

ORIGINAL

(S E R V E D)
(July 30, 2001)
(FEDERAL MARITIME COMMISSION)

FEDERAL MARITIME COMMISSION

DOCKET NO. 01-09

Transglobal Forwarding Co., Ltd.- Possible Violations of
Section 10(a)(1) of the Shipping Act of 1984

ORDER OF INVESTIGATION AND HEARING

Transglobal Logistic Forwarding Co., Ltd. ("Transglobal") is a tariffed and bonded ocean transportation intermediary ("OTI/NVOCC") located at 6F, No. 399, Nan-King E. Rd., Taipei 105, Taiwan R.O.C. Transglobal holds itself out as an OTI pursuant to its automated tariff located at <http://www.otbusa.com>. Prior to May 1, 1999, Transglobal maintained a tariff with the Commission, number 012655-001, effective May 12, 1994. Transglobal currently maintains a bond, number 8941209, in the amount of \$150,000 with Washington International Insurance Company, located in Itasca, Illinois, which also serves as Transglobal's U.S. resident agent for service of process.

Transglobal is a private limited company which registered in Taiwan on November 16, 1991, business registration number 86307747. Stephen Lu is the Managing Director of Transglobal.

Section 10(a)(1) of the Shipping Act of 1984 ("1984 Act"), 46 U.S.C. app. 1709(a)(1), prohibits a person from knowingly and willfully, directly or indirectly, by means of false billing,

false classification, false weighing, false report of weight, false measurement, or by any other unjust or unfair device or means, obtaining or attempting to obtain ocean transportation for property at less than the rates or charges that would otherwise be applicable. It appears that on at least seventy-three (73) shipments between May 9, 1998 and March 28, 1999, Transglobal knowingly and willfully obtained or attempted to obtain ocean transportation at less than the applicable rates through accessing service contracts to which it was not a signatory or affiliate.

Under section 13 of the 1984 Act, 46 U.S.C. app. 1712, a person is subject to a civil penalty of not more than \$27,500 for each violation knowingly and willfully committed, and not more than \$5,500 for other violations.’

NOW THEREFORE, IT IS ORDERED, That pursuant to sections 10, 11, and 13 of the 1984 Act, 46 U.S.C. app. 1709, 1710 and 1712, an investigation is instituted to determine:

1) whether Transglobal Forwarding Co., Ltd. violated section 10(a)(1) of the 1984 Act by knowingly and willfully, directly or indirectly, by means of false billing, false classification, false weighing, false report of weight, false measurement, or by any other unjust or unfair device or means, obtaining or attempting to obtain ocean transportation for property at less than the rates or charges that would otherwise have been applicable;

2) whether, in the event violations of section 10(a)(1) of the 1984 Act are found, civil penalties should be assessed against Transglobal Forwarding Co., Ltd. and, if so, the amount of penalties to be assessed; and

3) whether, in the event violations are found, an appropriate cease and desist order should be issued.

‘The maximum penalties were raised by 10 percent for violations occurring after November 7, 1996. See *Inflation Adjustment of Civil Monetary Penalties*, 27 S.R.R. 809 (1996).

IT IS FURTHER ORDERED, That a public hearing be held in this proceeding and that this matter be assigned for hearing before an Administrative Law Judge of the Commission's Office of Administrative Law Judges in compliance with Rule 61 of the Commission's Rules of Practice and Procedure, 46 CFR 502.61. The hearing shall include oral testimony and cross-examination in the discretion of the presiding Administrative Law Judge only after consideration has been given by the parties and the presiding Administrative Law Judge to the use of alternative forms of dispute resolution, and upon a proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matters in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record.

IT IS FURTHER ORDERED, That Transglobal Logistic Forwarding Co., Ltd. is designated as Respondent in this proceeding;

IT IS FURTHER ORDERED, That the Commission's Bureau of Enforcement is designated a party to this proceeding;

IT IS FURTHER ORDERED, That notice of this Order be published in the Federal Register, and a copy be served on parties of record;

IT IS FURTHER ORDERED, That other persons having an interest in participating in this proceeding may file petitions for leave to intervene in accordance with Rule 72 of the Commission's Rules of Practice and Procedure, 46 CFR 502.72;

IT IS FURTHER ORDERED, That all further notices, orders and/or decisions issued by or on behalf of the Commission in this proceeding, including notice of the time and place of hearing or prehearing conference, shall be served on all parties of record;

IT IS FURTHER ORDERED, That all documents submitted by any party of record in this proceeding shall be directed to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, in accordance with Rule 118 of the Commission's Rules of Practice and Procedure, 46 CFR 502.118, and shall be served on all parties of record; and

IT IS FURTHER ORDERED, That in accordance with Rule 61 of the Commission's Rules of Practice and Procedure, the initial decision of the Administrative Law Judge shall be issued by July 30, 2002 and the final decision of the Commission shall be issued by November 27, 2002.

By the Commission.

A handwritten signature in black ink that reads "T.A. ZOOK". The letters are stylized and connected, with a prominent flourish at the end of the word "ZOOK".

Theodore A. Zook
Assistant Secretary

FDIC Contact Tamara R. Manly, (202) 898-7453, Office of the Executive Secretary, Room F-4058, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, DC 20429.

Comments Comments on these collections of information are welcome and should be submitted on or before September 13, 2001 to both the OMB reviewer and the FDIC contact listed above.

ADDRESSES: Information about this submission, including copies of the proposed collections of information, may be obtained by calling or writing the FDIC contact listed above.

Federal Deposit Insurance Corporation

Dated August 8, 2001.

James D. LaPierre,

Deputy Executive Secretary

[FR Doc. 01-20361 Filed 8-13-01; 8:45 am]

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FEDERAL MARITIME COMMISSION

[Docket No. 01-10]

Green Master Int'l Freight Services Ltd.-Possible Violations of Sections 10(a)(1) and 10(b)(1) of the Shipping Act of 1984; Notice of Investigation and Hearing

Notice is given that on July 30, 2001, the Federal Maritime Commission served an Order of Investigation on Green Master Int'l Freight Services Ltd. ("Green Master"). It appears that on at least 49 shipments between May 18, 1998 and May 3, 1999, Green Master knowingly and willfully obtained or attempted to obtain ocean transportation at less than the applicable rates by means of accessing service contracts to which Green Master was not a signatory or affiliate. This proceeding therefore seeks to determine (1) whether Green Master violated section 10(a)(1) of the Shipping Act of 1984 ("Shipping Act") by knowingly and willfully, directly or indirectly, by means of false billing, false classification, false weighing, false report of weight, false measurement, or by any other unjust or unfair device or means, obtaining or attempting to obtain ocean transportation for property at less than the rates or charges that would otherwise have been applicable; (2) whether Green Master violated section 10(b)(1) of the Shipping Act by charging, demanding, collecting or receiving less or different compensation for the transportation of property than the rates and charges shown in its NVOCC tariff; (3) whether, in the event violations of sections 10(a)(1) or 10(b)(1) of the Shipping Act are found, civil

penalties should be assessed against Green Master and, if so, the amount of penalties to be assessed; (4) whether, in the event violations of section 10(b)(1) of the Shipping Act are found, the tariff of Green Master should be suspended; and (5) whether, in the event violations are found, an appropriate cease and desist order should be issued. The full text of the Order may be viewed on the Commission's home page at <http://www.fmc.gov/>, or at the Office of the Secretary, Room 1046, 800 N. Capitol Street, NW., Washington, DC. Any person may file a petition for leave to intervene in accordance with 46 CFR 502.72.

Bryant L. VanBrakle,

Secretary.

[FR Doc. 01-20288 Filed 8-13-01; 8:45 am]

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FEDERAL MARITIME COMMISSION

[Docket No. 01-09]

Transglobal Forwarding Co., Ltd.—Possible Violations of Section 10(a)(1) of the Shipping Act of 1984; Notice of Investigation and Hearing

Notice is given that on July 30, 2001, the Federal Maritime Commission served an Order of Investigation on Transglobal Logistic Forwarding Co., Ltd. ("Transglobal"), which is a tariffed and bonded ocean transportation intermediary ("OTI/NVOCC"). It appears that on at least 73 shipments between May 9, 1998 and March 28, 1999, Transglobal knowingly and willfully obtained or attempted to obtain ocean transportation at less than the applicable rates through accessing service contracts to which it was not a signatory or affiliate. This proceeding therefore seeks to determine (1) whether Transglobal violated section 10(a)(1) of the Shipping Act of 1984 ("Shipping Act") by knowingly and willfully, directly or indirectly, by means of false billing, false classification, false weighing, false report of weight, false measurement, or by any other unjust or unfair device or means, obtaining or attempting to obtain ocean transportation for property at less than the rates or charges that would otherwise have been applicable; (2) whether, in the event violations of section 10(a)(1) of the Shipping Act are found, civil penalties should be assessed against Transglobal and, if so, the amount of penalties to be assessed; and (3) whether, in the event violations are found, an appropriate cease and desist order should be issued. The full text of the Order may be viewed on the

Commission's home page at <http://www.fmc.gov/>, or at the Office of the Secretary, Room 1046, 800 N. Capitol Street, NW., Washington, DC. Any person may file a petition for leave to intervene in accordance with 46 CFR 502.72.

Bryant L. VanBrakle,

Secretary

[FR Doc 01-20289 Filed 8-13-01, 8:45 am]

BILLING CODE 6730-01-P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 et seq.) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at www.ffiec.gov/nic/.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than September 10, 2001.

A. Federal Reserve Bank of Boston (Richard Walker, Community Affairs Officer) 600 Atlantic Avenue, Boston, Massachusetts 02106-2204:

1. *Southern Connecticut Bancorp, Inc.*, New Haven, Connecticut; to become a bank holding company by acquiring 100 percent of the voting