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**To:** "B. L. VanBrakle" <secretary@fmc.gov>  
**Date:** Mon, Aug 13, 2001 11:11 AM  
**Subject:** FMC Dkt 01-08

To: Bryant VanBrakle, Secretary  
Federal Maritime Commission

From: H.A. Levy, TAAFLO/TPAFBO Counsel

Dear Mr. VanBrakle:

TAAFLO/TPAFBO's response to the Commission's Notice in the subject proceeding follows as an attachment hereto. Please kindly acknowledge safe receipt thereof.

Respectfully submitted,

H.A. Levy

BEFORE THE FEDERAL MARITIME COMMISSION

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THE IMPACT OF THE	X
GOVERNMENT PAPERWORK	X
ELIMINATION ACT AND THE	X
ELECTRONIC SIGNATURES IN	X
GLOBAL AND NATIONAL	X
COMMERCE ACT	X
	X

DOCKET NO. 01-08

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RESPONSE OF THE  
 TRANS-ATLANTIC AMERICAN  
 FLAG LINER OPERATORS ("TAAFLO") AND  
 TRANS-PACIFIC AMERICAN FLAG  
 BERTH OPERTORS ("TPAFBO")  
TO NOTICE OF INQUIRY

I. OPENING STATEMENT

TAAFLO and TPAFBO are Conferences of U.S. flag carriers engaged in the ocean transport of household goods belonging to members of the armed forces between the United States and overseas destinations\*. TAAFLO and TPAFBO support the Commission's initiative in this proceeding to broaden the range of documents regulated parties may submit to it by optional use of electronic means. Their further comments follow.

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\* The Members of TAAFLO are A.P. Moller-Maersk Sealand; Lykes Lines Ltd. LLC; American Roll-On Roll-Off Carrier, LLC; American President Lines, Ltd. and P&O Nedlloyd Limited/Farrell Lines Incorporated. The Members of TPAFBO are A.P. Moller-Maersk Sealand and American President Lines, Ltd. To the extent any of them submit individual comments in this matter which conflict with those set forth herein, the latter shall be deemed to prevail with respect to that Member or Members.

## II. MAIN COMMENTS

The enabling Agreements of TAAFLO and TPAFBO, as well as, from time to time, amendments thereto, are filed with the Commission in hard copy paper format as also are supplementary filing documents including transmittal letters. TAAFLO and TPAFBO additionally are parties to a joint housekeeping Agreement which, along with amendments thereto, is likewise filed with the Commission. All minutes of TAAFLO and TPAFBO meetings required to be filed with the Commission and all TAAFLO and TPAFBO monitoring reports so required to be submitted to it are currently transmitted in hard copy paper format. Yet, all of these documents are prepared in a PC WordPerfect program and could be transmitted to the Commission over the internet, as they are to the Agreement Parties, at the touch of a key rather than printed out, duplicated and dispatched by post or courier service (snail mail").

TAAFLO and TPAFBO note that the Commission's Notice in this very proceeding stipulates that replies thereto may be optionally submitted to it via e-mail. They further note the remarkably effective and efficient procedures the Commission has prescribed for the electronic filing of confidential service contracts. These precedents provide a foundation for the construction of further procedures to accommodate an expanded population of documents which may be optionally submitted to the Commission over the internet seaway via e-mail and, particularly, those described herein above.

Presently, Shipping Act Agreement and related filing procedures remain stranded and isolated in a dismal paper swamp, by-passed and left awash by the mainstream of commerce and contemporary communication systems. TAAFLO and TPAFBO urge the Commission to salvage and modernize those antiquated procedures. Moreover, and in

that endeavor, the Commission ought not be anymore concerned with the question of signatures than it has been with respect to electronic confidential service contract filings or, for that matter, these very comments themselves. Furthermore, it would also appear that any questions regarding confidentiality, concurrent submission of required filing fees and like matters may be readily resolved and ought not serve as barriers or impediments to moving ahead expeditiously.

### III. CONCLUSION

TAAFLO and TPAFBO encourage the Commission to proceed with and expand upon its aim in this proceeding to enlarge the field of documents which may be optionally filed with and/or submitted to it by electronic means. In the very least, that field ought be opened at once to the inclusion of Agreement matters comprehending not only monitoring reports but, also, Agreement meeting minutes and Agreement and Agreement amendment filing materials. Finally, TAAFLO and TPAFBO further suggest that the Commission review its Rules of Practice and Procedures and provide for the optional electronic filing/submission/service of as many documents within their scope as may be practical and feasible.

Respectfully submitted,

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August 13, 2001

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