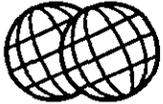


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ORIGINAL 

WorldWideAlliance

**BEFORE THE
FEDERAL MARITIME COMMISSION
WASHINGTON, D.C.**

**REPLY COMMENTS OF WORLDWIDE ALLIANCE
IN SUPPORT OF THE
PETITION OF THE NATIONAL CUSTOMS BROKERS AND
FORWARDERS ASSOCIATION OF AMERICA (“NCBFAA”) FOR
EXEMPTION FROM MANDATORY RATE TARIFF PUBLICATION**

FMC Petition No. P1-08

September 25th, 2008

I. Introduction.

The following comments are submitted by WorldWide Alliance (“WWA”), a shippers association of Non-vessel operating common carriers (“NVOCCs”), and their booking agents. The members of WWA which are Federal Maritime Commission (“FMC” or “Commission”) licensed or registered Ocean Transportation Intermediaries (“OTI”) are: Shipco Transport, Inc., FMC No. 008352N; Allink Transportes Internacionais Ltda., Org. No. 015749; Combimar & Agemar SPA, Org. No. 019313; Multimodal, Multi-Cargo Leader, Org. No. 016986; Saco Shipping/SSL Line, Org. No. 018591; AGS World Transport, Org. No. 020369 and Team Global Logistics Co., Ltd. Org. No. 018319. The

WWA through its members and their global booking agents provide worldwide NVOCC services. WWA has developed into one of the world's leading shippers association comprised of leading global neutral NVOCC's. WWA services LCL and FCL shipper customers worldwide, and in particular in the U.S. import/export trades. WWA is fully supportive of the Petition of the National Customs Brokers and Forwarders Association of America (NCBFAA), FMC Petition No. P1-08, submitted pursuant to 46 C.F.R. §§ 502.67 and 502.69 for a limited exemption of mandatory rate tariff publication.

II. **WWA's Support of the Petition.**

WWA is in complete agreement with the NCBFAA that the deregulatory changes in the United States have substantially changed ocean shipping. The effect of the legislative and regulatory changes has resulted more and more in a more dynamic marketplace where fast changing pricing has to a substantial degree rendered public tariffs meaningless. WWA can heartily support what the NCBFAA and others have concluded---i.e., shippers do not rely on freight tariffs in determining the selection of ocean carriers or NVOCCS. WWA can attest that NVOCC freight rates are always separately negotiated with each shipper one at a time. Rates and charges are geared to the individual shipper and take into consideration traffic lanes, number of containers to be shipped, the type of commodities and other transport related factors. WWA members is not aware of any shipper ever consulting any of their tariffs in structuring their shipping requirements. **Since WWA is a global association, it can say without equivocation that Tariff publishing does not exist in any trade lanes other than those involving the United States. WWA believes that this puts U.S. traffic at a distinct disadvantage in that NVOCCs cannot respond as quickly to rates and charges fluctuations as they can in other non-US trade lanes. WWA concurs that**

tariff publishing has no commercial value and would not exist but for U.S. regulatory requirements. WWA members have to constantly amend their tariffs on a shipper by shipper basis to reflect the specific rates and charges negotiated with each customer. Common carriage is no longer a functioning concept and has run its course. WWA and the NVOCC industry in general need the flexibility provided by this Exemption in order to compete effectively in a fast changing market. Shippers as well benefit from a more dynamic marketplace. The cost of tariff publication is costly. There is no way to justify it in a cost-benefit analysis in other than regulatory terms. In other words there is no commercial benefit that results to the NVOCC or their customers. WWA agrees with the NCBFAA Petition that it is time for these exemptions.

For all of the foregoing reasons, WWA supports the NCBFAA Petition, and joins in requesting that the Commission initiate a formal proceeding under Sections 16 of the Shipping Act of 1984, as amended, to consider exempting NVOCCs from the specified tariff obligations currently required by the Commission's rules and regulations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Fiona Govan", written over a horizontal line.

Fiona Govan
Executive Director
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