



BARTHCO

BARTHCO LOGISTICS, INC.

October 03, 2003

Honorable Bryant L. Van Brakle
Secretary
Federal Maritime Commission
800 North Capitol Street, N.W.
Washington, D.C. 20573



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Folcroft, PA 19032

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RE: Petition of National Customs Brokers and Forwarders
Association of America, Inc. for a Limited Exemption From
Certain Tariff Requirements of the Shipping Act of 1984
Petition No. **P5-03**

Dear Secretary Van Brakle:

My name is Paul F. Muller, Senior Vice President of Seahorse Carrier Services, a privately held NVOCC, operating throughout the United States, with partners and affiliates worldwide, under Ocean Transportation Intermediary License number 4349F. Seahorse is a wholly-owned subsidiary of Barthco International, Inc. As a small to mid-sized NVOCC, I am writing to express my support for the NCBFAA's petition that would provide limited exemptions from the tariff publishing regulations set forth in the Shipping Act of 1984.

It is widely held that the goal of the rate tariff legislation is to prevent unjust rate discrimination among shippers by making a carrier's rates publicly available. In our view, the existing practice of making tariffs available seldom serves the intended purpose. In particular, none of our customers currently access our tariff to verify pricing or compare the rates they have received with those on file for other shippers. Rather, we normally negotiate pricing directly with our customers to cover specific shipments and specific commercial situations at the time of shipment. The filing of those rates in our tariff then becomes an administrative, but up to this point necessary, burden to ensure we are in compliance with the regulations of the Act of 1984. Our annual corporate expenditure for tariff filing and maintenance is approximately \$19,500, of which, 75% is attributed to the tariff publisher. Despite this outlay of time and money, the tariffs are never looked at by those they are intended to protect, the shipping community.

I am aware of petitions lodged by other NVOCC's proposing the same level of exemption for NVOCC's that meet specific financial criteria. While I do agree that there should be a screening process, I disagree that it should be driven by revenue alone. The size and resources of an entity should have no bearing on whether or not they should receive the relief requested. Rather, the exemptions should apply to those NVOCC's who have demonstrated a history of compliance with the rules and regulations administered by the Federal Maritime Commission.



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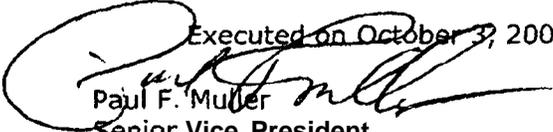
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In light of the financial burden and the limited benefit provided to the shipping public by mandatory rate tariff publishing, we are strongly in favor of the limited exemption provided by the NCBFAA petition.

I, Paul F. Muller declare under penalty of perjury that the foregoing is true and correct. Further I certify that I am qualified and authorized to file this verified statement.

Executed on October 3, 2003


Paul F. Muller
Senior Vice President