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September 23, 2008

Federal Maritime Commission (FMC)

Attn.: Assistant Secretary
800 North Capital Street, NW
Washington, DC 20573-0001

Re: Petition Docket No. P1-08 / NCBFAA on Exemption from Mandatory Rate Tariff
Publication

Dear Ladies & Gentlemen,

I am in full support of the NCBFAA petition, and advise that my professional experience confirms the information provided in the supporting statements.

Rate tariffs for NVOCC have become “obsolete” in practical terms in today's constantly changing pricing environment and no longer serve their original purpose. Honestly, I do not know of any NVOCC that can keep up with all the rate and surcharge changes in the specified format and regulatory environment – there are just too many changes and variables to file accurately and timely. Just think about the many different and constantly changing fuel/bunker/BAF surcharges in ocean shipping today. How can any NVOCC keep track of them accurately and timely? Especially as the rate filing requirement only allow for one such surcharge per trade lane although the NVO may use many different VOCC, all of which have different fuel surcharges (and validity dates).

By no way would this mean that NVOCC will do away with internal tariffs, customer guidelines and costing tools. They will still need them to support their business decisions. Therefore I anticipate that many of the FMC tariff publishing companies will expand their business to support their NVO customers in that respect if the current mandatory FMC rate filing requirement is eliminated.

From a shipper perspective (I have many shipper clients) no one has ever asked or verified a rate filed in a NVO rate tariff that I know of personally. Even in my previous activity as a freight forwarder and NVO, I had never received a request from a shipper for rate tariff verification.

Albert W. Saphir d/b/a ABS Consulting
3635 Summerford Drive, Marietta, GA 30062-7015
16284 SW 48 Terrace, Miami, FL 33185-5156
Tel: (770) 565-2838 ♦ Email: albert@abs-consulting.net
www.abs-consulting.net

Shippers simply ask forwarders and/or NVOs for a rate quote and negotiate and/or accept it the same way as they do today for all of their air and truck shipments.

Thus, not only is the current rate filing process outdated and no longer compatible with today's ocean business model, but it adds a considerable amount of unnecessary cost to the NVO and thus increases the shipping rates shippers pay every day.

I therefore strongly recommend that the FMC approve the NCBFAA petition in its current format and content. If I can be of further assistance or if any clarification is required, please do not hesitate to contact me at any time.

I elect to receive service from the Commission on this proceeding via email using my email address as follows: albert@abs-consulting.net

In addition I provide following statement:

CERTIFICATE OF SERVICE Petition P01-08

I hereby certify that I have this day, served a copy via mail of my comments dated September 23, 2008 upon:

1. Mr. Edward D. Greenberg, Esq., Galland Kharasch Greenberg Fellman & Swirsky, P.C., 1054 31st Street, NW, Washington, DC 20037-4492

Sincerely,



Albert W. Saphir