-dedicated equipment, and are:

(1) Initial set of full database tapes: \$336.

(2) Daily updates: \$61.

(3) Weekly updates: \$86.

(4) Monthly updates: \$136.

Updates of ATFI tapes include a set number of tapes; if more tapes are required, the fee will increase by \$25 per additional tape.

(k) Miscellaneous tapes. The fee for tape data, other than the ATFI database described in paragraph (j) of this section, shall be \$61 for the initial tape plus \$25 for each additional tape required.

* * * * *

Part 540 - SECURITY FOR THE PROTECTION OF THE PUBLIC

19. The authority citation for Part 540 is revised to read as follows:

AUTHORITY: 5 U.S.C. 552, 553; 31 U.S.C. 9701; secs. 2 and 3, Pub. L. 89-777, 80 Stat. 1356-1358 (46 U.S.C. app. 817e, 817d); sec. 43 of the Shipping Act, 1916 (46 U.S.C. app. 841a); sec. 17 of the Shipping Act of 1984 (46 U.S.C. 1716).

Subpart A—Proof of Financial Responsibility, Bonding and Certification of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation

20. The last sentence in section 540.4(b) is revised to read as follows:

§ 540.4 Procedure for establishing financial responsibility.

* * * * *

(b) * * *

An application for a Certificate (Performance) shall be accompanied by a filing fee remittance of \$1,874.

* * * * *

Subpart B—Proof of Financial Responsibility, Bonding and Certification of Financial Responsibility to Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages

21. The last sentence of section 540.23(b) is revised to read as follows:

§ 540.23 Procedure for establishing financial responsibility.

* * * * *

(b) * * *

An application for a Certificate (Casualty) shall be accompanied by a filing fee remittance of \$830.

* * * * *

PART 583 - SURETY FOR NON-VESSEL-OPERATING COMMON CARRIERS

22. The authority citation for Part 583 is revised to read as follows:

AUTHORITY: 5 U.S.C. 553; 31 U.S.C. 9701; 46 U.S.C. app. 1702, 1707, 1709, 1710-1712, 1716, and 1721.

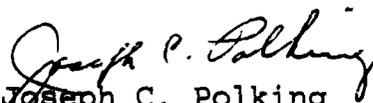
23. A new paragraph (d) is added to section 583.7 to read as follows:

§ 583.7 Proof of Compliance.

* * * * *

(d) The fee for providing the list of tariffed and bonded NVOCCs referred to in paragraph (b)(1) of this section is \$122. The list is available in several forms: hard paper copy, diskette, or tape.

By the Commission


Joseph C. Polking
Secretary

APPENDIX B

Federal Maritime Commission Summary of Revised Fees

CFR Citation	Application or Service	Current Fee	Proposed Fee
Part 502 - Rules of Practice and Procedure			
502.68(a)(3) & 502.69(b)	Petitions	\$50	\$162
502.92(a)(3)	Special Dockets	\$25	\$ 86
502.62(f) & 502.182	Formal Complaints	\$50	\$166
502.304(b)	Informal Complaints	\$25	\$ 68
502.404(a)	Conciliation Services	\$25	\$ 61
Part 503 - Public Information			
503.43(c)	Document Search	\$11/\$23 @ hr.	\$15/\$30 @ hr.
	Min. Charge	\$11	\$15
	FOIA Review	\$38 @ hr.	\$63 @ hr.
	Copying by Commission Staff	\$11 @ hr.	\$15 @ hr.
503.43(c) & 503.69(b)(2)	Document Certification	\$ 5 @ cert.	\$70 @ cert.
503.43(d)	Annual Subscriptions:		
	(1) Orders, notices, etc., all docketed proceedings	\$195	\$278
	(2) Final Decisions Only	\$120	\$223
	(3)(i) Rules, Initial Set	\$ 16.50	\$ 83
	(3)(ii) Rules, Amendments	\$ 8.25	\$ 7
503.43(e)	Mailing List	\$ 3	\$ 7
503.43(f)	Rules of Practice & Procedure - Initial Set	\$ 4.25	\$ 9
	Amendments	\$ 4	\$ 7

503.43(g)	Non-Attorney Admission to Practice Before Commission	\$ 13	\$ 77
503.69(b)(1)	Copying	\$0.30 @ page	\$0.05 @ page

Part 510 - Licensing of Ocean Freight Forwarders

510.12(b)	Application for License	\$350	\$687
510.14(b)	Supplementary Investigation	\$100	\$213
510.14(e)	Status Changes	\$100	\$365

Part 514 - Tariffs and Service Contracts

514.21(c)	ATFI Registration	\$100	\$162
	Registration Changes	\$ 25	\$136
514.21(e)(1)	Certification of Software	\$200	\$359
514.21(f)	Special Permission Applications	\$100	\$146
514.21(j)	ATFI Database Tapes:		
	Initial Set	\$300	\$336
	Daily Updates	\$ 25	\$ 61
	Weekly Updates	\$ 50	\$ 86
	Monthly Updates	\$100	\$136
514.(k)	Miscellaneous Tapes	\$ 25	\$ 61

Part 540 - Security for the Protection of the Public

540.4(b)	Certificate (Performance)	\$1,600	\$1,874
540.23(b)	Certificate (Casualty)	\$ 800	\$ 830

Part 583 - Surety for Non-Vessel-Operating Common Carriers

583.7	NVOCC Listing	Varied	\$ 122
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APPENDIX A

INDIRECT COST CALCULATIONS
(Applied to Direct Cost)

A. Government Overhead Costs -

Fringe benefits and other wage-related government contributions from OMB Circular A-76:

Leave and Holidays	19.70 %
Retirement	21.70 %
Workmen's Comp. Awards	1.70 %
Health, Life Insurance	4.70 %
Medicare	<u>1.45 %</u>
Total	49.25 %

B. Commission General and Administrative -

Expenses allocated to the offices of the Commissioners, Managing Director, General Counsel, and Bureau of Administration (FY 1994 amounts from FY 1995 OMB Budget):

1. Personnel Costs	\$4,155,500
2. Rent, Communications and Utilities	1,009,468
3. Annual Report	3,000
4. Data Information	20,000
5. Printing	9,619
6. Equipment Maintenance	24,878
7. Leasehold Improvements	20,000
8. Supplies and Materials	43,784
9. ADP Supplies	7,297
10. Furniture & Equipment	9,288
11. Postage	16,790
12. Fiscal Services	24,878
13. Health Services	8,127
14. Protective Services	32,122
15. Duplicating Supplies	7,982
16. Travel	<u>42,000</u>
Total	\$5,434,733

Calculation of overhead percentage:

- Commission G & A ÷ Agency Funding = % Overhead
- Total Agency Funding for FY 1994: \$18,900,000
- Commission G & A: \$ 5,434,733
- Overhead Percentage: 28.76 %
(\$5,434,733 ÷ \$18,900,000)

C. Office General and Administrative -

Overhead expenses allocated to Offices and Bureaus involved in fee-generating activities (excluding ATFI):

1. Rent, Communications, & Utilities	\$ 968,401
2. Postage	18,518
3. Miscellaneous Printing	10,597
4. Credit Reports	8,750
5. Equipment Maintenance	27,405
6. Fiscal Services	27,405
7. Health Services	10,962
8. Protective Services	31,790
9. Supplies and Materials	48,233
10. ADP Supplies	8,039
11. Duplicating Supplies	8,770
12. Furniture and Equipment	3,654
13. ADP Equipment	<u>6,577</u>

Total \$1,179,101

Calculation of overhead percentage:

● Overhead Expenses + Bureau/Office Funding = % Overhead

● Funding for Bureaus/Offices:

(FY 1994 amounts from FY 1995 OMB Budget)

Secretary	\$ 910,000
Trade Monitoring & Analysis	\$1,846,000
Tariffs, Certification & Licensing	<u>\$2,730,000</u>

Total \$5,486,000

● Office G & A: \$1,179,101

● Overhead Percentage: 21.49 %

(\$1,179,101 ÷ \$5,486,000)

D. Total Indirect Cost Factor (Sum of A through C).

A. Government Overhead Costs	49.25 %
B. Commission General & Administrative	28.76 %
C. Office General & Administrative	<u>21.49 %</u>
Total	99.50 %