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NORMAN G. JENSEN, INC.

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FEDERAL MARITIME COMMISSION

BEFORE THE FEDERAL MARITIME COMMISSION WASHINGTON, D.C.

PETITION OF NATIONAL CUSTOMS BROKERS AND FORWARDERS ASSOCIATION OF AMERICA FOR EXEMPTION

FROM MANDATORY RATE TARIFF PUBLICATION

VERIFIED SUPPORTING STATEMENT OF NORMAN G. JENSEN INC.

I am Tim Thoma, Assistant Vice President Exports of Norman G. Jensen Inc. We operate as a freight forwarder, customs broker and OTI / NVOCC. We have offices located at our corporate headquarters in Minneapolis as well as Chicago, New York, Miami, Houston, Salt Lake City, Seattle and Los Angeles,

As a member of the NCBFAA Norman G. Jensen Inc, and our NVOCC Jensen Marine Services, is very familiar with the issues related to the mandatory publication of ocean rate tariffs. We are in support of the NCBFAA petition for NVOCC exemption from mandatory rate tariff publication.

Like all other NVOCC's Norman G. Jensen Inc. operates in a very competitive environment. We are required to quote on just about every individual shipment we handle, and our rates can change daily if not more often. In addition to the base rate fluctuations we have to deal with changing surcharges, fuel surcharges, arbitraries, security, rail surcharges, as well as the fluctuating dollar. Since NVOCC's deal with multiple carriers it is not practical to maintain one set of surcharges. We have to file all inclusive rates in our tariff for both FCL and LCL shipments, and in reality these rates may only be valid for one shipment. This puts us at a competitive disadvantage.

In addition to the time required to file so many unnecessary rates there is an expense associated with every tariff rate filing. We have to pay for every rate action, as well as every new commodity added. We also have to pay a monthly fee to maintain the rate tariff.

We understand and fully support the fact that the consumer deserves a measure of protection, and ocean transportation is no different than any other area of commerce. The theory behind a published tariff is that the consumer has access to the tariff rates, and can make an informed decision on their transportation service. The reality is that not one of our customers has asked for access to our tariff. It is our standard practice to confirm all



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freight rates in writing, this is more convenient for the consumer and allows them the protection of contract law.

Market volatility and the competitive nature of our business requires that we quote our customers in writing. With the advent of technology consumers are able to get more quotations faster, compare comparable quotes from multiple NVOCC's, and to store and access information with a few clicks of a mouse. Consumers should be able to rely upon the protection of contract law as it relates to freight rates. An outdated and burdensome tariff rate publication requirement, one that is unique to the U.S., does not allow the ease of use nor the ability to compare rates from multiple NVOCC's that rates memorialized in writing offer.

In conclusion NVOCC tariff rate publication requirements are a costly and less effective method of verifying rates. Customers do not utilize the tariffs to confirm rates, and rely upon written confirmation from the NVOCC's they support. Eliminating the tariff rate filing requirement and allowing written rate confirmations with the protection of contract law will afford the consumer the same or a higher level of protection.

I, Tim Thoma, 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 August 21, 2008

Assistant Vice President Exports