ORIGINAL

September 9, 2004

Secretary
Federal Maritime Commission
800 North Capitol Street N.W.
Washington, DC 20573

Subject: **Response to UPS/NITL Petition**

Submitted by: Michael Clements
Managing Director
ATEC Systems, Ltd.
650 N. South Lake Blvd
Altamonte Springs, FL 32701

Dear Secretary,

ATEC Systems, Ltd. is a licensed Ocean Transportation Intermediary Non Vessel Operating Common Carrier.

We have reviewed the UPS/NITL petition and the subsequent September 8, 2004 "Conditional Exemption from Tariff Publication" petition filed by the NCBFAA.

While we do not disagree with the UPS/NITL petition, it does not address the burdensome, costly and unnecessary requirement of tariff publication which is addressed in the NCBFAA petition.

Please consider the following:

- Publishing the tariff is costly to us as an NVOCC and therefore our customers
- Access of the published tariffs in general is virtually non-existent
- Shippers do not rely on the published tariffs
- Records can be maintained by NVOCC's at a much reduced cost
- Trade flow would improve without the need for tariff filing prior to movement of cargo

The FMC has an opportunity to continue its role in managing trade compliance while reducing the financial burden of tariff publication and improving the flow of trade.

We urge you to take prompt action in granting the NCBFAA's petition.

With respect,

Michael Clements
Managing Director
ATEC Systems, Ltd.

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