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November 22, 2011

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Ms. Karen V. Gregory
Secretary
Federal Maritime Commission
Room 1046
800 North Capitol Street, N.W.
Washington, D.C. 20573

Re: FMC Docket No. 11-17 -- Certainty of Terms of Service Contracts and NVOCC Service Arrangements

Dear Ms. Gregory:

The carrier parties to the World Liner Data Agreement (FMC Agreement No. 012108) listed in the attachment hereto (the "Carriers") hereby submit their comments in the above-captioned proceeding.

The Carriers have contracted with an unrelated entity known as Container Trade Statistics Ltd. ("CTS") to aggregate and publish certain data provided to CTS by the Carriers. The data and the system in which it resides are owned by World Liner Data Limited, an entity created pursuant to the authority of the World Liner Data Agreement, but the data and the system are managed by CTS. This data includes a price index for containerized dry and reefer cargo published on virtually all trade lanes in the world, including those to and from the United States. As ocean common carriers and owners of a company that causes a price index to be published, the Carriers are directly affected by and interested in the Commission's proposed regulation.

The Carriers submit these comments to correct a misperception that may have been inadvertently created by the supplemental information that accompanies the proposed regulation. The supplemental information identifies four freight rate indices by name: the China Containerized Freight Index, the Shanghai Containerized Freight Index, the Drewry Freight Insight Index and the Transpacific Stabilization Agreement Index. The Carriers are concerned

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that the omission of the CTS freight index (which can be viewed on line at www.containerstatistics.com) from the list of freight indices identified by name could be interpreted to mean that it would not be lawful to use the CTS index in service contracts, thereby diminishing public interest in the use of this index and creating the perception that the freight index and other data published by CTS are somehow less reliable and/or valuable than indices and data made available by other companies.

In light of the foregoing, if the Commission adopts the final rule, the Carriers urge that it include a statement in the commentary accompanying the final rule which identifies the CTS rate index as being readily available to the parties and the Commission, and thus compliant with the new criteria established by the revised regulation.

Respectfully submitted,

COZEN O'CONNOR,
Counsel to the World Liner Data Agreement

By: Wayne Rohde

WRR

Parties to the World Liner Data Agreement

ANL Container Line Pty Ltd.

A.P. Moller-Maersk A/S trading under the name Maersk Line

CMA CGM S.A.

Compañía Chilena de Navegación Interoceánica S.A.

Compañía Sud Americana de Vapores S.A.

Evergreen Line Joint Service Agreement

Hamburg-Sudamerikanische Dampfschiffahrtsgesellschaft KG

Hanjin Shipping Company, Ltd.

Hapag-Lloyd AG

Hyundai Merchant Marine Co., Ltd.

Independent Container Line Ltd.

Mediterranean Shipping Company S.A.

Orient Overseas Container Line Ltd.

Turkon Konteyner Taşımacılık ve Denizcilik A.Ş.

United Arab Shipping Company S.A.G.