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WORLD SHIPPING COUNCIL
PARTNERS IN TRADE

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OFFICE OF THE SECRETARY
FEDERAL MARITIME COMMISSION

November 22, 2011

Karen V. Gregory, Secretary
Federal Maritime Commission
800 North Capitol Street, N.W.
Washington, D.C. 20573-0001

Re: Docket No. 11-17; Certainty of Terms of Service Contracts

Dear Ms. Gregory:

Please accept these comments in the above-captioned docket on behalf of the World Shipping Council. An original and five copies are enclosed, and a copy has been sent to you by email.

The Council supports the proposed changes to the Commission's service contract and NVOCC service arrangement regulations to accommodate the use of freight rate indices in those documents. The proposal will facilitate flexibility and freedom of contract by carriers and shippers. Their commercial negotiations should be free to arrive at a mutually agreed pricing mechanism, including freight rate indices.

With respect to the Commission's question about how the Commission may insure that the information referred to is readily available to the Commission, one approach would be simply to require in the regulations that either the carrier or the shipper provide the rate index information upon request by the Commission. We would not anticipate that the need for the information would arise frequently, and we believe that the parties to a contract that is required to be filed would not object to providing that information confidentially to the Commission.

Thank you for the opportunity to provide our views.

Sincerely,

A handwritten signature in black ink that reads "Christopher Koch". The signature is fluid and cursive.

Christopher L. Koch
President and CEO
The World Shipping Council